

# **BLACK DIAMOND CITY COUNCIL MINUTES**

**July 1, 2010**

Council Chamber, 25510 Lawson Street, Black Diamond, Washington

## **CALL TO ORDER, FLAG SALUTE:**

Mayor Olness called the regular meeting to order at 7:00 p.m. and lead us all in the Flag Salute.

## **ROLL CALL:**

**PRESENT:** Councilmembers Hanson, Boston, Goodwin, Saas.

**ABSENT:** Councilmember Mulvihill (excused).

Staff present were: Andy Williamson, Economic Development Director; Jamey Kiblinger, Police Chief; Greg Smith, Fire Chief; Chris Bacha, City Attorney and Brenda L. Martinez, City Clerk

## **PUBLIC COMMENTS:**

**Robert Taeschner, Black Diamond** – commented on Council and himself all of the same general age, shared the fact we all respect the law, bill we receive from the City and we pay as it is the law, and those that break the law have certain consequences and expect you will apply the law created in July 2008 and hopes the City applies this to YarrowBay.

**Lisa Garvich, Black Diamond** – questioned the Marine Patrol and commented on staffing these past few days.

**PRESENTATIONS: None**

**PUBLIC HEARINGS: None**

**UNFINISHED BUSINESS: None**

## **NEW BUSINESS:**

**Resolution No. 10-696, authorizing Supplement No. 5 to the contract with Hammond Collier Wade Livingstone (HWCL) for Project Management and Inspection Service during construction**

Economic Development Director Williamson distributed an outline of extra work performed by the consultant (HWCL) for the Engineering Services for the Railroad Avenue Project. The highlighted items on the list are extra items that were not included in

the original contract. Mr. Williamson reported that the City hired HWCL to provide Project Management Administration and Inspection Services for the construction phase of the Railroad Avenue Reconstruction Project. In the course of the project, the number of change orders went well beyond the contract scope; the project extended beyond the contract time frame and the number of subcontractors greatly exceeded the expected level contracted for. HWCL has provided all of these additional services and kept the project on track, this supplement will cover the costs to oversee the project to completion and provide the project close out reports to Labor & Industries, Department of Transportation and the Transportation Improvement Board. Mr. Williamson explained the amount being requested in the packet is incorrect and should be \$67,353. This amount includes the extra construction management, disposal of the contaminated material stored at the Public Works yard and installation of the retaining wall along the sidewalk on the east side of the road for a more complete look.

There was Council consensus to move forward with the change order for the retaining wall item #3.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Saas to postpone to the July 15 Council meeting. Motion **passed** with all voting in favor (4-0).

**Resolution No. 10-697, authorizing a two year Lease Agreement for the Community Development and Public Works Modular Buildings**

Economic Development Director Williamson reported this Lease Agreement is an update of the current approved lease that the City has on the Modular Buildings. The current lease has expired and this is the replacement. The terms and monthly cost are the same.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Boston to adopt Resolution No. 10-697, authorizing a two year Lease Agreement for the Community Development and Public Works modular buildings. Motion **passed** with all voting in favor (4-0).

**DEPARTMENT REPORTS:**

Police Chief Kiblinger reported on the Marine Unit; noted that a new Police Officer started today; one officer who will primarily be working on marine during his shift hours; reminder of Chief for a Day celebration August 18, starts at 10 a.m. and goes until 3 p.m.; National Night out will be held at the Community Center; closure on SE 312<sup>th</sup> started today and the plan is to use the first two weeks as a learning period and noted that there needs to be more signage, received a new Marine Grant of \$14,000; COPS Grant update notification will be in September, she also distributed crime stats.

Economic Development Director Williamson reminded all about the July 17<sup>th</sup> Grand Opening of Railroad Avenue and invited all to attend.

**MAYOR'S REPORT:**

Mayor Olness reported that she represented Black Diamond at Relay for Life held at Tahoma Junior High; invited all to visit the Railroad Avenue Project and noted the hanging baskets were from private donations and no city funds were used. Mayor Olness read a letter from George Colburn complimenting the Police Department Officers Volpone and Lynch on the recent jewelry theft from his home. Mayor Olness also reported that she received a resolution from Mr. Edelman recognizing the importance of Independence Day and on the recommendation of Legal Counsel we will be adopting as a motion. She reminded everyone that City Offices will be closed on Monday, July 5<sup>th</sup> and wished everyone a happy Fourth of July.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Boston beginning July 4, 2010, and the fourth of July thereafter, the City of Black Diamond and its environs will be warm and sunny regardless of the declarations of weather forecasters, weather reports or actual conditions. Motion **passed** with all voting in favor (4-0).

### **COUNCIL REPORTS: None**

### **ATTORNEY REPORT:**

Attorney Bacha reported that at a prior meeting questions were raised regarding the Washington Conservation Waste Action Project, he stated that Mr. Sterbank is working on this project and has notified the Attorneys working for Waste Action Project and they are in the middle of setting up a meeting to discuss the specifics of the notice.

### **PUBLIC COMMENTS:**

**Robert Taeschner, Black Diamond** – questioned if there are any possible old mine shafts to which the contaminated dirt can be disposed of or could it be injected into the former strip mine on Lawson Hill.

**Rich Ostrowski, Black Diamond** – commented the last three months has been interesting but not enjoyable and hope they prove useful. Need to bring the community back together and we are counting on your leadership to guide us through this period.

**Steve Garvich, Black Diamond** – questioned what the current status of the tree ordinance is.

**Lisa Garvich, Black Diamond** – questioned who they call if people are using illegal fireworks on the Fourth of July.

Police Chief Kiblinger replied 9-1-1.

### **CONSENT AGENDA:**

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Boston to adopt the Consent Agenda. Motion **passed** with all voting in favor (4-0).

The Consent Agenda was approved as follows:

**Claim Checks** – July 1, 2010, No. 35767 through No. 35807 in the amount of \$133,755.26

**Minutes** – Workstudy Notes of June 10, 2010 and Council Meeting of June 17, 2010

**AB10-056** – Resolution Authorizing Amendment No. 1 to Coordinated Prevention Grant Agreement with the Department of Ecology

**EXECUTIVE SESSION: None**


**ADJOURNMENT:**

A **motion** was made by Councilmember Boston and **seconded** by Councilmember Goodwin to adjourn the meeting. Motion **passed** with all voting in favor (4-0).

ATTEST:



Rebecca Olness, Mayor



Rachel Pitzel, Deputy City Clerk