

# **BLACK DIAMOND CITY COUNCIL MINUTES**

**December 6, 2012**

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 Deady, Goodwin, Benson and Taylor.

**ABSENT:** Councilmember May (excused)

Staff present were: Andrew Williamson, Executive Director of Economic Development and Engineering Services, Stacey Welsh, Senior Planner; Mayene Miller, Finance Director; Greg Smith, Fire Chief; Jamey Kiblinger, Police Chief; Pete Butkus, Interim City Administrator; Chris Bacha, City Attorney and Brenda L. Martinez, Assistant City Administrator/City Clerk.

## **PUBLIC COMMENTS: None**

## **APPOINTMENTS:**

Mayor Olness reported that in October 2012 staff advertised for an upcoming vacancy on the Planning Commission which was created by the term expiration of Position No. 5. Darryl Buss who currently sits in the position has indicated he would not seek re-appointment. Four applications were received and reviewed by the Mayor, Councilmember Deady, Planning Commission Chair Keith Watson and Senior Planner Stacey Welsh. Interviews were conducted for three of the applicants (one applicant withdrew from further consideration). The Mayor is seeking Council confirmation of her appointment of Jim Kuzaro of Position No. 5 of the City of Black Diamond Planning Commission. This will be a four year term with the effective date of the appointment being January 1, 2013.

Councilmember Goodwin wondered if there is a question that he would be able to fully participate on the Planning Commission since he owns TDRS. Noted this is not a negative, just wondered if he is in a position to participate fully.

Discussion continued between Councilmembers on this issue.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Taylor to confirm the Mayor's appointment of Jim Kuzaro to Position No. 5 of the City of Black Diamond Planning Commission, with effective date of the appointment being January 1, 2013. Motion **passed** with all voting in favor (4-0).

**PUBLIC HEARINGS: None**

**UNFINISHED BUSINESS: None**

**NEW BUSINESS:**

**Resolution No. 12-841, authorizing the Mayor to execute the First Addendum to a Professional Services Agreement with Kara Murphy Richards regarding Prosecuting Attorney Services**

Interim City Administrator Butkus reported as part of the budget process a modification was negotiated with the prosecutor to reduce the cost of the service. Since it is a modification Council adoption is needed.

A **motion** was made by Councilmember Deady and **seconded** by Councilmember Benson to adopt Resolution No. 12-841, authorizing the Mayor to execute the First Addendum to a Professional Services Agreement with Kara Murphy Richards regarding Prosecuting Attorney Services. Motion **passed** with all voting in favor (4-0).

**Resolution No. 12-842, authorizing the Mayor to execute an Interlocal Agreement with the cities of Federal Way, Auburn, Des Moines for the development of the interface between Valley Communications CAD and Spillman**

Chief Kiblinger reported this Interlocal Agreement has been in the process for the last six months between the involved cities. With the new Valley Communications CAD system being online in 2013, each of the cities will need an interface to facilitate the automated retrieval of incident data from the CAD system into our Spillman system (records management). This agreement allows the 4 cities to share in the cost of development.

A **motion** was made by Councilmember Deady and **seconded** by Councilmember Taylor to adopt Resolution No. 12-842, authorizing the Mayor to execute an Interlocal Agreement with the cities of Federal Way, Auburn, Des Moines for the development of the interface between Valley communications CAD and Spillman. Motion **passed** with all voting in favor (4-0).

**Resolution No. 12-843, acceptance of the 2012 Roadway Grind, Patch and Crack Sealing Project**

Economic Development and Engineering Services Executive Director Williamson reported Northwest Asphalt, Inc. completed the required work for the 2012 Roadway Grind, Patch and Crack Sealing project within the budget and timeframe as outlined in the contract. Retainage in the amount of \$3,415.36 will be withheld until release is received by the Department of Revenue, Department of L & I and the Employment Security Department. The State has established a 45 day period where labor or material providers may make a claim against the project. After 45 days from the date of project acceptance, the City may release retainage.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Benson to adopt Resolution No. 12-843, acceptance of the 2012 Roadway Grind, Patch and Crack Sealing Project. Motion **passed** with all voting in favor (4-0).

## **DEPARTMENT REPORTS: None**

## **MAYOR'S REPORT:**

Mayor Olness reported she attended the Chamber Luncheon that focused on Emergency Management and the Mayor gave a brief update on the City's plan. November 27 she participated in a webinar with Chief Kiblinger and Mr. Butkus on 502; Black Diamond Elementary School has been named one of the 2012 State Schools of Distinction for outstanding improvement in student achievement over the last five years. A total of 54 elementary schools were selected, representing the top 5% of improvement of all schools in the state and we are very proud. Discussed at the November 15 meeting scheduling a Workstudy regarding the Comprehensive Plan and wanted to make sure it was on the Sewer Comprehensive Plan only; Christmas Tree Lighting will be tomorrow night at 6:30 p.m.; Santa Truck Food Drive will be this weekend; Town Hall meeting December 13, 2012.

## **COUNCIL REPORTS:**

Councilmember Benson congratulated Mr. Williamson on getting all the scotch broom hauled away; noted she had her furnace replaced and needed an inspection and the City Inspector was very nice and it was a pleasant experience.

Councilmember Taylor reminded staff that we were going to look at options for inspection services and need to get a report back from staff if this is the best way to move forward or what other options there are.

## **ATTORNEY REPORT: None**

## **PUBLIC COMMENTS: None**

## **CONSENT AGENDA:**

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

1. **Claim Checks** – December 6, 2012 Check No. 39021 through No. 39075 in the amount of \$195,027.30
2. **Minutes** – Council Minutes of November 15, 2012 and Council Workstudy Notes of November 26, 2012

**EXECUTIVE SESSION:**

Mayor Olness announced Council will be going into Executive Session to discuss with Legal Counsel potential litigation pursuant to RCW 42.30.110(1)(i) which is expected to last 20 minutes with no action to follow.

Mayor Olness announced a 20 minute extension to the Executive Session.


Mayor Olness announced a 30 minute extension to the Executive Session.

The Council meeting was called back to order at 8:52 p.m.

**ADJOURNMENT:**

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

ATTEST:

  
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Rebecca Olness, Mayor

  
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Rachel Pitzel, Deputy City Clerk