

BLACK DIAMOND CITY COUNCIL MINUTES
Council Meeting of August 20, 2020
Virtual Meeting Via Zoom

CALL TO ORDER, FLAG SALUTE:

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

ROLL CALL:

PRESENT: Councilmembers Oglesbee, Wisnoski, Stout, de Leon, and Paige.

ABSENT: Councilmember Deady (excused)

Staff present: Andrew Williamson, MDRT/Ec Dev Director; Barb Kincaid, Community Development Director; Jamey Kiblinger, Police Chief; David Linehan, City Attorney; Mayene Miller, Finance Director; and Brenda L. Martinez, City Clerk/HR Manager.

AGENDA REVIEW AND APPROVAL:

Councilmember Stout **moved** to adopt the agenda; **second** Councilmember de Leon. Motion **passed** with all voting in favor (5-0).

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS: None

CONSENT AGENDA:

Councilmember de Leon **moved** to adopt the Consent Agenda; **second** Councilmember Oglesbee. Motion **passed** with all voting in favor (5-0). The Consent Agenda was approved as follows:

- 1) **Claim Checks** – August 20, 2020 Check No. 49042 through 49093 and EFTs in the amount of \$520,356.30
- 2) **Payroll** - July 31, 2020 Check No. 19991 through 19997 (void 19971) and ACHs in the amount of \$380,464.73
- 3) **Minutes** – Council Meeting of August 6, 2020
- 4) **AB20-053** – Resolution Regarding Final Plat Approval for The Villages MPD, Ten Trails Plat 2A Div 4
- 5) **AB20-054** – Resolution Authorizing Contract Amendment No. 2 to the Tacoma Water Wholesale Agreement

PUBLIC COMMENTS:

Written comments received are included with the minutes for this meeting.

PUBLIC HEARINGS: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

- 6) **AB20-055** – Resolution Authorizing Agreement with the Black Diamond Community Center for Administration of the COVID-19 Economic Hardship Assistance Grant Program

Finance Director Miller briefed Council on this agenda item.

Councilmember de Leon **moved** to approve Resolution No. 20-1375, authorizing the Mayor to sign an agreement with the Black Diamond Community Center to administer a portion of the CARES Act COVID Grant to assist Black Diamond residence with economic hardship assistance toward their rent or utility bills; **second** Councilmember Stout. Motion was **passed** with all voting in favor (5-0).

- 7) **AB20-056** – Ordinance Regarding Emergency Comprehensive Plan Amendment to Adopt School District Capital Facility Plans

Community Development Director Kincaid reported on this item.

Councilmember Oglesbee **moved** to approve Ordinance No. 20-1145 for an emergency amendment to Chapter 8.8 of the City's 2015-2035 Comprehensive Plan; **second** Councilmember de Leon. Motion **passed** with all voting in favor (5-0).

- 8) **AB20-057** – Ordinance Establishing a School Impact Fee Program

City Attorney Linehan presented this to Council and reviewed the process that has taken place on it.

Councilmember Wisnoski **moved** to approve Ordinance No. 20-1146, adding a new chapter 3.70 to the Black Diamond Municipal Code; establishing a school impact fee program; requiring the execution of interlocal agreements between the City and participating School Districts; authorizing the imposition and collection of impact fees by the City on behalf of participating School Districts on new development impacting school facilities; providing the formula for calculating impact fees; and providing procedures for impact fee credits, appeals, and refunds, all as authorized by the Growth Management Act and RCW 82.02.050 through 82.02.100, providing for severability; and establishing an effective date; **second** Councilmember Stout.

There was Council discussion.

Vote: Motion **passed** with all voting in favor (5-0).

- 9) **AB20-058** – Resolution Regarding Interlocal Agreement with the Auburn School District

Relating to School Impact Fees

City Attorney Linehan briefed Council.

Councilmember Oglesbee **moved** to adopt Resolution No. 20-1376, authorizing execution of an Interlocal Agreement with the Auburn School District relating to operation and administration of the School Impact Fee Program; **second** Councilmember de Leon. Motion **passed** with all voting in favor (5-0).

10) AB20-059 - Resolution Regarding Interlocal Agreement with the Enumclaw School District Relating to School Impact Fees

City Attorney Linehan briefed Council.

Councilmember de Leon **moved** to adopt Resolution No. 20-1377, authorizing execution of an Interlocal Agreement with the Enumclaw School District relating to operation and administration of the School Impact Fee Program; **second** Councilmember Stout. Motion **passed** with all voting in favor (5-0).

11) AB20-060 - Resolution Regarding Interlocal Agreement with the Kent School District Relating to School Impact Fees

City Attorney Linehan briefed Council.

Councilmember de Leon **moved** to adopt Resolution No. 20-1378, authorizing execution of an Interlocal Agreement with the Kent School District relating to operation and administration of the School Impact Fee Program; **second** Councilmember Wisnoski. Motion **passed** with all voting in favor (5-0).

12) AB20-061 - Resolution Regarding Interlocal Agreement with the Tahoma School District Relating to School Impact Fees

City Attorney Linehan briefed Council.

Councilmember Stout **moved** to adopt Resolution No. 20-1379, authorizing execution of an Interlocal Agreement with the Tahoma School District relating to operation and administration of the School Impact Fee Program; **second** Councilmember de Leon. Motion **passed** with all voting in favor (5-0).

13) AB20-062 – Ordinance Adopting School Impact Fees

City Attorney Linehan discussed this agenda item.

Councilmember de Leon **moved** to adopt Ordinance No. 20-1147, adopting a School Impact Fee Schedule; authorizing an additional fee for administering the School Impact Fee Program; providing for severability; and establishing an effective date; **second** Councilmember Wisnoksi.

There was Council discussion.

Vote: Motion **passed** with all voting in favor (5-0).

14) **AB20-063** – Ordinance Amending BDMC Section 8.24.220 Relating to Moorage and Anchorage Restrictions on Lake Sawyer

Mayor Benson reported to Council on this and noted that SEPA has not been completed and will need to go on the next agenda. She discussed background information regarding how this ordinance came to be.

There was Council discussion.

DEPARTMENT REPORTS:

Police – Chief Kiblinger expressed her condolences on Craig Goodwin’s passing. She reported on the drowning that took place yesterday on Lake Sawyer and noted it being tragic.

Fire - Chief Smith reported on the brush fire from last week and thanked the contractors who helped extinguish it. He also discussed the drowning on Lake Sawyer and the need for people to be careful. He shared that some of their firefighter’s are in eastern Washington helping fight the wildfires. He stated that on September 21 the Captain and Lieutenant will be flying to the prebuilt conference on the fire truck. He commented that the M&O levy passed and thanked all the district citizens who supported this. In closing he gave a staffing update.

MAYOR’S REPORT:

Mayor Benson expressed that Craig Goodwin was her first mentor when she joined the Council. She admired him and is sad to see him gone. She discussed the website he shared with everyone and how he will be missed. She reported on the Mayors meetings she had attended where they talk about when cities will reopen and the possibility of not even opening up next year as some are worried about the virus coming back. She noted keeping in contact with cities, and homeless issues in Kent and Auburn regarding the facilities that were put there without their consent. Cities continue to allow people to work from home and rotating in so they can get their job done.

COUNCIL REPORTS:

Councilmember Oglesbee noted she was not able to attend the work session and will listen to audio. She echoed Mayor Benson’s comments on Craig Goodwin. She discussed the photos he took and sold and shared that all the profit went to the Black Diamond Community Center. She looks forward to reaching out to Nathan Jeffrey’s regarding communication with residents in Ten Trails and building the bridge between old and new citizens and keeping the traditions alive. She noted hoping everyone is well during these

trying times and to stay strong mentally and she encourages people to get involve in their community to shape the future of our city.

Councilmember Wisnoski sends his condolences to Craig's Goodwin's family. He thanked Ten Trail and Goodfellow with the wildland fire suppression. He shared good news that the Museum reached their goal to get their new furnace. He reported on an effort to get donations to help less fortunate children that may not have internet connections for when school starts and shared, they could contact Megan Sheridan on this. He reported attending Finance Committee meeting and thanked May Miller for reviewing the finances. He asked Ms. Kincaid if she could do a report on the permitting process update for the retail areas. Ms. Kincaid updated Council on the status of these permits. He inquired about the minor amendment and the chipping status and since no staff was present to report on that he would contact them directly for an update.

Councilmember Stout shared that if was not for Craig Goodwin she would not be here as a Councilmember. She noted he asked her to run and she said no, and then she had a great conversation with him about serving on the Council and said she'd consider it. She added he was a wealth of knowledge for her and helped her campaign. She expressed that Craig was a very good man and we will miss him. She commented on performing CPR and how it is very traumatic and if you have never experienced it, it is not what it looks like on TV and stated her heart goes out to the man who drowned at Lake Sawyer, the first responder and bystanders involved. She is grateful for the first responders who are there when we call. She commented on being curious about the fire in Ten Trails and it being in the middle of nowhere. Chief Smith noted there was some human activity in that area of a camp. The fire was approximately 1.2 miles away from Ten Trails. She reported attending the SCA social justice and equity panel, Finance and Public Works Committee meetings. She discussed that she is grateful that we are physical distancing, however she doesn't like it, the Zoom meetings do not allow for the best community involvement and she misses the public comments at the beginning and end of our meetings. She stated to community members they (Council) would love to hear from them and encouraged them to let them know as they want to listen and looks forward to the day meetings are not remote. In closing she stated she is grateful we have this platform but doesn't like it.

Councilmember de Leon expressed her condolences to the Goodwin family and shared it is heartbreaking. She noted Mr. Goodwin being a great support to her and an asset to the City. He will leave such a whole in our city. She sends her condolences to those grieving the loss of life on Lake Sawyer, appreciated Councilmember Stout's comment that it is shared trauma. She is glad we are working on items that are needed for safety on the lake. She reported attending the Public Works Committee meeting and the thorough walkthrough of the water plan. She attended the work session and is excited to see what will be next. She appreciates the correspondence with the staff members and noted that as we go into budget it will be really important that we make sure we set aside the funds for needed infrastructure and staffing for the future. She attended the Enumclaw School District Board meeting and hearing comments from students on issues they experience. She discussed a Ten Trails residence who reached out and proposed a resident association

and his hoping we can expand on that. She noted appreciating the work done today and what's to come.

Councilmember Paige stated Mr. Goodwin may the wind be at your back and he will be greatly missed. He discussed the death on Lake Sawyer and noted info will be forthcoming on how that happened. He also noted that he did mention at last meeting his concern for the safety on the lake and is greatly concerned for that. Again, there is a lot of activity on the lake and lack of awareness by boaters and operators and the fact that Lake Tapps will be restricting access to their park will create a higher burden on our Lake. He expressed that as a City Council we need to see what we can do and when it goes beyond our powers, we need to reach out to others to create controls and rules that aren't currently in place. He again stressed he is very concerned and wants to be on record of being frustrated with the level of activity and he's talking about dereliction and misbehavior on the lake. He reported attending the Finance Committee meeting and noted Finance Director Miller is uber prepared and he appreciates that.

Councilmember Deady, City Clerk Martinez read a prepared statement from Ms. Deady regarding Mr. Goodwin sharing her condolences. That statement is attached to the minutes.

ATTORNEY REPORT:

City Attorney Linehan briefed Council on the move of City offices to where City Hall is located. He noted he has prepared a draft lease and it has been sent to the landlord for input to see where we are at. This lease is to allow departments to occupy the whole building. He added that a more detailed update would be coming soon.


EXECUTIVE SESSION: None

ADJOURNMENT:

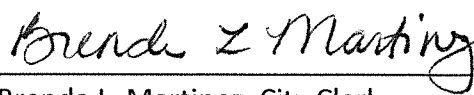
Councilmember Oglesbee **moved** to adjourn the meeting; **second** Councilmember Paige. Motion **passed** with all voting in favor (5-0).

The meeting ended at 8:17 p.m.

ATTEST:



Carol Benson, Mayor



Brenda L. Martinez, City Clerk