

BLACK DIAMOND CITY COUNCIL MINUTES

June 21, 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, Goodwin, May, Benson and Taylor.

ABSENT:

Staff present were: Aaron Nix, Natural Resources/Parks Director; Seth Boettcher, Public Works Director; Steve Pilcher, Executive Director of Community Development, Greg Smith, Fire Chief; Jamey Kiblinger, Police Chief; Chris Bacha, City Attorney and Brenda L. Martinez, City Clerk.

Mayor Olness announced we will be pulling Agenda item #6 as there is an error in one of the tables that needs to be fixed and will be back before Council at a later time.

PUBLIC COMMENTS:

Cindy Wheeler, Black Diamond stated she was disappointed in the city; discussed Park zone in the Comprehensive Plan not being on the table for this year.

PUBLIC HEARINGS:

Shoreline Master Program

Natural Resources/Parks Director Nix reported this has been a three year process and Council has already had a workstudy o this session and tonight is to receive public comments. He noted through this process staff and its consultant has produced a revised Draft Shoreline Master Program and its supporting documents including a public participation plan, shoreline inventory analysis, cumulative impacts analysis and a restoration plan. All Draft documents have been up and posted to the city's website for reviewing.

Mayor Olness opened the public hearing at 7:08 p.m.

Jack Sperry, Black Diamond read a prepared statement which is attached and made part of the minutes.

Mayor Olness closed the public hearing at 7:14 p.m.+

A **motion** was made by Councilmember Benson and **seconded** by Councilmember Deady to change the July 3, 2012 Council meeting to July 9, 2012. Motion **passed** with all voting in favor (5-0).

A **motion** was made by Councilmember Benson and **seconded** by Councilmember May to cancel the July 12, 2012 Town Hall meeting. Motion **passed** with all voting in favor (5-0).

UNFINISHED BUSINESS:

Resolution No. 12-816, authorizing the Mayor to enter into an agreement with the Prothman Company for providing the services of an Interim City Administrator

Mayor Olness reported in the past the city of Black Diamond has operated with a City Administrator. However, due to budget constraints in 2010, the vacant position was not filled.

A **motion** was made by Councilmember Deady and **seconded** by Councilmember Benson to adopt Resolution No. 12-816, authorizing the Mayor to enter into an agreement with the Prothman Company for providing the services of an Interim City Administrator. Motion **passed** with all voting in favor (5-0).

NEW BUSINESS:

Resolution No. 12-809, acceptance of a grant from 4 Culture for monies in the amount of \$2,007.00 to reconstruct the waterline that feeds the Black Diamond Cemetery

Natural Resources/Parks Director Nix reported this grant funding will be used to replace a 1.5" steel waterline that currently exists at the cemetery property. This line is very old and breaks on a frequent basis causing utility staff to take time to fix these breaks and a loss of revenue from lost water. 4 Culture awarded the City a grant in the amount of \$2,007 to be used towards materials for the project as this agency cannot fund staff time dedicated to this project under their existing funding rules. This work is slated to occur sometime this summer, with completion by the Fall of 2012.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Deady to adopt Resolution No. 12-809, acceptance of a grant from 4 Culture for monies in the amount of \$2,007.00 to reconstruct the waterline that feeds the Black Diamond Cemetery. Motion **passed** with all voting in favor (5-0).

Resolution No. 12-810, adopting the 2013-2018 Capital Improvement Plan (CIP)

Mayor Olness reported Ms. Miller is not here tonight, but department heads are in attendance to answer any questions Council may have. She noted council committees and work studies have been held on the proposed plan.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Taylor to adopt Resolution No. 12-810, adopting the 2013-2018 Capital Improvement Plan. Motion **passed** with all voting in favor (5-0).

Resolution No. 12-811, adopting the 2013-2018 Transportation Improvement Program (TIP)

Public Works Director Boettcher reported this is a parallel planning document with the CIP, however adoption of this plan is required by the WSDOT. He addressed comments that we heard at the public hearing held on June 7, 2012.

A **motion** was made by Councilmember Deady and **seconded** by Councilmember Benson to adopt Resolution No. 12-811, adopting the 2013-2018 Transportation Improvement Program. Motion **passed** with all voting in favor (5-0).

Resolution No. 12-813, authorizing awarding a construction contract to Scotty's General Construction, Inc. for the Roberts Drive Sidewalk Improvements Project in the amount of \$241,847.60

Public Works Director Boettcher reported this project has been underway for a while. The City received a nice fair number of bids and the low bidder was Scotty's General Construction. He noted they also did our Morgan Street Project and did a great job and we easy to work with. He discussed the bid process, project budget, expenses, funding, contractor, inspection and project management. He added it is under the Engineers estimate and recommends we get started.

A **motion** was made by Councilmember Taylor and **seconded** by Councilmember Benson to adopt Resolution No. 12-813, authorizing awarding a construction contract to Scotty's General Construction, Inc. for the Roberts Drive Sidewalk Improvements Project in the amount of \$241,847.60. Motion **passed** with all voting in favor (5-0).

Resolution No. 12-814, acceptance of the 2012 Winter Storm Debris Clean-up Project

Public Works Director Boettcher reported this was a contract that was approved a month ago and the work has now been completed. The contractor did a great job. This is a formal action that accepts the project and in accordance with RCW 60.25.011(2) which allows a period of forty-five days to final any claims with the City. If none are heard, then the retainage funds are released.

A **motion** was made by Councilmember Taylor and **seconded** by Councilmember Benson to adopt Resolution No. 12-814, acceptance of the 2012 Winter Storm Debris Clean-up Project. Motion **passed** with all voting in favor (5-0).

Resolution No. 12-815, approving a Special Event permit for the Lake Sawyer Community Club's use of Lake Sawyer Regional Park as a base for its annual 4th of July fireworks display

Executive Director of Community Development Pilcher reported this is the same Special Event that was approved last year. Since this will be a multi-day activity it requires Council approval. This will require use of a portion of the park over a period of three days. On Sunday, July 3, floating rafts will be moved to the park area and basic fireworks launching pads would be constructed. On July 4th, Mountain View Fireworks display will load the launching tubes with fireworks during the day and at approximately 7 p.m. the rafts will be towed to the center of the lake in preparation for the display. On July 5th, the fireworks launching pads will be disassembled at the park and the rafts will be moved back to their storage area. He highlighted again the City Council approved a similar request and there were no reported or observed adverse impacts associated with use of the Regional Park.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember May to adopt Resolution No. 12-815, approving a Special Event permit for the Lake Sawyer Community Club's use of Lake Sawyer Regional Park as a base for its annual 4th of July fireworks display. Motion **passed** with all voting in favor (5-0).

DEPARTMENT REPORTS:

Executive Director of Community Development Pilcher reported that at some point Council had brought up a rating system that the City of Auburn did and wanted to let Council know that the City also had the Rating Bureau done a couple years ago, the rate went from a 4 to a 3 rating, we were able to increase our rate due to the fact that we have a qualified building inspector with increased credentials and certifications on board now and it affects the rating and positive impact in the financial realm for the citizens of Black Diamond.

Commander Goral reported the Police Department has identified a vessel to be used by the marine Services Department. He noted if the current boat is out of commission this would allow another vessel for use on the lake. He discussed the specifics of the identified vessel and noted purchase of this vehicle would be from \$25,000 Recreational Boating Safety Federal Assistance Grants. He added Council has two options, vote for approval tonight or hold until next week.

Councilmember Goodwin noted he would like to address this at the Special meeting that is being scheduled for next week.

MAYOR'S REPORT:

Mayor Olness updated everyone on the business meeting held on June 11th; June 12 the Suburban Cities Association Events Committee met; she received a letter from the Local Hazardous Waste Management Program commending staff for taking extra effort to keep our residents and environment safer; June 15 Boy Scout Troop 581 conducted a flag retirement ceremony at the City Shop area, they plan on having another one this year so folks can continue to bring flags to either the Police department or City Hall; June 18 attended and participated in the DARE graduation, as always Sergeant Lynch did an outstanding job with the 5th graders at Black Diamond Elementary; upcoming events – Saturday, June 23, Garage Sale at the Black Diamond Community Center; next Thursday, June 28 there will be a Special Council meeting to continue the process of hiring an Interim City Administrator position; first Council meeting in July will be Monday, July 9 at 4 p.m. in Council Chambers because July 5 is a City Furlough day; Saturday, July 7 is the annual Miners Days celebration in the historic section of Railroad Avenue.

COUNCIL REPORTS:

Councilmember Deady reported on Parks and Cemetery committee meeting; items discussed were X-Terra Event; removal of scotch bloom at the park; pets on leash sign; aquatic weeds removal; attended a demonstration on how to clean headstones at the cemetery.

Councilmember Taylor reported on the park plan and that it would take a lot of research and it needs to go forth to the Parks committee to bring forth to the Council.

ATTORNEY REPORT:

City Attorney Bacha discussed the draft fire impact fee ordinance and would like to hear any feedback that Council may have.

Councilmember Taylor believes there needs to be a time limit under exemptions; size limit not too concerned with making it restrictive; exemptions for mobile homes and does not feel they should be exempt; appeals- favors appeals going to the Hearing Examiner.

Councilmember Deady agreed on the mobile homes, does not agree with time limits three to five years it should be and is not sure about appealing to the Hearing Examiner, she would like to see a public hearing held on this to get citizens input.

PUBLIC COMMENTS:

Erika Morgan, Black Diamond commented on notifying public ahead of time regarding any plans the City might be doing and liking this idea.

Bob Edelman, Black Diamond commented on the dire need for a new Fire Station as discussed at the earlier workstudy and what is being proposed in the CIP.

Jack Sperry, Black Diamond agreed with notifying landowners of projects that may be in the works.

Cindy Wheeler, Black Diamond encouraged Council to give Mr. Sperry's comments at the public hearing a lot of thought; discussed Citizens Advisory committee involvement; encourage Council to address the weir; resolution to support change of governments and need for resolution initiating a public process; changing language in the CIP to say eminent domain; does not agree with another marine purchase for the lake.

Ginger Passarelli, Black Diamond commented that the City has so many pressing issues and addressing a change in the form of government is not the time, who is going to pay the \$15,000 to put it on the ballot, where is this going to come from? Somebody has to draw the line and say stop.

CONSENT AGENDA:

A **motion** was made by Councilmember May 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:

- 1.) **Claim Checks** – June 21, 2012 Check No. 38369 through No. 38433 (void check 38396) in the amount of \$524,177.34
- 2.) **Payroll Checks** – May 31, 2012 No. 17734 through No. 17754 and ACH Pay in the total amount of \$286,754.83
- 3.) **Minutes** – Council Workstudy of May 31, 2012, Special Meeting of June 5, 2012, Council Workstudy of June 5, 2012, Council Workstudy of June 7, 2012 and Council Meeting of June 7, 2012

EXECUTIVE SESSION: None

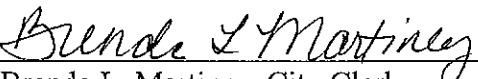
ADJOURNMENT:

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

ATTEST:



Rebecca Olness, Mayor



Brenda L. Martinez, City Clerk