

BLACK DIAMOND CITY COUNCIL MINUTES

Council Meeting of December 5, 2019

Council Chamber, 25510 Lawson Street, Black Diamond, Washington

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 Deady, Oglesbee, Edelman, Stout, de Leon, Nelson, and Paige.

ABSENT: None

Staff present: Andrew Williamson, MDRT/Ec Dev Director; Chief Smith; Scott Hanis, Capital Projects/Program Manager, Seth Boettcher, Public Works Director; May Miller, Finance Director; Jamey Kiblinger, Police Chief; David Linehan, City Attorney, and Brenda L. Martinez, City Clerk/HR.

AGENDA REVIEW AND APPROVAL:

Mayor Benson announced an addition of a presentation to the agenda for Sgt. Lynch.

Councilmember Stout stated she would like to move item #4 on the Consent Agenda to New Business.

Councilmember Deady **moved** to approve the agenda with those two changes; **second** Councilmember Oglesbee. Motion **passed** with all voting in favor (7-0).

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS:

Presentation – Sgt. Lynch presented Julia Peterson of Vine Maple Place with a check for \$1,832 the Police Department raised during Movember. He noted that since the check was written more donations were received for a grand total of \$1,902.

- 1) AB19-067** - Confirmation of Mayor's Re-appointment of Steven Jensen to the Planning Commission

Mayor Benson reported on this item to Council.

Councilmember Oglesbee **moved** to confirm the Mayor's reappointment of Steve Jensen to Position #2 of the Black Diamond Planning Commission; said term to expire on December 31, 2012; **second** Councilmember Deady. Motion **passed** with all voting in favor (7-0).

CONSENT AGENDA:

Councilmember Oglesbee **moved** to adopt the Consent Agenda; **second** Councilmember Stout. Motion **passed** with all voting in favor (7-0). The Consent Agenda was approved as follows:

- 2) **Claim Checks** –December 5, 2019 Check No. 48221 through 48259 in the amount of \$407,036.43
- 3) **Minutes** - Work Session of November 14, 2019, Council Meeting of November 21, 2019

PUBLIC COMMENTS:

Brock Deady, Black Diamond spoke to Council.

PUBLIC HEARINGS:

- 5) **AB19-069** – Proposed Updates to the Stormwater Management Plan

Capital Projects/Program Manager Hanis reported to Council on this item and there was Council discussion.

Mayor Benson opened the public hearing at 7:15 p.m.

Kristen Bryant, Bellevue spoke about growing in Black Diamond along Ginder Creek and very occasionally (every dozen years) salmon will make it up to Ginder Creek at the top of Roberts Drive and noted it would be wonderful if our culverts that are blocking fish from getting to that point were removed and any of the pollutants getting in were treated and the water was more conducive to those salmon making it up. She reinforced that it is really important to clean up the water by doing things that can be done to keep it clean such as reducing the impervious surfaces or not adding them. She mentioned that in particular on this plan it was mentioned by Mr. Hanis about the increased monitoring requirements that will be coming in future years and the comment she made was to consider finding out ways to start that as soon as possible rather than waiting until it's an absolute requirement. She noted what came to mind was the recent toxic algae blooms at Lake Sawyer and monitoring upstream from them at the construction at the Rock Creek bridge or other upstream sources around the lake that might have contributed to the bloom. She then discussed the placement and timing of the testing and regardless the monitoring is going to be a requirement for a reason and it's important to know whether the stormwater is getting cleaner or whether there are sources of pollutant's and she thinks it's important to start this sooner. She shared that many people have commented about keeping Lake Sawyer clean and it's all upstream from there as Rock Creek and Ginder Creek and anything we can do in the stormwater plan to increase their environmental health would be good.

Mayor Benson closed the public hearing at 7:18 p.m.

- 6) **AB19-070** - Proposed Sewer Rate Increase

Finance Director Miller briefed Council on this item and shared that Ashley Emery of Financial Consulting was hired to prepare a rate analysis and options were looked at during a work session on November 14, 2019.

Mayor Benson opened the public hearing at 7:21:52 p.m. No oral testimony was heard, and the public hearing was closed at 7:21:59 p.m.

UNFINISHED BUSINESS: None

NEW BUSINESS:

4) AB19-068 - Resolution No. 19-1326 Final Plat Approval for Ten Trails Parcel V24

MDRT/Ec Dev Director Williamson reported on this item and discussed the additional packet material that was provided to Council and posted on the City's website.

There was back and forth discussion between Council and staff.

Councilmember Edelman **moved** to adopt Resolution No. 19-1326 approving the final plat for Parcel V24 Ten Trails Phase 1A (PLN18-0039); setting forth supportive finding and fixing a time when the final plat shall become effective; **second** Councilmember Deady. Motion **passed** with all voting in favor (7-0).

7) AB19-071 – Ordinance No. 19-1133 Regarding Utility Rate Structure Policy

Public Works Director Boettcher discussed this item and noted the ordinance really affects residential residents who are part of a multi-unit structure.

Councilmember Oglesbee **moved** to adopt Ordinance No. 19-1133 amending chapters 13.04, 13.20, 13.24, and 14.02 of the Black Diamond Municipal Code; **second** Councilmember Deady. Motion **passed** with all voting in favor (7-0).

8) AB19-072 – Ordinance No. 19-1134 Adopting 2020 Operating Budget

Finance Director Miller discussed the process for the 2020 Operating Budget and the public comments received.

Councilmember Stout **moved** to approve Ordinance No. 19-1134 adopting the 2020 Budget; **second** Councilmember de Leon. Motion **passed** with all voting in favor (7-0).

9) AB19-073 – Resolution No. 19-1327 Authorizing Contract with Madrona Law Group, PLLC for City Attorney Legal Services

Mayor Benson reported on this item and there was Council discussion.

Councilmember Deady **moved** to adopt Resolution No. 19-1327 approving a two-year contract with Madrona Law Group, PLLC, for City Attorney legal services; **second** Councilmember Nelson. Motion **passed** with all voting in favor (7-0).

DEPARTMENT REPORTS:

FIRE – Chief Smith recapped the incidents that happened between Nov 21- Dec 4. There were 21 incidents for an average of 1.5 per day. He also shared that one of the calls was a deck fire at a residence. He then discussed how calls are dispatched in King County and the use of mutual aid. He updated Council on the new fire engine purchase and stated they are very close to sending the specs out to three vendors. He also shared that starting January 1 the department will be part of the garage consortium and believes this will work a lot better.

MAYOR'S REPORT:

Mayor Benson reported attending the SEAL TC meeting where the discussion was on the legislative agenda; she met with the cities of Covington and Maple Valley on legislative agendas and what the effects of the TBD will be on the cities. She also discussed with Council the resignation of Hunter Cooper who was elected to Council position #3 and then proposed a schedule for appointing a new person for this position. The vacancy will be sent to the newspaper on December 13 and will remain open for 5 weeks with applications due back to the City on January 24 and interviews and possible selection at the February 6th meeting. There was discussion on the proposed schedule.

COUNCIL REPORTS:

Councilmember Oglesbee reported attending the Public Safety Committee meeting and it being a busy week.

Councilmember Edelman reported attending the Public Works Committee meeting, Public Safety Committee meeting, and the SCA annual business dinner.

Councilmember Stout reported attending the Public Works Committee meeting, Finance Committee meeting, special meeting on final budget hearing and the swearing in of Kristiana and welcomed her. She also attended the SCA Networking dinner and noted having a great day spending time reading the V24 final plat and shared that she really enjoys reading the professional documents.

Councilmember de Leon reported it being great so far and getting to talk with residents and their concerns. She noted it being an ongoing learning process and how much more there is to learn. She shared being able to meet with staff to learn and appreciated the time everyone has spent to inform her. She also mentioned attending the Kiwanis Thanksgiving dinner.

Councilmember Nelson reported finalizing the Sherman food drive challenge and thanked the City staff for donating to the Community Center. He also attended the Public Safety meeting, tree lighting at Maple Valley and the Covington City Council meeting where he met their new Councilmembers.

Councilmember Paige thanked Councilmember Edelman for her service on the Council and noted appreciating the prodding she gave him. He welcomed Kristiana and believes her input will be valuable. He thanked City Attorney Linehan for his proactive communication in the short time he has been her and congratulated him on his new firm. He also thanked Mr. Williamson for all his help in answering his questions noted feeling his trust. He commented on Upward being started in Black Diamond and is a happy to hear this. He stated being glad our police are such compassionate people to undertake the effort to raise a significant amount of money for Vine Maple Place. He touched on two concerns: 1) being approached by a resident about safety on 3rd Avenue between Roberts and Lawson, and 2) his concern on the change made to Park Avenue regarding the change in traffic flow.

Councilmember Deady reported attending the SCA dinner, SEAL TC meeting, Public Works Committee meeting, Thanksgiving dinner, and noted being happy to hear about a Council retreat as this is a young Council. She further added this is Council's retreat and Council needs to say what their priorities are and where the direction is going and the need for a good facilitator who will guide Council through the process. She mentioned speaking to Councilmember Harto from the City of Covington about their facilitator and the process used. She stressed the need for a retreat every year. She also discussed the process for removing an item from the consent agenda. She suggested having wayfinding signs on 2nd Avenue by the Post Office to help people identify where they need to go with the new traffic revisions on Park Avenue. She reminded everyone about the Tree Lighting event at the Community Center at 5:30 p.m. on Friday and at Ten Trails their Hometown event is on Saturday and starts at 3 p.m.

ATTORNEY REPORT: None

PUBLIC COMMENTS:

James Stout, Black Diamond spoke to Council.

Brock Deady, Black Diamond spoke to Council.

EXECUTIVE SESSION: None

ADJOURNMENT:

Councilmember Edelman **moved** to adjourn the meeting; **second** Councilmember Oglesbee. Motion **passed** with all voting in favor (7-0).

The meeting ended at 8:57 p.m.

ATTEST:

Carol Benson, Mayor

Brenda L. Martinez, City Clerk