

# **BLACK DIAMOND CITY COUNCIL MINUTES**

**May 1, 2014**

Council Chamber, 25510 Lawson Street, Black Diamond, Washington

## **CALL TO ORDER, FLAG SALUTE:**

Mayor Gordon called the regular meeting to order at 7:00 p.m. and lead us all in the Flag Salute.

## **ROLL CALL:**

**PRESENT:** Councilmembers Deady, Morgan, Edelman, and Benson.

**ABSENT:** Councilmember Taylor (excused).

Staff present were: Stacey Welsh, Community Development Director, Andrew Williamson, Economic Development Director; Jamey Kiblinger, Police Chief; Greg Smith, Fire Chief; Carol A. Morris, City Attorney and Brenda L. Martinez, City Clerk/HR Manager.

## **PUBLIC COMMENTS:**

Robert Taeschner, Black Diamond – commented on 1) mitigation fee regarding plan prepared by MAKERS and reaction by YarrowBay, 2) humorous that YarrowBay accuses the city of going to excess for a new place to have a new city building.

Mark Taeschner, Black Diamond – commented on the monthly stormwater bill and taxation without representation and is not going to pay this bill anymore.

Mario Sorci, Black Diamond – commented on the stormwater fee and noted the City did the right thing by passing this utility that provides a necessary service to the City.

**PRESENTATIONS: None**

**PUBLIC HEARINGS: None**

**UNFINISHED BUSINESS: None**

## **NEW BUSINESS:**

**Ordinance No. 14-1027, relating to land use and zoning, adopting findings of fact to support a six-month moratorium on the acceptance of applications for new development within the Master Planned Development (MPD) district, exempting certain property and applications**

Community Development Director Welsh reported that at the March 20 meeting Council adopted Ordinance No. 14-1025 and at the April 17 meeting a public hearing was conducted and Council instructed staff to prepare findings of fact to support a six-month moratorium and tonight's ordinance adopts those findings of fact.

City Attorney Morris noted she prepared a memo to be part of the record and can be used in tonight's discussion. She also noted this memo is available to the public.

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Benson to adopt Ordinance No. 14-1027, relating to land use and zoning, adopting findings of fact to support a six-month moratorium on the acceptance of applications for new development within the Master Planned Development (MPD) district, exempting certain property and applications. Motion **passed** voting in favor (4-0).

## **DEPARTMENT REPORTS:**

**Economic Development – Mr. Williamson** – addressed Council on the following items:

- April 23- City held a business owner meeting
- April 25 – meeting touring Lady Buds with Mayor, Councilmembers Benson and Edelman (invited councilmembers Taylor, Deady and Morgan to attend a tour)
- Acceleration of the work plan regarding the medical marijuana moratorium
- Business survey sent out to business owners in Black Diamond and a survey for citizens was placed on the City's website under "in the Spotlight" regarding what types of businesses they would like to see brought into town
- Distribution of Chamber booklet
- MDRT update

## **MAYOR'S REPORT:**

Mayor Gordon reported that the Lady Buds visit was incredibly informative and mentioned four terminal cancer patients he met while campaigning and their request to preserve this establishment so they can acquire their medication.

## **COUNCIL REPORTS:**

### **Budget, Finance, Administration Committee:**

Councilmember Benson noted they approved vouchers; discussion on legal fees and using the excess from ending balance to pay for this.

### **Planning and Community Service Committee:**

Councilmember Edelman noted next meeting is scheduled for May 8<sup>th</sup>; she passed her FEMA ICS 100 and 700 trainings; tour of Lady Buds; hours spent during the Earth Day event at Lake Sawyer Regional Park.

### **Cemetery and Parks Committee:**

Councilmember Morgan noted discussing trails and mapping.

### **Public Safety Committee:**

Councilmember Taylor, absent - no report.

### **Public Works Committee:**

Councilmember Benson noted two Public Works meetings on the CIP update.

## **Regional Committees-**

**WRIA 9:** Councilmember Morgan reported meeting next Thursday on show and tell on their projects; citizen library time.

**Growth Management Planning Council:** Councilmember Edelman no report.

**Sound Cities Association – Public Issues Committee (PIC):** Councilmember Edelman noted the meeting is scheduled for May 14<sup>th</sup>.

**South County Area Transportation Board (SCATBd):** Councilmember Benson reported on transportation in communities regarding the development that will be occurring.

**South East Area Transportation Solutions (SEATS) Coalition:** Councilmember Benson discussed what the three cities could do together regarding the development that will be going on in our communities especially on transportation.

**Sound Cities Association – Mental Illness and Drug Dependency Oversight Committee:** Councilmember Benson no report.

## **ATTORNEY REPORT:**

City Attorney Morris reported she would like to bring an ordinance back to Council for consideration regarding defining what the Planning Commission will hold public hearings on.

There was Council consensus for Ms. Morris to bring this forward at the next meeting.

## **PUBLIC COMMENTS:**

Gary Davis, Black Diamond – stated he questioned that Lady Buds violated their business license and asked if some sort of understanding has been reached regarding this violation as it appears that City is trying to promote this business and there appears to be confusion if there was a violation.

Robert Taeschner, Black Diamond – commented that six years ago facing chemotherapy for cancer and the medication provided for him by his doctor and it being inexpensive; does not agree with having a medical marijuana dispensary in Black Diamond.

Bill McDermott, Black Diamond – question on north end of First Avenue and wonders what kind of activity is going on there as they appear to be taking pictures.

Mr. Williamson noted that CenturyLink has been in the area looking at their systems.

Vali Bauer, Covington – thanked those who attended their tour at their business establishment (Lady Buds) and commented on the stereotypes that remain on this type of business and invited citizens to come in and see their place of business and learn about the service they provide.

Mark Taeschner, Black Diamond – commented on drugs being the demise of this country as well as taxation without representation; noted problems with water runoff going into his neighbor’s yard and nothing being done about this.

Tina McGann, Black Diamond – commented on the website and no link to schools and the city update document and would like to see a link on those to the school in Black Diamond. She also noted having a link to the City of Enumclaw website as they video their school board meetings.

**CONSENT AGENDA:**

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

**Claim Checks** – May 1, 2014, No. 40830 through No. 40890 in the amount of \$90,982.91  
**Minutes** – Council Work Session and Town Hall Meeting of April 10, 2014, Council Meeting of April 17, 2014

**EXECUTIVE SESSION:**


Mayor Gordon announced an Executive Session at 7:49:27 p.m. to discuss with legal counsel potential litigation pursuant to RCW 42.30.110(1)(i) possible action to follow the Executive Session, which was expected to last approximately 45 minutes.

The regular meeting was called back to order at 8:40:18 p.m.

**ADJOURNMENT:**

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Dedy to adjourn the meeting. Motion **passed** with all voting in favor (4-0).

ATTEST:

  
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Dave Gordon, Mayor

  
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Rachel Pitzel, Deputy City Clerk