

# **BLACK DIAMOND CITY COUNCIL MINUTES**

**May 2, 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 Goodwin, Benson and Taylor.

**ABSENT:** Councilmembers Deady and Edelman (excused).

Staff present were: Stacey Welsh, Community Development Director; Jamey Kiblinger, Police Chief; Greg Smith, Fire Chief; Chris Bacha, City Attorney; Mark Hoppen, City Administrator and Brenda L. Martinez, Asst. City Admin/City Clerk

## **PUBLIC COMMENTS:**

Kristine Hanson, Black Diamond thanked the Police Department for all the services they provide for the City.

## **PUBLIC HEARINGS: None**

## **APPOINTEMENTS, PRESENTATIONS, ANNOUNCEMENTS:**

Mayor Olness read the following two Proclamations into the record, 1) Building Safety Month and 2) National Police Week:

### **PROCLAMATION (Building Safety Month)**

**WHEREAS**, our City's continuing efforts to address the critical issues of safety, energy efficiency and resilience in the built environment that affect our citizens, both in everyday life and in times of natural disaster, give us confidence that our structures are safe and sound; and

**WHEREAS**, our confidence is achieved through the devotion of building safety and fire prevention officials, architects, engineers, builders, tradespeople, laborers and others in the construction industry, who work year-round to ensure the safe construction of buildings; and

**WHEREAS**, the dedicated members of the International Code Council-use a governmental consensus process that brings together local, state and federal officials with expertise in the built environment to create and implement the highest-quality codes to protect Americans in the buildings where we live, learn, work, worship, play; and

**WHEREAS**, the International Codes, the most widely adopted building safety, energy and fire prevention codes in the nation, have been adopted for use in Washington State and in Black Diamond; these modern building codes also include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wild land fires and earthquakes, and

**WHEREAS**, Building Safety Month is sponsored by the International Code Council, to remind the public about the critical role of our local code officials, who assure us of safe, efficient and livable buildings; and

**WHEREAS**, "Building Safety Month: Code Officials Keep You Safe", the theme for Building Safety Month 2013, encourages all Americans to raise awareness of the importance of building safety; green and resilient building; pool, spa and hot tub safety; backyard safety; and new technologies in the construction industry. Building Safety Month 2013 also encourages appropriate steps everyone can take to ensure that the places where we live, learn, work, worship and play are safe and sustainable, and recognizes that countless lives have been saved due to the implementation of safety codes by local and state agencies; and

**WHEREAS**, each year, in observance of Building Safety Month, Americans are asked to consider projects to improve building safety and sustainability at home and in the community, and to acknowledge the essential service provided to all of us by local building departments in protecting lives and property;

**NOW, THEREFORE, I**, Rebecca Olness, Mayor of the City of Black Diamond, on behalf of the Black Diamond City Council do hereby proclaim in the City of Black Diamond, the month of May 2013 as

### **BUILDING SAFETY MONTH**

Accordingly, I encourage our citizens to join with their communities in participation in building Safety Month activities.

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**Rebecca Olness, Mayor**

### **PROCLAMATION (National Police Week)**

**WHEREAS**, the Congress and President of the United States have designated May 15<sup>th</sup> as Peace Officers' Memorial Day, and the week in which May 15<sup>th</sup> falls as National Police Week; and

**WHEREAS**, the members of the law enforcement agency of the City of Black Diamond play an essential role in safeguarding the rights and freedoms of Black Diamond; and

**WHEREAS**, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression and

**WHEREAS**, the men and women of the law enforcement agency of the City of Black Diamond unceasingly provide a vital public service; and

**NOW, THEREFORE**, I, Rebecca Olness, Mayor of the City of Black Diamond, on behalf of the Black Diamond City Council call upon all citizens of Black Diamond and upon all patriotic, civic and educational organizations to observe the week of May 12<sup>th</sup> – 17<sup>th</sup>, as Police Week with appropriate ceremonies and observances in which all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

I further call upon all citizens of Black Diamond to observe Wednesday, May 15<sup>th</sup>, as Peace Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

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**Rebecca Olness, Mayor**

#### **AB13-035, Confirmation of Mayor's Appointment to the Planning Commission**

Mayor Olness reported that in February of this year staff advertised for a vacancy on the Planning Commission due to a recent resignation. A recruitment notice was published in the newspaper as well as being posted on the city's website and in various places around town. Two applications were received for this vacancy; Harvey Senecal and Kerri Hanrahan. Interviews were conducted for the two applicants by a selection panel consisting of the Mayor, Stacey Welsh, Planning Commission Chair Keith Watson and Councilmember Ron Taylor. The Mayor is seeking Council confirmation of her appointment of Harvey Senecal to Position #3 of the City of Black Diamond's Planning Commission. This term will expire on December 31, 2016.

A **motion** was made by Councilmember Taylor and **seconded** by Councilmember Benson to confirm the Mayor's appointment of Harvey Senecal to Position No. 3 of the City of Black Diamond Planning Commission with term expiring on December 31, 2016. Motion **passed** with all voting in favor (3-0).

#### **UNFINISHED BUSINESS: None**

#### **NEW BUSINESS:**

**Ordinance No. 13-1001, relating to assignment of building addresses; providing for the change of a building address pursuant to an owner petition; providing for severability; and establishing an effective date**

Community Development Director Welsh noted that the city is responding from a citizen's request to change the address to his commercial building to accommodate new businesses within the building. The change will also solve multiple inconsistencies within his building as well as bring it into compliance with current addressing policies.

A **motion** was made by Councilmember Benson and **seconded** by Councilmember Taylor to adopt Ordinance No. 13-1001, relating to assignment of building addresses; providing for the change of a building address pursuant to an owner petition; providing for severability; and establishing an effective date. Motion **passed** (3-0).

**Ordinance No. 13-1002, relating to controlled substances; amending BDMC 9.90.020 and 9.90.170 and adding new section 9.90.200 BDMC to conform to Amendments to State Law resulting from passage of Initiative 502; providing for severability; and establishing an effective date**

City Attorney Bacha reported this ordinance and the following ordinance are before them because of the passage of Initiative 502. The proposed ordinance makes amendments to BDMC Chapter 9.90 to address changes in the paraphernalia and possession laws. Because Black Diamond has specific code provisions addressing some of these issues new code language was needed to fix conflicts we have under State Law.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Benson to **postpone** AB13-037 - Ordinance No. 13-1002 **and** AB13-038 - Ordinance No. 13-1003 until further information can be gathered and considered. Motion **passed** (3-0).

**Resolution No. 13-872, confirming the Mayor's appointment of Mark Hoppen as City Administrator and authorizing the Mayor to execute an employment agreement**

Mayor Olness reported that within the last week Mr. Hoppen notified her that he had a pending job interview, but would like to stay with the City if possible. She noted wanting to keep him and worked with staff to crunch the numbers to see if it was feasible. She added there would be money paid to the Prothman Company for a finder's fee. She also added speaking with Councilmembers Deady and Edelman and both were supportive of this. In addition, she did apprise all Councilmembers of the addition of this agreement on the agenda last Friday.

A **motion** was made by Councilmember Benson and **seconded** by Councilmember Goodwin to adopt Resolution No. 13-872, confirming the Mayor's appointment of Mark Hoppen as City Administrator and authorizing the Mayor to execute an employment agreement. Motion **passed** (3-0).

## **DEPARTMENT REPORTS:**

**Administration** – City Administrator Hoppen reported on the business meeting he attended this week for local businesses at the YarrowBay Discovery Center.

## **MAYOR'S REPORT:**

Mayor Olness reported on the following:

- April 23<sup>rd</sup> Cemetery Board meeting
- Met with Mayors of Covington and Maple Valley
- Planning Commission interviews
- Attended Pancake soft opening
- Attended Johnsons Home Gardening opening
- Announced Stacey Welsh as the Community Development Director
- Revisions to the City's Organizational Chart

Reminders:

- Town Hall meeting May 9<sup>th</sup>
- Closure of Green River Gorge bridge for one day on May 18<sup>th</sup>

**COUNCIL REPORTS:**

Councilmember Benson reported she attended the Business meeting held at the Discovery Center.

Councilmember Taylor reported Public Safety Committee is recommending to Council that they hold a workstudy looking at the long term future of fire services in Black Diamond.

Councilmember Goodwin thanked Tina McGann for organizing the business event that was held and noted Mira Hoke's help too; update on sewer rates from King County and that rate increase being a two year rate as promised; biggest issues regarding sewer rates are with connection fees.

**ATTORNEY REPORT: None**

**PUBLIC COMMENTS:**

Erika Morgan, Black Diamond commented on problems with the post office and her address.

**CONSENT AGENDA:**

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Benson to adopt the Consent Agenda. Motion **passed** with all voting in favor (3-0). The Consent Agenda was approved as follows:

**Claim Checks** – May 2, 2013, Check No. 39600 through 39645 in the amount of \$47,253.56

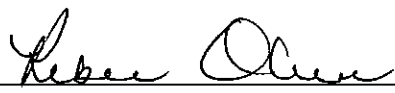
**Minutes** – Council Meeting of April 18, 2013

**EXECUTIVE SESSION: None**

**ADJOURNMENT:**

A **motion** was made by Councilmember Taylor and **seconded** by Councilmember Benson to adjourn the meeting. Motion **passed** with all voting in favor (3-0).

ATTEST:

  
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Rebecca Olness, Mayor

  
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Rachel Pitzel, Deputy City Clerk