

BLACK DIAMOND CITY COUNCIL MINUTES

August 21, 2008

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 , Bowie, Boston, Olness and Mulvihill.

ABSENT: Councilmember Hanson (Excused)

Staff present were: Gwendolyn Voelpel, City Administrator; Dan Dal Santo, Utilities Supervisor; Police Department Personnel; Andy Williamson, Economic Development Director; Steve Pilcher, Community Development Director; Aaron Nix, Natural Resources Director; Greg Smith, Fire Chief; Loren D. Combs, City Attorney and Brenda Streepy, City Clerk.

PUBLIC COMMENTS: None

PUBLIC HEARINGS:

Resolution No. 08-508, Latecomer's Agreement

Mayor Botts announced that the Public Hearing is being continued until the September 4th Council meeting as staff is still waiting for information from the developer.

APPOINTMENTS, PRESENTATIONS, ANNOUNCEMENTS:

Presentation - Make a Difference Day

Nick Robertson, Lake Sawyer Community Church spoke in regards to Make a Difference Day an encompassing national day of helping others where everyone can participate. Make a Difference Day was created by USA WEEKEND Magazine and is an annual event that takes place on the fourth Saturday of every October with this year's event on October 25, 2008.

Mr. Robertson proposed that the Black Diamond City Council consider a Make a Difference Day for Black Diamond that would involve finding out what our community

needs, enlist community organizations, businesses, or groups to sponsor the event or fund a particular project, inform the community about the event, choose a meeting place for October 25th, ask local businesses to donate a breakfast, get the projects completed by noon and then celebrating the success.

In closing Mr. Robertson asked Council to officially recognize this day and help support it financially.

Introduction – Police Commander

Chief Kiblinger introduced Jeff Miller the department's new Police Commander. Judge Rosen administered the Oath of Office to Commander Miller.

Commander Miller expressed his excitement of being here and is looking forward to making a long career here in Black Diamond.

Appointments – Planning Commission Members

Mayor Botts asked Council for confirmation of his appointments of Ron Taylor and Craig Goodwin to fill the two vacant positions on the Black Diamond Planning Commission.

A **motion** was made by Councilmember Boston and **seconded** by Councilmember Olness to confirm the Mayoral appointments of Ron Taylor and Craig Goodwin to the Black Diamond Planning Commission. Motion **passed** with all voting in favor (4-0).

Proclamations – National Payroll Week

Mayor Botts read the following proclamation:

WHEREAS, the American Payroll Association and its 23,000 members have launched a nationwide public awareness campaign that pays tribute to the more than 156 million people who work in the United States and the payroll professionals who support the American system by paying wages, reporting worker earnings and withholding federal employment taxes; and

WHEREAS, payroll departments collectively spend more than \$15 billion annually complying with myriad federal and state wage and tax laws; and

WHEREAS, payroll professionals play an increasingly important role ensuring the economic security of American families by helping to identify non-custodial parents and making sure they comply with their child support mandates; and

WHEREAS, payroll professionals have become increasingly proactive in educating both the business community and the public at large about the payroll tax withholding systems; and

WHEREAS, payroll professionals meet regularly with federal and state tax officials to discuss both improving compliance with government procedures and how compliance can be achieved at less cost to both government and businesses;

NOW, THEREFORE, I, Howard Botts, Mayor of the City of Black Diamond do hereby proclaim on this 21st day of August, 2008, that the week of September 1st through 7th, 2008 as **NATIONAL PAYROLL WEEK** in Black Diamond.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Resolution No. 08-536, Awarding Contract with Western Asphalt for Overlay Project

Utilities Supervisor Dal Santo reported the City was successful in obtaining a street preservation grant from the Transportation Improvement Board (TIB) for approximately \$100,000 for 2008 to overlay a half mile of Lake Sawyer Road from Auburn/Black Diamond Road.

Mr. Dal Santo explained that City staff solicited bids from contractors on our Small Works Roster who provide asphalt paving services. The City received four bids and is recommending that the City award the bid to Western Asphalt, Inc., the lowest bidder.

A **motion** was made by Councilmember Bowie and **seconded** by Councilmember Boston to adopt Resolution No. 08-536, awarding the bid for half mile overlay of Lake Sawyer Road and authorizing the Mayor to sign a contract with Western Asphalt, Inc. for \$103,013.51. Motion **passed** with all voting in favor (4-0).

Resolution No. 08-537, Authorizing Purchase of New Furnace

Economic Development Director Williamson explained the furnace air exchange unit that is shared by both the Council Chambers and Police Station has failed causing the air conditioner to freeze and resulting in damage to the police squad room. Dick's Heating & A/C Inc. has serviced the units in the past and was able to perform the work and determined that the unit needed replacement.

A **motion** was made by Councilmember Bowie and **seconded** by Councilmember Boston to adopt Resolution No. 08-537, authorizing the purchase of a new furnace from Dicks Heating & A/C Inc. Motion **passed** with all voting in favor (4-0).

Mr. Williamson also mentioned that the second air conditioning unit on the administration side of the police building is now failing and staff is soliciting bids for the replacement of this unit.

Mr. Williamson further mentioned that at the last Council meeting he was asked to clarify who owned the equipment for the security system. Mr. Williamsons stated that the City does not own the equipment and will be bringing forward to Council agreements for all the security systems the City has in place.

Resolution No. 08-538, Addendum to Jail Service Contract with City of Buckley

Chief Kiblinger reported currently the City has a Jail Service Contract with the City of Buckley and effective January 1, 2009 the daily rates for the Buckley jail will increase from \$52.00 to \$57.00 per day. Ms. Kiblinger also noted that this is the first increase in several years.

A **motion** was made by Councilmember Olness and **seconded** by Councilmember Mulvihill to adopt Resolution No. 08-538, authorizing the Mayor to execute an addendum to the Jail Service Contract with the City of Buckley. Motion **passed** with all voting in favor (4-0).

Ordinance No. 08-538, Time of Solicitations

Economic Development Director Williamson explained the change to section 5.12.100 of the Black Diamond Municipal Code regarding solicitation is to the days of operation. As revised this ordinance prohibits uninvited door-to-door soliciting during City recognized holidays.

A **motion** was made by Councilmember Boston and **seconded** by Councilmember Olness to adopt Ordinance No. 08-868, prohibiting solicitations on City recognized holidays, amending section 5.12.100 of the Black Diamond Municipal Code, and declaring this a public emergency ordinance and thus effective immediately. A roll call vote was taken and the motion **passed** with all voting in favor (4-0).

DEPARTMENT REPORTS:

Police

Chief Kiblinger distributed the July crime statistics and mentioned she is doing a background check on a possible lateral candidate.

Finance

Finance Director Miller addressed Council on the June financial report.

Councilmember Olness thanked Ms. Miller for the wonderful job she is doing keeping Council abreast of the financial status of the City.

Economic Development

Economic Development Director Williamson updated Council on the recent Xterra Raise the Bar Triathlon event that took place in Black Diamond and the International Shopping Center Convention he attended in Stevenson, Washington.

Mr. Williamson invited Council to attend the Black Diamond Merchant's meeting being held at Mama Passerelli's on September 25th at 5:30 p.m.

Community Development

Community Development Director Pilcher thanked Council for all the time and hard work they have been putting in in order to get the City out of moratorium. He also thanked them for appointing the two new Planning Commission members.

Mr. Pilcher mentioned the Planning Commission will be holding a continuation of the zoning code public hearing this coming Tuesday and reminded Council they have a study session scheduled for next Thursday to go over the draft zoning code. Mr. Pilcher asked Council to think about the idea of coming to closure on some items in the zoning code by consensus as all will be coming back later for formal action.

Mr. Pilcher further mentioned that land use inter-relates with the Transfer of Development Rights (TDR) program and there are some issues that need to be brought forward to Council and asked Mr. Nix to step forward and explain these issued to Council as he is the lead on the TDR program.

Natural Resource Director Nix explained that early on one of the first tasks he was given was to look at the code and evaluate the Transfer of Development Rights program. Mr. Nix asked for Council for their ok as there is new data that has just come out from YarrowBay and the work they have been doing on their property in regards to the sending and receiving areas and would like to take a look to make sure it is correct as well as evaluate the process and how we go about exchanging TDR's.

City Attorney Combs expressed to Council that Mr. Nix gets this program, he has is arms around what Council envisions for the Transfer of Development Rights program and is working to fine tune it and with the consent of Council staff will be able to get this back to you in the next few weeks with the details.

MAYOR'S REPORT:

Mayor Botts announced that repair work is to begin on SR 169 bridge over the Green River starting on August 25th. At least one lane of the Kummer bridge will remain open to traffic throughout the work and at this time the contractor does not anticipate any need for a full bridge closure.

Mayor Botts invited everyone to the upcoming Black Diamond Labor Days August 30th through September 1st.

COUNCIL REPORTS: None

ATTORNEY REPORT: None

PUBLIC COMMENTS: None

CONSENT AGENDA:

A **motion** was made by Councilmember Mulvihill and **seconded** by Councilmember Boston to adopt the Consent Agenda. Motion **passed** with all voting in favor (4-0). The Consent Agenda was approved as follows:

Claim Checks – August 21, 2008 No. 320710 through 32096, No. 32098 through 32099, No. 32101, 32102. 32104 through 32142 (voided checks 32069, 32097, 32100, 32103) in the amount of \$127,177.66

Payroll Checks – July 2008, No. 15069 through 15144 (voided check 15133) in the amount of \$272,589.26

Minutes – Council Meeting of August 7, 2008

EXECUTIVE SESSION: None

ADJOURNMENT:

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

ATTEST:


Howard Botts, Mayor


Brenda L. Streepy, City Clerk