

BLACK DIAMOND CITY COUNCIL MINUTES
Town Hall Meeting of January 9, 2014
Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE:

Mayor Gordon called the regular meeting to order at 7:15 p.m. and lead us all in the Flag Salute.

ROLL CALL:

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

ABSENT: None

Staff present were: Christy Todd, City Administrator and Brenda L. Martinez, City Clerk.

Mayor Gordon welcomed everyone to the meeting.

PUBLIC COMMENTS:

Bill McDermott, Black Diamond - congratulated Christy on her new appointment and the Councilmembers due diligence on the appointment.

Pat Nelson, Black Diamond - discussed the emails he sent Council; talked about not having the transparency that was promised and hoped Ms. Todd can work with YarrowBay in a cohesive manner for positive growth. He thanked Council and wished Council the best as people are watching.

George McPherson, Black Diamond – commented on the Fire Station being inadequate in town and what is the plan for some sort of better facility in the old part of town as he is concerned about this. He discussed the opportunity YarrowBay had regarding building a Fire Station earlier that is called for in the Development Agreement.

Councilmember Taylor discussed the work of the Ad Hoc Committee and noted there will be a workstudy at the first meeting in February prior to the regular meeting to go over the different models with Council. He discussed the process that will take place and noted there will be a lot of public involvement through the meetings.

Councilmember Edelman talked about the deficiency that exists today in fire service and that not being YarrowBay's responsibility. She noted this should have been addressed by previous Councils and it wasn't.

Brian Clintworth, Black Diamond – commented on Council running on the presence of no growth with YarrowBay and now that development has started how is Council going to work with YarrowBay.

Councilmember Taylor discussed Council not coming in with a “no growth” agenda. It is not his intent or desire to run YarrowBay off as growth is needed for a better tax base. It’s not his position to get rid of the developer.

Councilmember Benson wanted the developer to be responsible and making sure we have a sustainable budget during her campaigning.

Councilmember Edelman noted she resigned from Toward Responsible Development (TRD) once being appointed to the Council and she wanted to make it known that she is not a member of Save Black Diamond (SBD) and never has been. She noted Council is going to make sure that YarrowBay is following through on all the COAs. The Council wants to make sure the city’s protected and to make sure the developer is doing what they are supposed to be doing.

City Administrator Todd discussed her attendance at the MDRT meeting and has asked Mr. Williamson to put her on a distribution list of any site visits and what is found out during these visits.

Councilmember Edelman stated this Council specifically wants to do what is best for the folks that live in the city limits of Black diamond and get the most bang for the buck and to do the right things. It’s not a political agendas it’s what is right.

Councilmember Deady stated when running for Council and the anticipated growth in the early years was about 2,000 homes not what is proposed today. She stated feeling the Council wasn’t listening to the residents and that is why she ran to be the citizens’ voice. She supports growth and with the approved MPDs we need to make sure YarrowBay does what they are supposed to do.

Brian Clintworth, Black Diamond – asked what the status of the lawsuits where for YarrowBay.

Council couldn’t answer that at this time.

Councilmember Edelman encouraged folks to email or phone Councilmembers. She noted their email addresses being on the website.

Tina McGann, Black Diamond - discussed being on the Enumclaw School Board and noted the State of Education address coming up on January 23, 2014 in the Commons and will highlight three programs that happened this past year and what’s to come. Stem Expo is coming up too and invited everyone to come to these; congratulated the new members on the recent elections and thanked Council for their good questions tonight regarding Ms. Todd’s appointment. She noted being concerned that heir was not a public comment period tonight and noted her comment would have the lack of experience as Ms. Todd was a City Manager for only 9 months. She asked Mayor Gordon how many people were interviewed for this position.

Mayor Gordon stated he interviewed Ms. Todd for Interim City Attorney and knew immediately she was the good melon and was the right person. He noted she has experience with our situation and has the eye of the Attorney.

Judith Carrier, Auburn – thanked all of the Council for doing their due diligence on the confirmation of Ms. Todd as City Administrator. She noted being very impressed with Ms. Todd through the MPD process. She talked about the Green Valley Road Committee being inactive and this committee was formed through the Development Agreement process. She discussed COA 33 and noted that the committee is stale mated and she discussed the correspondence going back and forth and the committee chairs deciding if they can meet with YarrowBay. Commented campaigning for all the elected on the Council and during that process she has come to know the Black Diamond community much better. She feels most people do not mean when they say stop Black Diamond that they are not saying to kick them out of town and she wishes people would realize what they mean is that YarrowBay is doing what they are supposed to be doing and the city ends up with a responsible development and noted being a member of TRD. She noted there being concern about the bias of the reviewers and would like to have the public help the reviewers.

Robbin Taylor, Black Diamond – noted last year the Council decided not to enact a TBD and the City being in need of street funds. Small cities are in desperate need for funds for their streets and asked Black Diamond to start a conversation with other smaller communities about the state siphoning funds on the use of sales tax on state projects, there would be more funds for the smaller municipalities.

Gary Davis, Black Diamond – asked if there is any update on YarrowBay's intentions for the Lawson Hills project. He noted there being a lot of misinformation regarding the old mine workings near Botts Drive and this putting a wrench in YarrowBay's plans to have buildable view lots in that area.

Councilmember Deady noted Council wanting updates from the MDRT.

City Administrator Todd noted her intention is to attend all MDRT meetings.

Mira Hoke Black Diamond – commented that YarrowBay has an office that is housed in the old feed store and encouraged folks to come in as she would be happy to share what information she has.

Bob Edelman, Black Diamond – noted the issue Mr. Davis brought up; discussed the applications that have not been processed for YarrowBay and the question on the status of the lawsuit. He noted the LUPA appeal of the FEIS and MPDs that is before the court of appeals, oral arguments were September 11th and the court of appeals takes a lot of time in deciding and he feels the more time that is taken the better and does not expect a decision on it any earlier than April and might be even later. He noted that the Development Agreements are also before the court of appeals and no schedule has been set. He noted YarrowBay being obligated to build an auxiliary Fire Station when about 700 occupancies permits have been issued. He noted accelerating that if a CFD was adopted.

George McPherson, Black Diamond – stated at one time he read in a publication, terms like CFD and other acronyms, folks may not understand what is being talked about and

encouraged the Council not to use acronyms. He commented on apartment buildings being nice and noted they don't have to be "bad news".

Brian Clintworth, Black Diamond – noted Mayor Gordon running on transparency in government and a comment by another citizen gave him great concern and that being that he did not interview other people and an adequate search was not performed for this position and this give him concern.

Councilmember Taylor noted respecting Mr. Clintworth's opinion and noted it being up to the Executive to hire and noted it's nice to have public input, but it's not a requirement.

Councilmember Edelman noted the hiring is at the discretion of the Mayor and noted Council did not act on that last week, but they chose not to for lack of information to make an informed decision. She noted the next big move is the hiring of a new City Attorney. The City has three applicants and Council will be doing their due diligence on this issue.

Mayor Gordon commented he took the unusual and respectful position at the advice of the City Attorney and noted Council making the right choice in the end.

City Administrator Todd noted appreciating all the questions from Council tonight and did not prepare a speech other than what was presented in the packet tonight. She thanked each Councilmember and the Mayor and noted having a big job ahead of her and welcomes the challenges and encourages folks to reach out to her either by email or phone. She hopes if there are disagreements that all parties can agree to disagree. She wanted to make sure folks new that tough decisions need to be made and sometimes at the end of the process you may not make all folks happy. She noted having some ideas on how to encourage public participation.

Councilmember Deady asked Mayor Gordon what his schedule is at the City.

Mayor Gordon responded he is in the office between 4 p.m. – 7 p.m. and encouraged folks to make an appointment form 4 p.m. – 6 p.m.

Tina McGann, Black Diamond – clarified she was not saying the Mayor was not within his right, she just hoped that in the future the City would have a pool of candidates to have other folks to compare to.

Dave Amber, Lake 12 - Black Diamond – congratulated Ms. Todd and noted her being up against some stiff competition and wondered if the Council is satisfied that without the CFD does YarrowBay have the financial backing for the projects to continue.

Councilmember Edelman noted that it is YarrowBay's issue not the City's. YarrowBay needs to make sure they have the adequate funding; noted the CFD being a funding vehicle to use other people's money with some risk to the City.

ADJOURNMENT:

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Deady to adjourn the meeting. Motion **passed** with all voting in favor (5-0). The meeting ended at 8:23 p.m.



Dave Gordon, Mayor

ATTEST:



Rachel Pitzel, Deputy City Clerk