

BLACK DIAMOND CITY COUNCIL MINUTES

February 7, 2013

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, Benson and Taylor.

ABSENT:

Staff present were: Andrew Williamson, Executive Director of Engineering Services/Ec. Dev.; Greg Smith, Fire Chief; Jamey Kiblinger, Police Chief; Chris Bacha, City Attorney; Mark Hoppen, City Administrator and Brenda L. Martinez, Asst. City Admin/City Clerk.

Mayor Olness introduced Mark Hoppen as the new City Administrator and announced the resignation of Councilman Joe May, which was effective February 5, 2013.

A **motion** was made by Councilmember Deady and **seconded** by Councilmember Benson to change the order of the agenda to take the Proclamation first followed by the Citizen Award. Motion **passed** (4-0).

PROCLAMATION:

Mayor Olness read the following proclamation into the record:

Whereas, Kiwanis International was founded on January 2, 1915; and

Whereas, the Men and Women of the Pacific Northwest District Kiwanis have exhibited a deep sense of pride in Community by serving the needs of family and children worldwide; and

Whereas, PNW Kiwanis Division 32 is represented in the communities of Federal Way, Auburn, Kent, Renton, Covington, Black Diamond/ Maple Valley; and

Whereas, the Pacific Northwest District of Kiwanis has, effective October 1, 2010, initiated the multi-year District wide Service Project, Kiwanis Children's Cancer Cure Program; and

Whereas, this Program will fund the Kiwanis Children's Cancer Fellowships, allowing physicians to seek cures for currently untreatable forms of cancer; and

Whereas, the Kiwanis Clubs of Division 32 will collaborate with Seattle Children's Hospital; and

Whereas, the local Kiwanis Clubs are the epitome of their defining statement “Kiwanis is a Global Organization of Volunteers Dedicated to Changing the World One Child and One Community at a Time”;

Now therefore, on behalf of the City Council, coinciding with Pacific Northwest Kiwanis Division 32 and Kiwanis Children’s Cancer Program hereby proclaim **FEBRUARY 2013** as

“Kiwanis Children’s Cancer Month”

Throughout the City of Black Diamond and encourage citizens to celebrate the many contributions made by the members of Kiwanis Clubs of the Pacific Northwest.

CITIZEN AWARD:

Chief Kiblinger reported that on July 24, 2012 Matt Bowie assisted in several undercover investigations and without his help they would have never apprehended the folks.

Sergeant Lynch commented on how dedicated Matt Bowe is to this community and thanked him for his help.

PUBLIC COMMENTS:

Erika Morgan, Black Diamond commented on the packages left on the road when she was coming home and this disturbs her and wonders what can be done so this is not a policy that Black Diamond will accept.

PUBLIC HEARINGS: None

UNFINISHED BUSINESS:

Resolution No. 13-849, authorizing the Mayor to execute a Professional Services Agreement with Olympic Environmental Resources for the 2013 Special Recycling Event

City Attorney Bacha noted this was before the Council last month and a question was raised about the form the contract was in. Staff worked on incorporating the former Memorandum of Understanding into our Professional Services Agreement.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Benson to adopt Resolution No. 13-849, authorizing the Mayor to execute a Professional Services Agreement with Olympic Environmental Resources for the 2013 Special Recycling Event. Motion **passed** (4-0).

NEW BUSINESS:

Mayor Olness announced that the KCIRT document has been pulled from the agenda as the final document did not come and we will have this on a future agenda.

Resolution No. 13-854, authorizing the Mayor to execute an Interlocal Agreement with Data Pros for the installation and maintenance of the software developed for the Tiburon to Spillman Interface

Chief Kiblinger reported that on December 6 Council approved Resolution No. 12-842, authorizing several cities to share in the cost of developing an interface to facilitate the automated retrieval of incident data from the CAD system into their Spillman system (records management). This agreement is the second part, authorizing Data Pros to install and maintain the interface.

A **motion** was made by Councilmember Deady and **seconded** by Councilmember Taylor to adopt Resolution No. 13-854, authorizing the Mayor to execute an Interlocal Agreement with Data Pros for the installation and maintenance of the software developed for the Tiburon to Spillman Interface. Motion **passed** (4-0).

Resolution No. 13-855, updating the City's official fee schedule

Mayor Olness announced that in the proposed fee schedule update there are revisions to the parking fees and noted that no signs have been put up alerting folks to this and asked Council to consider and discuss a grace period when adopting.

Executive Director of Engineering Services/Ec. Dev. Mr. Williamson reviewed with Council the areas of the fee schedule that were either added or adjusted.

A **motion** was made by Councilmember Taylor and **seconded** by Councilmember Benson to adopt Resolution No. 13-855, updating the City's official fee schedule. Motion **passed** (4-0).

Ordinance No. 13-996, relating to the acceptance of donations, devisements or bequeathments as required by RCW 35.21.100

City Attorney Bacha reported that this is an ordinance former Interim City Administrator Butkus prepared and noted doing some review on it. He gave background information noting this is to be in compliance with state statute. He commented on his research of other cities and how they handle accepting donations.

A **motion** was made by Councilmember Deady and **seconded** by Councilmember Goodwin to **postpone** Ordinance No. 13-996, relating to the acceptance of donations, devisements or bequeathments as required by RCW 35.21.100. Motion **passed** (4-0).

Ordinance No. 13-997, updating the City's Flood Damage Prevention code

Executive Director of Engineering Services/Ec. Dev. Mr. Williamson reported Council held a public hearing at their January 17 meeting and no public comments were received regarding the Flood Damage Prevention code. The next step is for Council to adopt an ordinance designating and mapping the flood plain areas.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Deady to adopt Ordinance No. 13-997, updating the City's Flood Damage Prevention code. Motion **passed** (4-0).

DEPARTMENT REPORTS:

Public Works – Executive Director of Engineering Services/Ec. Dev. Mr. Williamson reported that our wash facility is complete and was used for the first time today. He noted this being part of our NPDES regulations, and all vehicles will use this wash facility (Police, Fire, and Public Works); he commented being very proud of staff on this project and invited Council to stop by and take a look.

MAYOR'S REPORT:

Mayor Olness reported on the following:

- January 18th – represent the City of Black Diamond at the Hicks/Raburn Memorial dedication at Lake Wilderness Park
- January 23rd – attended the Ribbon Cutting /Grand Opening of Grocery Outlet in Maple Valley
- January 24th – attended the State of Education Address of the Enumclaw School District
- January 25th – attended the Black Diamond Community Center fundraiser dinner
- January 27th – attended the Enumclaw Centennial Dinner (over 300 people attended)
- February 6th attended the Sound Cities Association small cities committee meeting as well as the Public Information Committee meeting.
- Mayor Olness noted that the next Town Hall meeting is scheduled for February 14th (Valentine's Day); two Council members have expressed a desire to cancel the meeting but we need consensus
- Council Vacancy: Council member May resigned, effective Tuesday morning. We placed notice in the newspaper (Tuesday is the deadline) setting 4 p.m. on February 21st as the deadline for applications. We suggest that interviews be set for a date between February 25th and March 5th with confirmation at the march 7th Council meeting in order for the new Councilmember to attend the Council Retreat on March 8th. She noted that Council has a calendar and draft packet before them and as soon as the dates are decided we will post on the website tomorrow morning
- City Hall will be closed on Monday, February 18th in observance of President's Day

A **motion** was made by Councilmember Benson and **seconded** by Councilmember Deady to **cancel** the Town Meeting on February 14, 2013. Motion **passed** (4-0).

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Deady to extend application due date to March 1; interviews for March 14; and appointment March 21 with an Executive Session at the beginning of the March 21 meeting. Motion **passed** (4-0).

COUNCIL REPORTS:

Councilmember Deady gave kudos to YarrowBay on the plant salvaging project and will be back there on the 22nd.

Councilmember Taylor reported the Public Works Committee met and thoroughly reviewed the Sewer Plan and it will be coming before Council soon.

Councilmember Benson announced she also attended the SCA Small cities meeting and PIC meeting too.

Councilmember Deady suggested Council holding a workstudy on possibly building a trail by Ginder Creek.

Councilmember Goodwin announced a group he belongs to being successful in receiving grant funds for projects of this type.

ATTORNEY REPORT: None

PUBLIC COMMENTS:

Johna Thompson, Black Diamond discussed Save Black Diamond's part in the last Council vacancy appointment and would like Council to make a policy that this does not happen so it is an open and transparent process.

Councilmember Benson commented on being interviewed by Save Black Diamond and being endorsed and noted having no ties to them and believes all folks have freedom of speech.

Robbin Taylor, Black Diamond commented on the Constitution and First Amendment rights and Councils have no right to initiate policy that will infringe on this.

Andy Williamson, Black Diamond spoke on behalf of the Kiwanis Club and invited Council and Citizens on April 6 to take part in their Kiwanis "One Day Project".

CONSENT AGENDA:

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

Claim Checks – February 7, 2013, Check No. 39282 through 39336 (voided checks Nos. 39276-39277, 39280-39281, 39284, 39288, 39293-39294) in the amount of \$143,641.66

Minutes – Town Hall Meeting of January 10, 2013, Council Meeting of January 17, 2013 and Workstudy Notes of January 17, 2013


Mayor Olness commented on the Retirement Ceremony that took place earlier this evening for the K-9 Unit.

EXECUTIVE SESSION: None

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