

# BLACK DIAMOND CITY COUNCIL MINUTES

May 6, 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, Goodwin, Boston, Saas and Mulvihill.

**ABSENT: None**

Staff present were: May Miller, Finance Director; Steve Pilcher, Community Development Director; Aaron Nix, Natural Resources/Parks Director; Jamey Kiblinger, Police Chief; Greg Smith, Fire Chief; Steve Victor, Acting City Attorney and Brenda L. Martinez, City Clerk

Mayor Olness asked Council to suspend the rules for the meeting to allow Mr. Nakatsu from King County to present first since he has a long drive home ahead of him.

A **motion** was made by Councilmember Boston and **seconded** by Councilmember Mulvihill to suspend the Council rules as far as the agenda order and allow the presentation speaker to speak first. Motion **passed** with all voting in favor (5-0).

## PRESENTATIONS:

**Animal Control, Ken Nakatsu** – addressed Council on the problems facing King County regarding animal control; shelters and field services.

Mayor Olness reported she talked with surrounding communities to see if they all went in together what the costs would be to take on animal control and found that it would be too costly for the City. She stated that she needed approval from Council to go ahead and tell King County the City is interested in their plans for Animal Control if Council so chooses.

Councilmember Mulvihill recommended moving forward.

Councilmember Hanson asked how King County came up with the costs.

Mr. Nakatsu explained how the costs were determined.

Councilmember Hanson agreed on recommendation to move forward.

Councilmember Goodwin complimented King County on taking on this huge issue and applauds the regional approach.

Consensus from Council to move forward with King County Animal Control plans.

## **PUBLIC COMMENTS:**

**Cindy Proctor, Black Diamond** – congratulated the City on the new website; discussed obligations of Councilmember's; prior ordinances that were adopted in June; Council Rules and the upcoming Planning Commission public hearing.

## **UNFINISHED BUSINESS: None**

Mayor Olness introduced Steve Victor who filled in as Acting City Attorney for the evening.

## **PUBLIC HEARING:**

### **Proposed 312<sup>th</sup> Parking Closures Ordinance**

Natural Resources/Parks Director Nix reported that this comes before Council as a recommendation from the Committee and not staff. Discussed issues associated with parking and access; and cited part of the plan that discusses a new road being built.

### **Mayor Olness opened the public hearing at 7:40 p.m.**

**Mike Jennings, Black Diamond** – addressed email he sent out; lack of facilities and parking issues.

**Leah Grant, Black Diamond** – commented that she agrees with closing parking on the street and asked Council to set aside dollars for access to park.

**Steve Garvich, Black Diamond** – commented against closing the street to parking; suggested alternatives.

**Bob Eaton, Black Diamond** – commented on signage; bike and horse riders and handicap access.

**Sheila Hoefig, Black Diamond** – commented on parking problems; water shut-off concerns; possible development in the area and the affect; favors posting of no parking; cited pages from the Park Development plan; missing revenue for people not using the boat launch; and discussed the definition of a residential road.

**Sheri Miller, Black Diamond** – read letter she wrote; discussed being told when she bought the property that there would not be an entrance to the park; cars parking alongside the street and requested that parking be prohibited on 312<sup>th</sup>.

**Robert Taeschner, Black Diamond** – commented on public safety and access for the Fire Department; discussed if it's the City's rights or County rights.

**Mayor Olness closed the public hearing at 8:11 p.m.**

Mayor Olness commented on finding a way to get another entrance to the park and funds to do so.

Councilmember Hanson suggested logging and selling of some trees to pay for new entrance.

Councilmember Goodwin commented on looking into a way to put temporary parking; funding and why there is an opposition to a temporary fix.

## **NEW BUSINESS:**

### **Resolution No. 10-683, authorizing the Mayor to execute the Third Memorandum of Understanding to the Collective Bargaining Agreement between the City and Police Officers Association**

Ms. Miller reported that this is an administrative memorandum of understanding with the Police Guild regarding cut-off time for timesheets and changing step eligibility dates. She stated that it was brought before Legal and the Finance Committee.

A **motion** was made by Councilmember Mulvihill and **seconded** by Councilmember Saas to adopt Resolution No. 10-683, authorizing the Mayor to execute the Third Memorandum of Understanding to the Collective Bargaining Agreement between the City of Black Diamond and the Black Diamond Police Officers Association. Motion **passed** with all voting in favor (5-0).

### **Resolution No. 10-684, authorizing the Mayor to execute Contract Amendment #1 to Seattle-King County Health Department Contract #D39300D for reimbursement of Emergency Medical Services**

Ms. Miller reported that this was a housekeeping item. Seattle-King County Department of Public Health has set aside \$52,838 to help offset the costs of Black Diamond's Emergency Medical Services for 2010. She added this money has already been included in the 2010 budget.

A **motion** was made by Councilmember Saas and **seconded** by Councilmember Mulvihill to adopt Resolution No. 10-684, authorizing the Mayor to execute contract Amendment #1 to Public Health-Seattle and King County Contract #D39300D for Basic

Life Support Services reimbursement for Emergency Medical Services. Motion **passed** with all voting in favor (5-0).

**Ordinance No. 10-938, authorizing a short-term Interfund Loan from Wastewater Capital Fund to the Public Works Capital Fund to cover the cash flow for grant reimbursement for Railroad Avenue and Morgan Street sidewalk projects**

Ms. Miller explained this has been before the Finance Committee and is for authorization to have a short term loan from the Wastewater Capital Reserve fund for up to \$600,000 for cash flow purposes for the Railroad Avenue and Morgan Street sidewalk projects.

A **motion** was made by Councilmember Hanson and **seconded** by Councilmember Saas to adopt Ordinance No. 10-938, authorizing a short-term Interfund Loan from Wastewater Capital Fund to the Public Works Capital Fund to cover the cash flow for grant reimbursement for Railroad Avenue and Morgan Street sidewalk projects. Motion **passed** with all voting in favor (5-0).

**DEPARTMENT REPORTS:**

Community Development Director Pilcher updated Council regarding the Master Planned Developments (MPDs); decision from the Hearing Examiner on Lawson Hills Final Environmental Impact Statement (FIES) complete and posted to website; May 10 the Hearing Examiner will give his recommendation on the MPDs; Council needs to set date for closed record hearing at the next regular meeting which is scheduled for May 20.

**MAYOR'S REPORT:**

Mayor Olness read the Elk's National Youth Week Proclamation:

**WHEREAS,** the Elks Lodges of the State of Washington, will observe the first week in May beginning on May 2<sup>nd</sup> as Elks National Youth Week in tribute to our junior citizens, honoring them for their achievements and contributions to the life of the community; and

**WHEREAS,** it is our responsibility to guide, inspire and encourage our youth, to go forth to serve America, our privilege to manifest a lively interest in all their activities and ambitions, and help prepare them for the duties and opportunities of citizenship;

**NOW, THEREFORE,** I, Rebecca Olness, Mayor of the City of Black Diamond do hereby proclaim on this 6th day of May, 2010, that the week of May 2 through 8, 2010 as

**ELKS NATIONAL YOUTH WEEK**

in Black Diamond and I urge all citizens to pay tribute to our junior citizens and honor them for their achievements and contributions to the life of the community.

Mayor Olness also reported that King County Assessor Hara visited the City and met with staff, he also visited Maple Valley staff and held a town meeting that night; update on Railroad Avenue project, grand opening will be in conjunction with Miner's Day; Boots and Badges Charity basketball event for American Cancer Society; thanked all who voted in the election and wished everyone a Happy Mother's Day.

## **COUNCIL REPORTS:**

Councilmember Boston gave an update on the Diesel Motorized Unit (DMU) meeting.

Councilmember Hanson commented on animal control and asked Chief Kiblinger if a lot of complaints were made regarding animals running loose.

Chief Kiblinger replied yes.

## **ATTORNEY REPORT: None**

## **PUBLIC COMMENTS:**

**Sean Taeschner, Black Diamond** – commented on stormwater issue; complimented City on new website.

**Robert Taeschner, Black Diamond** – commented on funds for stormwater, not loans.

Finance Director Miller reported that currently the Stormwater Fund has \$50,000 in it and the loan is not from the stormwater fund.

**Ella Walker, Black Diamond** – discussed the history and raising the level of Jones Lake and the affect on her property.

**Sheila Hoefig, Black Diamond** – complimented staff on the new City website; animal control and King County offering free chips for a new pet license; proposed 312<sup>th</sup> Parking Ordinance and if there is revenue coming from the triathlon.

## **CONSENT AGENDA:**

A **motion** was made by Councilmember Boston and **seconded** by Councilmember Goodwin to adopt the Consent Agenda. Motion **passed** with all voting in favor (5-0).

The Consent Agenda was approved as follows:

**Claim Checks** – May 6, 2010 No. 35478 through 35546 (voided check 35510) in the amount of \$480,416.57

**Minutes** – Council Meeting of April 1, 2010 and April 15, 2010

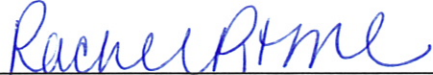
**EXECUTIVE SESSION: None**

**ADJOURNMENT:**

A **motion** was made by Councilmember Mulvihill and **seconded** by Councilmember Boston to adjourn the meeting. Motion **passed** with all voting in favor (5-0).

ATTEST:

  
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Rebecca Olness, Mayor

  
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Rachel Pitzel, Deputy City Clerk