

BLACK DIAMOND CITY COUNCIL MINUTES
Council Meeting of November 19, 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 Deady, Oglesbee, Wisnoski, Stout, de Leon, O'Donnell and Paige

ABSENT:

Staff present: Andrew Williamson, MDRT/Ec Dev Director; Mayene Miller, Finance Director; Scott Hanis, Capital Projects/Program Manager; David Linehan, City Attorney; and Brenda L. Martinez, Mona Davis, Community Development Director; City Clerk/HR Manager.

AGENDA REVIEW AND APPROVAL:

Councilmember de Leon **moved** to adopt the agenda; **second** Councilmember Paige. Motion **passed** with all voting in favor (7-0).

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS: None

CONSENT AGENDA:

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

- 1) **Claim Checks** – November 19, 2020 Check No. 49313 through 49363 (void 49139) and EFTs in the amount of \$772,922.06
- 2) **Payroll** – October 30, 2020 – Check No. 20015 through 20022 and ACHs in the amount of \$386,939.99
- 3) **Minutes** – Special Meeting of October 22, 2020, Special Meeting of October 29, 2020, Special Meeting of November 5, 2020, and Council Meeting of November 5, 2020
- 4) **AB20-082** – Resolution Authorizing Amendment #4 to the Spring Rehabilitation Contract with RH2

PUBLIC COMMENTS:

Justin Wortman, Oakpointe spoke to Council.

PUBLIC HEARINGS:

5) AB20-083 - 2021 Preliminary Budget

Finance Director Miller reported to Council on this item.

Mayor Benson opened the public hearing at 7:05 p.m.

Kristen Bryant, Bellevue touched on a couple of things and noted sending in her written comments. She commented that on November 5 she sent a comment on the headwall on Ginder Creek along Roberts Drive and noted that when she started to speak during the hearing the Mayor felt it was not appropriate to the particular hearing before Council that night and was cut off. She noted while she understands the comment could have been construed other ways and stated she should not have been cut off and that was inappropriate. She noted that regarding the Ginder Creek headwall she hoped Council has had a chance to look at this area as it has moved over the years, and it's hard to see how the water now cuts under the side of the headwall and the barriers that are there to stop the slipping require some further evaluation and careful thinking. She noted this project was on the City's capital plan as early as 2014 and has been moved back many times, and it is a safety concern. She then referred to tonight's comments and pointed out several expenses that come with growth and welcomed any further conversation. She clarified the one regarding the school impact fees there was a calculation that she made a while ago, that the City had left on the table about 7 million dollars over the next six years. So while the impact was increased somewhat for Oakpointe and put in place for everyone else, it wasn't increased to what is allowed under the Oakpointe Development Agreement and that leaves about 7 mil. She noted that when it is estimated that one school costs 37 million and Enumclaw talking about bonds for an additional 60 million as their capital plans shows over the next six years. She stressed that to leave 7 million sitting on the table to force everyone else to pay for it, is difficult. She commented on the sewer increase for next year being put aside due to COVID and concerns that it might be expensive for some. She suggested dividing out the amount of 7 million that could have been collected for school impact fees will cost taxpayers over time and hopes they will consider that as it can still be changed.

Mayor Benson closed the public hearing at 7:10 p.m.

UNFINISHED BUSINESS:

6) AB20-084 – Resolution Regarding Lease for City Office Space

Mayor Benson addressed this item with Council.

There was Council discussion.

Councilmember Wisnoski **moved** to approve Resolution No. 20-1394 approving a new lease for City Hall; **second** Councilmember Deady. Motion **passed** (6-1, Oglesbee).

NEW BUSINESS:

7) AB20-085 – Ordinance Adopting Revised 2020 Salary Schedule

City Clerk/HR Manager Martinez addressed this item with Council.

Councilmember de Leon **moved** to adopt Ordinance No. 20-1151 amending the 2020 Salary Schedule as adopted by Ordinance No. 20-1149; **second** Councilmember Wisnoski. Motion **passed** with all voting in favor (7-0).

8) AB20-086 – Ordinance Adopting Percentage Property Tax Increase for 2021

Finance Director Miller reported to Council on this agenda item and noted in the ordinance the 1% amount is incorrect and there needs to be a technical correction to show this amount as \$13,577. She noted the percentage is the same and explained how the formula works.

There was Council discussion.

Councilmember Wisnoski **moved** to adopt Ordinance No. 20-1152 approving the Property Tax dollar increase and percentage as calculated by King County for 2021 with the corrected amount; **second** Councilmember Deady. Motion **passed** (6-1, Oglesbee).

9) AB20-087 – Ordinance Adopting Total Property Tax Dollars for 2021 Budget

Finance Director Miller briefed Council on this item.

Councilmember Stout **moved** to adopt Ordinance No. 20-1153, setting the estimated assessed valuation and maximum property tax dollar amount for 2021 to be used for public safety, including police, fire, and emergency services; **second** Councilmember Wisnoski. Motion **passed** with all voting in favor (7-0).

10) AB20-088 – Resolution Authorizing Contract with AHBL, Inc. for MDRT Planning Services

MDRT/Ec Dev Director Williamson reported to Council on this agenda item.

There was Council discussion in support of adoption.

Councilmember de Leon **moved** to adopt Resolution No. 20-1395, authorizing the Mayor to execute a professional services contract with AHBL, Inc. for part-time planning services through 2021; **second** Councilmember Deady. Motion **passed** with all voting in favor (7-0).

11) AB20-089 – Resolution Extending Interlocal Agreement with the Cities of Covington and Maple Valley

Capital Projects/Program Manager Hanis discussed this item with Council.

Councilmember Wisnoski **moved** to adopt Resolution No. 20-1396, authorizing the Mayor to sign a third amendment to the Interlocal Agreement between the Cities of Maple Valley, Covington, and Black Diamond for joint public works operations and cooperative purchasing, which extends the agreement until December 31, 2025; **second** Councilmember Deady. Motion **passed** with all voting in favor (7-0).

DEPARTMENT REPORTS:

MDRT – MDRT/Ec Dev Director Williamson updated Council on the triangle and noted that the SEPA process goes through the 30th. He discussed the plans and process for this project regarding the different phases.

Fire – Chief Smith updated on the design team for station 99, and shared being at the satellite station as they have incidents with COVID and are looking at what staffing will look like over the next two weeks. He noted they have been lucky and this is his first at work exposure. He reported that there will be no holiday engine due to COVID and commented that the Community Center is taking donations from 9-3 M-Th and encouraged folks to send donations there.

MAYOR’S REPORT:

Mayor Benson reported attending the SCATBd meeting and discussed modifying the Hwy 18 project on the legislative agenda. She commented on the need to take off the culverts and adding the mental health issue. She further reported that cities and others are all working on their legislative agendas; SCA is having their meeting on it tomorrow which she will be attending and will share with Council.

COUNCIL REPORTS:

Councilmember Deady reported attending the WIRA-9, work session, SCATBd meetings. She gave an update on the WIRA-9 meeting. She also reported attending a briefing done by Patty Hayes, Director of Public Health on COVID. During the briefing she learned that the largest spreader in the last 60 days is gathering with friends and families followed by restaurants and bars and the effects this has had on our hospitals and healthcare providers. She reminded councilmembers to stop by city hall to grab their mail. She discussed a letter received from an elderly resident regarding getting her road paved and hopes we can do this within the next year as this is one of the few gravel roads in town. She also added that she would like to have something sent back noting that Council has read her letter.

Councilmember Oglesbee encourage everyone that can, to go out and support your local businesses and purchase from small businesses for holiday shopping.

Councilmember Wisnoski reported attending a handful of meetings and a work session. He reminded folks that in the packet for today's meeting is the detail on the taxes that citizens pay and it in is a good pie chart that illustrates where their tax money goes. He noted it being very eye opening. He noted wanting to plan for the future and setting up an ad hoc committee to help with his. He reminded everyone to stay safe, wear a mask, stay six feet away and to stay home if they don't feel well as we will get through this if we all work together. He shared the importance of being Be grateful for what we do have during these difficult times. He thanked Mr. Williamson for the update on the triangle. He reminded everyone to thank our first responders when you see them as they are out there working front lines and don't forget to wash your hands. He further added for citizens to support local businesses and wished everyone a happy thanksgiving and to be grateful.

Councilmember Stout reported attending all her regular committee meetings, and two work sessions. She also attended the SCA racial equity and justice series which was the last for this year and the need to be supportive of people of color who want to run for office and help them in their campaign. She noted more will be coming next year. She shared that no one ever thought a virus would become a political issue. She noted there being two sides and gave her opinion and shared stories from people she knows. She stressed for people to please think of ways to celebrate the holiday that won't harm family or the community. She discussed not being able to attend WIRA – 9 as it conflicts with her Finance committee meeting and asked Councilmembers to think about attending. She wished everyone a happy thanksgiving.

Councilmember de Leon would be interested to hear more about the meetings that were just discussed. She gave her condolences to Councilmember Stout and others who have lost people in their lives and how doing anything we can to curve the spread is an act of love. She gave the example of healthcare professionals and first responders who work directly with people who have COVID. She noted how it is scary to live with the uncertainty and that there is a ripple effect as it affects people's lives and the economy. She asked people to please wear masks, stay six feet apart and to consider plans that show you care and noted she understands this is hard and to just stay home this year. The hope is sooner rather than later we can unite again. She stressed how it doesn't bring the public health officials any joy to bring these announcements and to please follow the public health guidelines so we can have something better in the future. She reported attending all her meetings and looks forward to seeing everyone and to stay safe and healthy.

Councilmember O'Donnell expressed that Chief Smith and all his employees stay safe and all public employees too. Public comment acknowledged reading her comment and thanked her for them. He noted working hard to learn the Development Agreements and the school impact fees, and seconded Councilmember Wisnoski's suggestion on the ad hoc group to discuss the next step in long-term planning and would like to be a part of that. He also added that he would like to have a council retreat next spring to discuss long range

planning, budget update, city administrator, and the need to make informed decisions along the way and believes an administrator might help with this. He noted that when looking at the budget we can right size our workforce for the projected growth and it's great to have in-depth discussion on impact fees and how we fund services. He noted agreeing with Councilmember Oglesbee on supporting small businesses and he will be supporting them and wished everyone a happy thanksgiving.

Councilmember Paige no report.

Deady added a point from Patty Hayes where she talked about the vaccine coming out in December (first dosage) and how it would be distributed.

ATTORNEY REPORT:

Attorney Linehan noted wanting to plant a seed that early next year the Council will see refinements come forth to the Tri-City School Agreement between Oakpointe, the Enumclaw School District, and the City. He shared that the school district and the developer have been working on refining this agreement and since the City is a partner in that agreement it would need to come before the Council for action.

EXECUTIVE SESSION: None

Mayor Benson wished everyone a safe and happy Thanksgiving.

ADJOURNMENT:

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

The meeting ended at 8:42 p.m.

ATTEST:

Carol Benson, Mayor

Brenda L. Martinez, City Clerk