

BLACK DIAMOND CITY COUNCIL MINUTES

August 7, 2014

Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE:

Mayor Gordon called the regular meeting to order at 7:00:01 p.m. and lead us all in the Flag Salute.

ROLL CALL:

PRESENT: Councilmembers Deady, Edelman, Morgan and Benson.

ABSENT: Councilmember Taylor (excused).

Staff present were: Andrew Williamson, MDRT/Economic Development Director; Aaron Nix, Community Development/Natural Resources Director; Seth Boettcher, Public Works Director; Kris Chatterson, Police Officer; Carol A. Morris, City Attorney and Brenda L. Martinez, City Clerk/HR Manager.

A **motion** was made by Councilmember Benson and **seconded** by Councilmember Edelman to withdraw item #5 from the agenda. Motion **passed** with all voting in favor (4-0).

EXECUTIVE SESSION:

Mayor Gordon announced an Executive Session at 7:03:07 p.m. to discuss with legal counsel potential litigation pursuant to RCW 42.30.110(1)(i) with no action to follow the Executive Session, which was expected to last approximately 10 minutes.

The regular meeting was called back to order at 7:15:56 p.m.

PUBLIC COMMENTS:

Keith Watson, Black Diamond – read into the record an email he sent to the Council, Mayor and Staff. This document is attached to the minutes and incorporated within. He noted CIAW changing their by-laws and changing the coverage period to coincide with the calendar year. He also noted talking with Mayor Gordon last night and that Aaron Nix has been assigned this item. He thanked the Mayor, Councilmembers and City Staff for looking into options for this and thanked them for the consideration.

Cheryl Hanson, Black Diamond Community Center Executive Director – discussed the number of clients that use resources available through the Community Center and noted this would be devastating if Black Diamond had to get rid of any of these programs. She also noted calling an insurance company to get a quote on a similar insurance policy and the cost would be around \$21,000 and stated they simply cannot afford this.

Brian Weber, Black Diamond – noted being on the same page regarding the insurance premiums for the Community Center and the importance of the City to continue to provide cost for the Community Center and Historical Museum. He also commented on the PP2C Hearing being scheduled at 10 a.m. and this limits citizens to be able to provide oral testimony even though written testimony can be submitted.

Bill Boston, Black Diamond – spoke in support of the comments that have been made on behalf of the Community Center. He noted many Councilmembers volunteering at the Center and seeing first-hand the impact they are to our Community. He asked Council to consider keeping the funding for insurance for these two facilities.

Sam Calabrese, Black Diamond – thanked Council for starting the Committee and taking the step in the right direction, but does have some concerns. He noted he would like to be a State 502 producer in Black Diamond. He noted having a building ready for this and also their business plan is to set aside monies to be used in the Community and asked Council to keep this in mind. He also noted that no one will know what is being done in this building as they would not use the green crosses that some businesses use.

Jason Morgan, Black Diamond – noted the City needing to consider tax options for revenue and the people voted this in and it should be considered as an option.

Jack Sperry, Black Diamond – expressed concern and outrage on the scheduling of the hearing on the Plat as many folks will not be able to attend, even if written testimony can be submitted. He noted the last hearing was done on a Saturday and this is what should have happened this time.

Kathy Dussart, Black Diamond – noted living in Black Diamond for 25 years and the importance of the Black Diamond Community Center to her and her husband and asked that the Council continue to pay the insurance premiums for the Center. She thanked everyone for all they have done for them.

Bill Roth, Black Diamond – raised a concern regarding item #2 on the agenda and the cost for the improvements to Abrams Avenue. He noted there only being two homes that this would help and one is a Councilmember and asked if that Councilmember would need to recuse themselves from this item.

Patrick Nelson, Black Diamond – discussed the importance of the Community Center to the City. He also discussed the money that is being used to fix a road for only two houses when the Black Diamond Community Center serves thousands.

Ethel Federico, Black Diamond – commented she is so thankful for BASK for her grandchildren as they benefit from this service the Black Diamond Community Center provides. She noted the Senior Center being a wonderful place where she is able to meet other folks.

Tom Daniels, Black Diamond – discussed the many volunteers in this room tonight for the Community Center.

Cheryl Rahoe, Black Diamond – stated she wondered what would happen if these facilities are shut down as the Museum is an attraction for tourists.

Susie Thompson, Kent – noted that she does not live in town, but loves Black Diamond. She is one of the volunteers that has nothing to do and loves working the at Black Diamond Museum and hopes that none of these facilities are shut down.

Kerri Caster, Black Diamond – noted it appears everyone is working towards keeping the doors open, she noted good communication is so important and this could help facilitate the process.

NEW BUSINESS:

Resolution No. 14-966, authorizing the Mayor to execute a consultant services contract with AHBL, Inc. for part-time, Interim Planner Services to be provided to the Community Development Department

Community Development Director Nix reported the Community Development department is in need of a part-time Planner on staff, with the recent departure of Ms. Welsh, there is a need for a non-MDRT planner. He noted since he took over the Community Development Director position, this has been the busiest season he has had with permits that are non-related to MDRT.

A **motion** was made by Councilmember Deady and **seconded** by Councilmember Edelman to adopt Resolution No. 14-966, authorizing the Mayor to execute a consultant services contract with AHBL, Inc. for part-time, Interim Planner Services to be provided to the Community Development Department. Motion **passed** with all voting in favor (4-0).

Resolution No. 14-967, awarding the low-bid on the Abrams Avenue Safety Improvements Project to Peterson Brothers, Inc.

Public Works Director Boettcher reported that several years ago Council approved investigating the ownership and safety issues of Abrams Avenue. It was determined the City owns the right-of-way and it is the responsibility to provide safe travels on this road. The City solicited bids off the MRSC Small Works Roster, and received 1 bid from Peterson Brothers, Inc. The Public Works Committee recommended moving forward with this item.

A **motion** was made by Councilmember Deady and **seconded** by Councilmember Benson to adopt Resolution No. 14-967, awarding the low-bid on the Abrams Avenue Safety Improvements Project to Peterson Brothers, Inc. Motion **passed** with all voting in favor (3-1, Morgan).

Resolution No. 14-968, authorizing the use of city Parks Funds to cover water costs for the Community Garden at 24318 Roberts Drive as long as the water is used exclusively for the Community Garden

Public Works Director Boettcher reported the Boy Scouts have constructed a Community Garden for Black Diamond on the Bryant property. There is a water meter there and the Bryant's have requested that the City help pay for water that is needed for this. The food that is generated by this project is going to the Food Bank.

Resolution No. 14-968 **died** for lack of motion.

Resolution No. 14-969, relating to the formation of an Ad Hoc, all volunteer committee to provide the mayor and Council with recommendations relating to adopted moratoria, establishing the membership qualifications, rules for meetings, powers and duties and expiration

Mayor Gordon reminded Council that this was before them on July 17th and Council made a motion to postpone until tonight's meeting.

Resolution No. 14-969 **died** for lack of motion.

DEPARTMENT REPORTS:

Mr. Williamson noted staff is quite busy especially at the Permit Center; Public Works has many projects going; In MDRT he noted that there will be more activity on site next week.

MAYOR'S REPORT:

Mayor Gordon reported he attended Miners Day, Management meetings, Finance meetings and the Special Council meeting. He addressed the public's concern over the special event The Great Horror Campout. He noted he performed an investigation and is prepared to discuss what he found. He noted this event has been held at other communities and staff performed without any issues. He noted the Police Department review was adequate, it went before Council to be voted on and Council and everyone knew what they were getting into. The event didn't do very well and they shouldn't have used profanity over the PA system. He noted there was not a failure on any actions by staff. Mayor Gordon also noted being contacted by citizens on the PP2C on the upcoming hearing, and thanked Cindy Wheeler and Cindy Proctor for the failure of staff in the notification and an action plan was implemented today and everything is now corrected. The next time a public hearing is scheduled the public concern will be taken into consideration.

COUNCIL REPORTS:

Councilmember Benson: reported attending the Public Works meeting, Finance meeting, meeting with Mayor and Brenda on budget.

Councilmember Edelman: reported attending the Planning and Community Service meeting, Finance meeting. Thanked Councilmember Benson for hosting a National Night Out event at her house, she commented on the Great Horror campout, Point of Information and how agenda items get added.

Councilmember Deady: reported she attended Miners Day, Special Council meeting, Always Brothers 100-mile Run, commented on hearings and supports them being in the evenings.

Councilmember Morgan: noted she attended meeting with citizens on Rain Gardens, Planning and Community Service meeting, and will be attending a Solar Energy Tour on August 9th. She noted she will be holding her library hours on August 9th as well.

ATTORNEY REPORT: None

PUBLIC COMMENTS:

Bob Edelman, Black Diamond – thanked Councilmember Benson for hosting a National Night Out party, he noted another large gathering in Black Diamond and it's nice to be somewhere that the local Police and Fire are invited; would like some clarification on the statement the hearing time was made due to budget.

Peggy Sperry, Black Diamond – commented she would prefer that the Police give tickets on Lake Sawyer rather than warnings.

Patrick Nelson, Black Diamond – noted that if we have folks on private property then it should be posted. Hopes we can find some tax revenue for the City and it seems like what can we find that has not been met the majority of the City is not affected by these.

Cheryl Hanson, Black Diamond Community Center Director – commented she is happy that Resolution No. 14-968 did not get adopted.

Jason Morgan, Black Diamond – noted he wondered how the guardrail is going to fix the flooding issue.

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 – August 7, 2014, No. 41210 through No. 41251 in the amount of \$57,669.75

Minutes –Regular Council Minutes of July 17, 2014 and Special Council Minutes of July 24, 2014.

ADJOURNMENT:

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

ATTEST:



Dave Gordon, Mayor



Rachel Pitzel, Deputy City Clerk