

BLACK DIAMOND CITY COUNCIL MINUTES
February 2, 2012
Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE:

Mayor Olness called the regular meeting to order at 7:01 p.m. and lead us all in the Flag Salute.

ROLL CALL:

PRESENT: Councilmembers Deady, May, Goodwin and Taylor

ABSENT: None.

Staff present were: Steve Pilcher, Community Development Director; Andrew Williamson, Economic Development and Engineering Services Executive Director; Aaron Nix, Natural Resources/Parks Director; Jamey Kiblinger, Police Chief; Greg Goral, Police Commander; Greg Smith, Fire Chief; Chris Bacha, City Attorney and Brenda L. Martinez, City Clerk.

PUBLIC COMMENTS:

Angelina Taylor, Enumclaw – commented on the closing of Bounce It Up.

Robert Taeschner, Black Diamond – commented on renters and apartment building proposed in YarrowBay Developments.

Cindy Proctor, Enumclaw – thanked Aaron Nix for the storm work during last week’s storm event and YarrowBay too; commented on living in an apartment and respect.

Janie Edelman, Black Diamond – thanked city staff for the cleanup from the storm event and the snow plowing that was done to their road; commented on “Tough Mudders” being a great event and looks forward to having it in Black Diamond.

Bill McDermott, Black Diamond – commented on his opposition to the appointment of Kyle Danielson to the Planning Commission; thanked the Police Department for their help during the recent storm event.

Mario Sorci, Black Diamond – commented on the article regarding change of government; commented on apartments.

Sean Taeschner, Black Diamond – commented on his research regarding CFDs.

Colin Lund, YarrowBay – commented on CFDs and their obligations; commented on the discouraging testimony that was provided by an earlier speaker.

Pat Nelson, Black Diamond – commented on the closing of Bounce It Up; apartment tenants and the environment it brings; thanked Public Works for the storm clean up.

Pat Pepper, Black Diamond – commented on her voting record in the last election; opposition to the appointment of Kyle Danielson to the Planning Commission.

Jack Sperry, Black Diamond – commented on the concerns he stated last week on the “Tough Mudders” special event permit.

Ericka Morgan, Black Diamond – commented on the “Tough Mudders” special event permit.

Brian Derdowski, Issaquah –on behalf of Save Black Diamond; commented on change Council can bring; commented on Planning Commission makeup; “Tough Mudders” special event permit; commented on CFDs.

Dave Amber, Black Diamond – commented on CFDs and ways of attracting businesses to Black Diamond.

APPOINTMENTS:

AB12-003A – Confirmation of Mayor’s Appointment to Planning Commission

Mayor Olness reported Kyle Danielson was invited to attend a meeting with Councilmembers Deady and May. She talked about the future process that will be used for the selection process; she then sought Council’s appointment of Kyle Danielson to position #3 of the Planning Commission.

A **motion** was made by Councilmember May and **seconded** by Councilmember Goodwin to confirm the Mayor’s appointment of Kyle Danielson to Position #3 of the Planning Commission.

Councilmember Taylor spoke regarding the input heard from the public and noted he does not feel that Mr. Danielson, being a small contractor, as being bias.

Councilmember May commented on the need to change the process and the public comments he has heard and is leaning towards not approving this appointment.

Councilmember Deady commented on the process needing change and change soon and will not approve this appointment.

Councilmember Goodwin commented the need for process and transparency with the decisions we make as a Council; will not vote in the future for anyone to this Commission until we have a process put in place. Recommended to Council, staff and Mayor to work on creating a transparent process for future appointments to the Planning Commission.

Vote: Motion **passed** (3-1, Deady).

PUBLIC HEARINGS: None

UNFINISHED BUSINESS:

Resolution No. 12-784, authorizing the Mayor and City Council to approve the “Tough Mudder” Special Event

Community Development Director Pilcher reported staff received one public comment from Erika Morgan, he added staff and two Councilmembers met on Monday to review and study this event.

Councilmember Goodwin discussed what the Committee reviewed on Monday and the four principal conditions that were addressed before any permit will be issued. 1) not a way for folks to park along 169 and then move in and have a requirement for signage and enforcement so 169 would not be clogged and this condition has been added; 2) concern regarding enough parking area. Based upon the analysis by the folks involved in the process they used past history, a condition was added to have a designated overflow area for parking; 3) condition includes that sensitive areas be protected; and 4) provision to fence off areas around sensitive areas and security will be provided overnight.

Councilmember Taylor commented that other questions addressed during the review were review of agreement with Palmer and their Standard Operating Procedures. Approval of this will be conditional and until the applicant meets these conditions they do not have a permit until they do.

Councilmember Deady commented that her questions were answered and likes the conditions that were put on the event.

Councilmember May asked if the permit process was online and if it can be followed.

Community Development Director Pilcher stated yes, through the citizens connect function on the city’s website.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Taylor to adopt Resolution No. 12-785, authorizing the Mayor and City Council to approve the “Tough Mudder” Special Event. Motion **passed** (4-0).

NEW BUSINESS:

Directing Finance Committee to Study CFD Process

Mayor Olness reported at the last Council meeting it was decided to form a committee to study and recommend a process for the CFDs.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember May directing the formation of a CFD Special Committee of the Council to evaluate the potential formation of one or more Community Facility District and provide recommendation back to the Council. Motion **passed** (4-0).

Resolution No. 12-785, accepting \$10,000 of additional grant resources from the Department of Ecology in completing the City's Shoreline Master Program update

Natural Resources/Parks Director Nix reported the City is required to update its Shoreline Master Program and this additional grant money from DOE will help staff integrate comments from the public, the City's Planning Commission and City Council, in addition to helping staff complete task #5, local adoption process, of which no money was previously allocated in the City's contract with the Department of Ecology due to budget limitations.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Deady to adopt Resolution No. 12-785, accepting \$10,000 of additional grant resources from the Department of Ecology in completing the City's Shoreline Master Program update. Motion **passed** (4-0).

DEPARTMENT REPORTS:

Police Chief Kiblinger gave a PowerPoint presentation on the history of the Police Department and current statistics.

MAYOR'S REPORT:

Mayor Olness announced City Hall is a CFL bulb recycling location and encouraged folks to bring in their old bulbs for recycling; attended an Animal Control meeting with Cities of Covington, Maple Valley and Enumclaw; Special meeting on February 23 to discuss shared animal control services; process for appointment of new Councilmembers.

COUNCIL REPORTS:

Councilmember Deady asked if there is a place to bring prescription drugs.

Chief Kiblinger responded yes, at the Maple Valley Police Station at City Hall.

Councilmember Taylor discussed he is working on a process to establish a liaison from the Planning Commission to represent them at Council meetings.

A **motion** was made by Councilmember Taylor and **seconded** by Councilmember May to have the Planning Commission amend their policy and appoint one or two liaisons to the Council and that those will bring forth their finding and recommendations to Council for matters they have considered. Motion **passed** (4-0).

Councilmember Goodwin reminded folks that they are planning to have an open community forum the 2nd Thursday of every month at the Community Center with specific agenda items of information sharing, notifications, and then open mic. starting at 7 p.m.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Deady to have Council meet the 2nd Thursday of every month at the Black Diamond Community Center for a Community Forum at 7 p.m. Motion **passed** (4-0).

City Attorney Bacha was directed to prepare an ordinance for the next meeting to amend City Code to allow for the town hall meetings.

Councilmember Deady announced there is a signup sheet to be added to the distribution list for Council meeting agendas and encouraged folks to sign up.

ATTORNEY REPORT: None

PUBLIC COMMENTS:

Sean Taeschner, Black Diamond – clarified his earlier comments from tonight regarding the CFDs; equal and fair taxation.

Robert Taeschner, Black Diamond – commented on no apartments in Issaquah, and the culture of renters being different than most of the people in this room.

Janie Edelman, Black Diamond – commented on public notice on two MPDs in the Covington Reporter.

Community Development Director Picher reported that yes, these are new applications that were received in late December.

Cindy Proctor, Black Diamond – encouraged Councilmembers to view the City website weekly; procurements up for MDRT; location of proposed apartments; affordable housing surcharge on building.

Ginger Passarelli, Black Diamond – encouraged Councilmembers to get training for Emergency Management; invited Councilmembers to talk to her about businesses in Black Diamond.

Councilmember Deady noted that they are doing a CPR class and have offered her assistance on being a part of the Emergency Management Plan.

Brian Derdowski, Issaquah – echoed Ms. Passarelli's comments; quote from Harry Truman; Planning Commission makeup; two-faced people; his mistakes on the County Council.

Vicki Harp, Black Diamond – commented on the change of the Council meetings and the good discussion; discussed different cultures and it's not just renters.

CONSENT AGENDA:

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

The Consent Agenda was approved as follows:


Claim Checks – February 2, 2012 Check No.37864- through No. 37902 in the amount of \$25,289.33

Minutes – Special Council/Workstudy Meeting of January 26, 2012


ADJOURNMENT:

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

ATTEST:



Rebecca Olness, Mayor



Rachel Pitzel, Deputy City Clerk