

# **BLACK DIAMOND CITY COUNCIL MINUTES**

**November 1, 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, May, Benson and Taylor.

**ABSENT:** None.

Staff present were: Andrew Williamson, Executive Director of Economic Development and Engineering Services, 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:**

Cindy Wheeler, Black Diamond – thanked Council for putting Ordinance No. 12-982 on the agenda; YarrowBay new conditions that were submitted at the hearing today; MPD Ordinance being unanimously approved and not being administered by staff and asked for Council to impose a moratorium on these projects.

Mario Sorci, Black Diamond – commented on budget workshops and Council treating the Mayor and members of the public disrespectfully; inadequate and unfair way the taxes are administered on the water fund and sewer.

## **PRESENTATIONS:**

Harold Stratton, Research Investigators of the Paranormal- thanked Council for the wonderful opportunity they were afforded by visiting the cemetery. He noted seeing energy forms at the cemetery and did not get a lot in EVPS and would like to return in the spring and get permission to stay later. Neighbors have given second hand information regarding other incidents that take place around the cemetery. There was Council consensus to allow this with the same conditions that were imposed as last time; also discussed a lot of history in the area by using rods.

**PUBLIC HEARINGS: None**

**UNFINISHED BUSINESS: None**

## **NEW BUSINESS:**

### **Ordinance No. 12-982, adopting the power of Initiative and Referendum for the registered voters of the City**

City Attorney Bacha reported this ordinance is before you because of an action Council took earlier this year. He noted that no timely and sufficient referendum petition has been filed and therefore, as stated in the adopted resolution “the intent expressed in such resolution shall at the next regular meeting of the legislative body be affected by an ordinance adopting for the City the powers of initiative and referendum”.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Benson to adopt Ordinance No. 12-982, adopting the power of Initiative and Referendum for the registered voters of the City. Motion **passed** with all voting in favor (5-0).

### **Resolution No. 12-836, adopting the Fifth Memorandum of Understanding between the City and the Black Diamond Police Officers Association**

Interim City Administrator Butkus reported as part of the budget process the City engaged in discussions with the Association to reduce the costs of providing security personnel for the Black Diamond Municipal Court. In recent years, this service has been provided by off-duty police officers on overtime. The proposed MOU is for one year only and has the potential to save up to \$8,700 in the 2013 budget.

A **motion** was made by Councilmember Deady and **seconded** by Councilmember Taylor to adopt Resolution No. 12-836, adopting the Fifth Memorandum of Understanding between the City and the Black Diamond Police Officers Association. Motion **passed** with all voting in favor (5-0).

### **Resolution No. 12-837, adopting contract addendum with Parametrix for Transportation On-Call Services**

Executive Director of Economic Development and Engineering Services Williamson reported this is a replica of the on-call services agreement with Parametrix for Transportation. He noted this addendum is for one year and is for small in-fill projects not big projects as those contracts will come before Council.

A **motion** was made by Councilmember Taylor and **seconded** by Councilmember Benson to adopt Resolution No. 12-837, adopting contract addendum with Parametrix for Transportation On-Call Services.

Councilmember Goodwin expressed his concern with using the same contractor year after year. Mr. Williamson responded this consultant has been the best consultant to work with and meets all deadlines and provides professional quality work. They understand the needs of the City and Council and it has been a struggle in the past with having different consultants and continuity.

Vote: Motion **passed** with all voting in favor (5-0).

**Resolution No. 12-838, authorizing the Mayor to execute an addendum with Valley Communications for Dispatch Services for 2013**

Chief Kiblinger reported this is our yearly addendum to our contract with Valley Communications for Dispatch Services. This is an increase from \$33.42 per call to \$36.58 per call and is a \$3.16 increase per call.

A **motion** was made by Councilmember Deady and **seconded** by Councilmember Taylor to adopt Resolution No. 12-838, authorizing the Mayor to execute an addendum with Valley Communications for Dispatch Services for 2013. Motion **passed** with all voting in favor (5-0).

A **motion** was made by Councilmember Benson and **seconded** by Councilmember May to cancel the Town Hall meeting from November 8, 2012. Motion **passed** with all voting in favor (5-0).

**DEPARTMENT REPORTS: None**

**MAYOR'S REPORT:**

Mayor Olness reported she attended the Halloween party at the Community Center along with Councilmember Benson (Councilmember Deady was ill) and some police staff; Make a Difference Day; swearing in ceremony of Judge Dane; SEPA hearing started today and will continue tomorrow at 10 a.m. and Saturday at 9 a.m.; the Phase 1A Preliminary Plat hearing will start at 10 a.m. on Saturday at the Black Diamond Elementary; Town Hall meeting for November 8<sup>th</sup> has been cancelled; City Hall offices will be closed on November 12th for Veteran's Day.

**COUNCIL REPORTS:**

Councilmember Deady reported she attended the swearing in ceremony and attended the Make a Difference Day project at the Regional Park; noted that she will be out of town next week.

Councilmember Taylor reported the Public Safety Committee met last week and now that Council has adopted the Fire Impact Fee we need to be mindful as soon as the first fee is collected a six-year stop watch is started and those funds need to be expended within that time and Council will need to come up with a policy direction on how to expend those funds; discussed the General Facility charge that will be coming forward; noted he will be out of town for 12 days starting tomorrow.

**ATTORNEY REPORT:**

City Attorney Bacha clarified that since the adoption of the Initiative and Referendum process that was passed tonight some ordinances will now take effect in 30 days as opposed to the 5 days; it does not apply to every ordinance, but we will have to look at those before we determine what the effective date is.

## **PUBLIC COMMENTS:**

Mario Sorci, Black Diamond – commented he was discouraged that Council did not address the disparity regarding inadequate and unfair way the taxes are administered on the water fund and sewer; suggested adding a new line item in the budget for the Initiative and Referendum process.

Brock Deady, Black Diamond – asked what happened on Third Avenue and it being closed overnight.

Chief Kiblinger replied it was because of a transformer burning and the pole needing to be replaced.

## **CONSENT AGENDA:**

A **motion** was made by Councilmember May and **seconded** by Councilmember Deady to adopt the Consent Agenda. Motion **passed** with all voting in favor (5-0). The Consent Agenda was approved as follows:

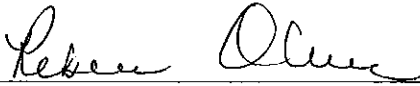
- 1.) **Claim Checks** – November 1, 2012 Check No. 38920 through No. 38971 (voided check No. 38961) in the amount of \$120,389.84
- 2.) **Minutes** – Special Meeting of October 11, 2012, Council Workstudy Notes of October 18, 2012 Council Minutes of October 18, 2012

## **EXECUTIVE SESSION: None**

## **ADJOURNMENT:**

A **motion** was made by Councilmember Taylor and **seconded** by Councilmember May 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