

BLACK DIAMOND CITY COUNCIL MINUTES

March 15, 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, May, Goodwin and Taylor

ABSENT: None

Staff present were: Steve Pilcher, Community Development Director; Andrew Williamson, Economic Development Director; Jamey Kiblinger, Police Chief; Greg Smith, Fire Chief; May Miller, Finance Director; Chris Bacha, City Attorney and Rachel Pitzel, Deputy City Clerk.

PUBLIC COMMENTS:

Jack Sperry, Black Diamond – commented on the Planning Commission studying the Shoreline Master Program, encourages Council to look at all the material and to take their time.

Mario Sorci, Black Diamond – commented on Public Safety and the making sure we have a fully staffed police department; suggested to Council when they make their decision on the new Councilmember that they pick a highly qualified person and who is pro-growth.

Cindy Sizemore, Black Diamond – commented that she lives on Plass Road and the conditions of the road after the winter storm has left the road in terrible condition and there is still a large amount of debris that needs to be picked up; potholes are the size of small craters; contacted King County and spoke with Fred White; contacted City of Black Diamond and is waiting back for a response.

Peter Rimbos, Black Diamond – commented on the School Siting Task Force; consensus on all but the three in the Black Diamond area; urged Council to facilitate talks between the School District and YarrowBay; supports the resolution that Council passed at the last meeting.

Erika Morgan, Black Diamond – echoed Mr. Rimbos' comments; reported to Mr. Nix last week of a sighting of a small lynx on Abrams Avenue and wanted everyone to know that a diverse eco-system exists here; asked about the MPD signs and where they went.

Cindy Proctor, Black Diamond – commented that she has not attended any of the Shoreline Master Program meetings, but recently noticed that on page 28 paragraph 4 regarding the language of a lake Management District (she read excerpt); wants language stricken; commented on documents being up on the website only three days ago.

PRESENTATIONS:

Council Position #4 Appointment –

Mayor Olness announced that during the Executive Session Council discussed the qualifications of the four applicants and asked Council if they were ready make a motion to appoint someone to the vacant position.

Councilmember Taylor stated that first and foremost they received 4 extremely qualified candidates and can't lose with who is chosen; stated it was a very difficult process and something they have all considered carefully; stated that a fair amount of input from the community that factored into the process.

Councilmember Goodwin stated it is a win-win-win- win situation; the fact that they had 4 very qualified candidates speaks well for our community.

Councilmember May echoed the comments made by both Councilmembers Taylor and Goodwin.

A **motion** was made by Councilmember May and **seconded** by Councilmember Deady to appoint Carol Benson to the vacant Council position #4.

Councilmember May thanked everyone for their comments and with the four applicants it was a win for the Council.

Councilmember Deady echoed statements made by other Council.

Vote: Motion **passed** (4-0).

Mayor Olness stated that the formal swearing in will be at the April 5th Council meeting.

Fire Department Presentation –

Fire Chief Smith presented to Council a Power Point presentation regarding Fire Station 99.

Councilmember Deady thanked Chief Smith and said that the pictures brought back a lot of memories for her. She asked about volunteers and if they respond from Station 99.

Chief Smith commented that no not every time as the volunteers are not as quick as Station 98 who have firemen at that station 24/7 and can get out to the scene faster.

Councilmember Deady asked if there was an option for firefighters to stay at Station 99.

Fire Chief stated that the building is not up to the code and it would take a lot of money to bring that building up to code.

Discussion took place regarding budget and fire services contract.

PUBLIC HEARINGS: None
UNFINISHED BUSINESS: None

NEW BUSINESS:

Ordinance No. 12-974, amending section 2.04.010 of the Black Diamond Municipal Code regarding City Council meetings

City Attorney Bacha explained that this was the ordinance that was before Council a few weeks ago that will call for a third meeting every month and that Council needs to decide on the location. He also went along to explain the resolution that is next on the agenda that would amend the Council Rules and Procedures for the Town Hall meetings.

Councilmember Goodwin noted that citizens have explained they would like a more informal meeting place such as the Black Diamond Community Center and explained that it also will allow them to support the Community Center which is really important and recommends the Town Hall meetings be held at the Black Diamond Community Center.

Councilmember Deady agreed with Councilmember Goodwin and stated she felt it was important that the citizens get involved with the Community Center and holding the meetings there allows everyone the opportunity to see what the center offers the community.

Councilmember Taylor echoes statements made and discussed the cost involved and stated it is well worth the investment. He noted that being “off-site” puts you in a different frame of mind and believes it is well worth the expense.

Councilmember May stated he agreed with the statements Council has made.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Deady to adopt Ordinance No. 12-974, amending section 2.04.010 of the Black Diamond Municipal Code regarding City Council meetings, establishing a Town Hall regular meeting schedule to be held at the Black Diamond Community Center on the second Thursday of each month at 7 p.m. Motion **passed** (4-0).

Resolution No. 12-786, amending the City Council Rules of Procedures to establish Rules of Procedures for Town Hall meetings

A **motion** was made by Councilmember Taylor and **seconded** by Councilmember May to adopt Resolution No. 12-786, amending the City Council Rules of Procedures to establish Rules of Procedures for Town Hall meetings. Motion **passed** (4-0).

Resolution No. 12-789, authorizing the Mayor to sign an amendment to the Grant Agreement with the Department of Ecology for Phase II Stormwater Permit requirement assistance

Economic Development Director Williamson reported that the purpose of this grant is to provide additional assistance to the City of Black diamond with the Phase II of our Municipal Stormwater permit requirements, he noted that the Department of Ecology has received additional funds and this amendment will increase grant funds by \$50,000. He noted that this year the goal is to reach out to the schools to teach and educate the importance of stormwater management.

Discussion ensued regarding how grant funds will be spent; education and Council asked that once an education program is set up for the elementary students that Mr. Williamson presents it to Council.

A **motion** was made by Councilmember May and **seconded** by Councilmember Taylor to adopt Resolution No. 12-789, authorizing the Mayor to sign an amendment to the Grant Agreement with the Department of Ecology for Phase II Stormwater Permit requirement assistance. Motion **passed** (4-0).

Resolution No. 12-790, authorizing the Mayor to enter into a Lease Agreement with the Black Diamond Historical Society for the term of 10 years commencing April 1, 2012 and expiring March 31, 2022

Mayor Olness reported that the lease expires on March 31, 2012, essentially what we are doing is making the lease the way we have been doing for many, many years. She explained what fees are paid by the City.

Discussion took place regarding the length of the lease term.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Deady to adopt Resolution No. 12-790, authorizing the Mayor to enter into a Lease Agreement with the Black Diamond Historical Society for the term of 10 years commencing April 1, 2012 and expiring March 31, 2022. Motion **passed** (4-0).

DEPARTMENT REPORTS:

MAYOR'S REPORT:

Mayor Olness reported she attend an assembly on March 2 at the Black Diamond Elementary School presenting Rachel's Challenge essay contest winners with journal, courtesy of the Kiwanis Club; March 5th attended a parade in Enumclaw honoring the High School State Champions- Girls Gymnastics, boys Wrestling and Girls Wrestling Academic Champions; March 6th attended the Rachel Challenge culminating event, she and Mayor Reynolds introduced the sponsors and participants as over 2 miles of chains were brought into the stadium; received notice that the City has been awarded a Grant from the Department of Ecology for noxious weed management in Lake Sawyer; attended an open house at the new

MultiCare Covington Emergency Department; announced there will be a Special council meeting to hold an Executive Session to discuss potential litigation on Monday, March 26th at 4 p.m. in the Council Chambers, no action will follow.

COUNCIL REPORTS:

Councilmember Deady commented that she attended the MultiCare event yesterday and the facility is beautiful, strongly encourages everyone to walk through and check it out; also attended the Rachel's Challenge culminating event on March 5 and it was very moving.

Councilmember Taylor announced that Council is getting involved in the selection process of consultants for the MDRT Review team for the upcoming developments.

Councilmember Goodwin reported that the first meeting for the CFD group is on March 28th in the Council Chambers at 12:30 p.m.

ATTORNEY REPORT:

Attorney Bacha announced an Executive Session to discuss potential litigation with no action to follow.

PUBLIC COMMENTS:

Mario Sorci, Black Diamond – commented on the MultiCare facility in Covington, but reminded everyone of the great facility Enumclaw has with a much better response time and the facility is much better; thanked Chief Smith for his presentation and discussed the need for a Fire Department and encouraged Council to get the process moving.

Cindy Proctor, Enumclaw – commented on fiscal management downfall; separating the fire and police levies.

Robbin Taylor, Black Diamond – commented on changing the view of the Council dais.

Bill Boston, Black Diamond – thanked Council and explained that the number one duty is public safety; discusses the fire department and the CFD that did not pass which discussed a new fire station at no cost to the residents; glad to see the committee for the CFD will begin and hopes that fire station is on the table.

Vern Gibson, Black Diamond – thanked Chief Smith for the presentation and asked about the paramedics.

Chief Smith stated that the medics are a separate program and the current one comes out of Station 94; the tiered response gets there faster, usually the medics come after the fire department arrives on the scene.

CONSENT AGENDA:

A **motion** was made by Councilmember Taylor 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 – March 15, 2012 Check No. 38007 through No. 38060 in the amount of \$63,091.09

Payroll – February 29, 2012 No. 17665 through No. 17688 (voided No. 17669 and No. 17672) and ACH Pay in the total amount of \$283,783.23

Minutes – Council Meeting of March 1, 2012 and Town Hall Notes of March 8, 2012

EXECUTIVE SESSION:

Mayor Olness announced an Executive Session at 8:39 p.m. to discuss with legal counsel litigation pursuant to RCW 42.30.110(1)(i). No action was anticipated to follow the Executive Session, which was expected to last approximately 20 minutes.


Mayor Olness announced a 15 minute extension to the executive session.

The regular meeting was called back to order at 9:14 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:



Rebecca Olness, Mayor



Rachel Pitzel, Deputy City Clerk