

BLACK DIAMOND CITY COUNCIL MINUTES
February 1, 2007
Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE:

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

ROLL CALL:

PRESENT: Mayor Botts, Councilmembers Sorci, Bowie, Cline, and Olness.

ABSENT: Councilmember McPherson (Excused)

Staff present were: Rick Luther, City Administrator/Police Chief; Dan Dal Santo, Public Works Director; Mary Ausburn, Community Development Director; Kaaren Woods, Court Administrator; May Miller, Interim Finance Director; and Brenda Streepy, City Clerk.

PUBLIC COMMENT:

Kristine Hanson, 32506 236th Ave., SE addressed the Council on the pumping of Horseshoe Lake. Ms. Hanson does not want to see Horseshoe Lake pumped into Lake Sawyer and urged the Council not to let this happen.

Ms. Hanson also addressed the abandoned cars in the Auto Body Shop and wondered if there was any ordinance that addressed this, and if so, would like to see these eye sores cleaned up.

Mary Ausburn, Community Development Director responded that the City now has a Code Enforcement Officer who is enforcing violations to City ordinances.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Resolution No. 07-421, Purchase & Sale Agreement

Rick Luther, City Administrator introduced this Resolution and gave background information and reminded Council that this property is adjacent to the Black Diamond Meadows property.

A **motion** was made by Councilmember Olness and **seconded** by Councilmember Sorci to adopt Resolution No. 07-421, ratifying the Agreement with Black Diamond Project to purchase real property for City office space. Motion **passed** with all voting in favor (4-0).

Resolution No. 07-422, Skillings Connolly Professional Service Agreement

Rick Luther, City Administrator introduced this Resolution and explained to Council this agreement is for consulting services on the Lake Sawyer boat launch improvements. Mr. Luther noted that the agreement is for \$15,100, with half being a partial topographic survey of the site and the other for planning level design drawings, and planning level estimate of project costs.

Mayor Botts noted that the scope of work reflects the project as being on the easterly shore when it is actually the westerly shore of the lake.

A **motion** was made by Councilmember Cline and **seconded** by Councilmember Olness to adopt Resolution No. 07-422, authorizing the Mayor to execute the Consultant Agreement between Skillings Connolly and the City for providing consulting services on the Lake Sawyer Boat Launch Improvements, with the change of the project being on the westerly shore not the easterly shore. Motion **passed** with all voting in favor (4-0)

Resolution No. 07-423, GeoEngineers Professional Services Agreement

Rick Luther, City Administrator introduced this resolution and explained that this agreement is for consulting services associated with the hydrology issues linked to the pumping of Horseshoe Lake. Mr. Luther also told Council that he had hoped to have a report to them tonight, but there were some issues that needed to be resolved and he is hopeful to have it to them within the next few days.

Councilmember Bowie expressed that he would change page 2 of 4 in the agreement under Instruments of Service to read the City has ownership over any document produced.

A **motion** was made by Councilmember Bowie and **seconded** by Councilmember Cline to adopt Resolution No. 07-423, authorizing the Mayor to execute the Consultant Agreement between GeoEngineers and the City, subject to the amendment of the contract on page 2 of 4 under Instruments of Service to read the City has ownership over any document produced and also subject to attorney review. Motion **passed** with all voting in favor (4-0).

Resolution No. 07-424, Amendment #1 Wholesale Water Agreement-Tacoma Water

May Miller, Interim Finance Director introduced Resolution No. 07-424 and discussed with Council the funding options to pay for the additional 500,00 g.p.d. capacity.

Councilmember Bowie questioned the new additional language in Section C, Conditions and asked for clarification on this before adopting.

There was Council consensus not to act on this Resolution until staff and attorney have had time to review this new additional language.

DEPARTMENT REPORTS:

Horseshoe Lake

Rick Luther, City Administrator gave an update on recent events with the Horseshoe Lake pumping and noted that we are continuing to work with King County and analyze data concerned with this issue.

Black Diamond Library

Mr. Luther explained to Council that over the past few days staff has been working on issues on this project such as lighting. He further explained that the City does not have lighting standards and in the past we have relied on IntoLight for the placement of new lights.

The issue with the new library is not where to put the lights or how many, but rather that our ordinances do not link up as to what we are trying to do in our Comprehensive Plan. The placement of a light pole every 80ft would really light up the night sky and asked how the Council feels about this issue.

Councilmember Bowie asked questions regarding the project area and would we be putting in some of the new style light poles that use less watts.

Mary Ausburn, Community Development Director gave clarification on the lighting styles. She has talked with IntoLight and lumination is based on road classification and suggested that it may be worth while to have IntoLight give Council a presentation.

Councilmember Sorci expressed that the lighting for this project should be toned down except for the entrance and exit and feels we should go with our "rural by design" on this project.

MAYOR'S REPORT: None

COUNCIL REPORTS: None

ATTORNEY REPORTS: None

CONSENT AGENDA:

A **motion** was made by Councilmember Sorci and **seconded** by Councilmember Bowie to adopt the Consent Agenda. Motion **passed** with all voting in favor (3-0). The Consent Agenda was approved as follows:

- 1.) **Minutes** – Council Meeting of January 18, 2007
- 2.) **Warrants** – February 1, 2007 No. 29351, 29352, 29353, 29666 through No. 29759 in the amount of \$84,934.20

EXECUTIVE SESSION:

Mayor Botts recessed the regular meeting at 8:16 p.m. for a 15 minute Executive Session regarding potential litigation, with possible action to follow the executive session.

Mayor Botts reconvened the meeting at 8:23 p.m.

Resolution No. 07-425, Settlement Agreement with Christopher Hurst

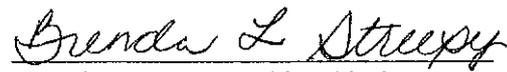
A **motion** was made by Councilmember Bowie and **seconded** by Councilmember Cline to adopt Resolution No. 07-425, approving the settlement agreement with Christopher Hurst. Motion **passed** with all voting in favor (4-0).

ADJOURNMENT:

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

ATTEST:


Howard Botts, Mayor


Brenda L. Streepy, City Clerk