

BLACK DIAMOND CITY COUNCIL MINUTES

April 21, 2011

Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE:

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

ROLL CALL:

PRESENT: Councilmembers Hanson, Goodwin, Boston, Saas and Mulvihill.

ABSENT: None

Staff present were: Steve Pilcher, Community Development Director; Andrew Williamson, Economic Development Director; Aaron Nix, Natural Resources/Parks Director; May Miller, Finance Director; Jamey Kiblinger, Police Chief; Greg Smith, Fire Chief; Chris Bacha, City Attorney and Brenda L. Martinez, City Clerk.

Mayor Olness reported that the Tree Preservation Code agenda item has been pulled from tonight's agenda and a workstudy has been scheduled for May 17 at 4 p.m. in the Council Chambers.

PUBLIC COMMENTS:

David Morris, General Manager, PCCC – updated everyone on the John Henry Mine regarding mining and reclamation and his new contract for mining; submitted permit revision to allow mining for a five year period.

Ron Taylor, Black Diamond – stated he was representing the Planning Commission tonight and gave an update on what is going on with the Commission 1) desire by public to make the Planning Commission more accessible to the public by providing an email address, 2) recommendation to add a check box for planning commission review and 3) public comment to set up a liaison from the Commission to the Council to bring matters and recommendations forward to the Council.

Cris Ellingson, Black Diamond – noted she was a former Planning Commission member and commented that the appeal process needed to run its course before moving forward with any activity on these projects.

Jack Sperry, Black Diamond – commented on the proposed tree ordinance in regards to section 19.30.080 which has to do with protection of trees during a construction site.

Dave MacDuff, YarrowBay – updated everyone on the project King County will be undertaking on YarrowBay property regarding the pumping of Horseshoe Lake, project is listed on their website.

Mike Irragang, Black Diamond – commented on the King County project regarding the pumping of Horseshoe Lake; commented on conditions 61 and 62 of the FEIS and would like City's interpretation of the situation.

Cindy Proctor, Enumclaw – commented on YarrowBay and the School District joint presentation in front of the PTSA and the conflicting handouts that were distributed; stated she is working with Enumclaw City Council to try and make the tri-party agreement better and asked for reconsideration of this agreement; amount of impact fee; commented on mine re-opening and the transportation and construction in regards to the development with mining going on.

PUBLIC HEARINGS:

2011 Draft Stormwater Management Plan

Economic Development Director Williamson reported the plan is the final update of the City's Stormwater Management Program we do annually to identify how the City will meet various stormwater permit requirements.

Councilmember Goodwin asked where the enforcement was located in the document.

Mr. Williamson responded he believed it was in Section 5 and reminded Council this is more of a plan than enforcement.

Mayor Olness opened the public hearing at 7:21 p.m.

Erika Morgan, Black Diamond – commented on stormwater and parts per million (ppm) and says that the City needs to have a black water system, grey water system and a surface water system that needs to be patented and separated so they are not on inundated by each other.

Mayor Olness closed the public hearing at 7:23 p.m.

PRESENTATIONS, ANNOUNCEMENTS, APPOINTMENTS: None
UNFINISHED BUSINESS: None

NEW BUSINESS:

Resolution No. 11-746, authorizing the Mayor to execute a Technical Services Agreement with the Department of Natural Resources and Parks, Water and Land Resources Division for continued water monitoring services throughout the City of Black Diamond.

Natural Resources/Parks Director Nix reported the City has identified the need for continued water monitoring services with the Department of Natural Resources and Parks, Water and Land Resources Division which we have been doing since 2006; he noted changes to the agreement from former agreements and stated it is a two year contract.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Mulvihill to adopt Resolution No. 11-746, authorizing the Mayor to execute a Technical Services Agreement with the Department of Natural Resources and Parks, Water and Land Resources Division for continued water monitoring services throughout the City of Black Diamond. Motion **passed** with all voting in favor (5-0).

DEPARTMENT REPORTS:

Economic Development Director Williamson distributed handouts regarding adding an education piece to the stormwater plan that talks about the accomplishments of our stormwater utility; he also noted this material is currently on the city's website for all to view.

MAYOR'S REPORT:

Mayor Olness reported that on April 12 and 13 she attended the Mayor Conference in Yakima; Randall Arendt workstudy last week; met with the Mayors of Enumclaw and Buckley Tuesday; staff participated in the Earthquake drill on April 20th, attended Easter lunch at the Community Center; Earth Day tomorrow and staff will be participating at Union Stump Park and Railroad Avenue and announced the Easter breakfast on Saturday at the Community Center.

COUNCIL REPORTS:

Councilmember Hanson addressed Mrs. Taylor's concern on the buffers she spoke about at the last Council meeting.

Councilmember Mulvihill addressed the item of take home cars that was addressed at the last Council meeting; she discussed having problems retaining officers in the past and the expense to train them; better care of the vehicles and not having to take equipment in and out as with shared cars, can respond quicker; new coalition between the Cities; shared cars do not last as long 2-3 years as opposed to five years, the shared car is driven 24 hours a day between 2 to 3 different officers. She added if there are any other questions regarding take home cars please feel free to contact Chief Kiblinger.

Councilmember Hanson added that the kids know which officers drive which car and it is good for them to make this connection.

Councilmember Boston reported he attended the School Foundation Auction along with the Mayor and Ms. Gauthier; they raised \$50,000 for sponsorships of full-time Kindergarten scholarships for low-income families.

Councilmember Goodwin reported he represented the city at the Public Issues Committee of the Suburban Cities Association; he stated be prepared for solid waste costs to rocket in the

next year; he also noted he is now a member of the County Emergency Services Committee in addition to the Regional Water Committee.

ATTORNEY REPORT:

City Attorney Bacha reported that the Federal Commission issued a Notice of Inquiry last week to determine how local governments regulate their right of ways regarding telecommunication towers he stated he will send out an email to the Clerk to distribute with more detailed information.

PUBLIC COMMENTS:

Jack Sperry, Black Diamond – added a comment about the Tree Ordinance.

Robbin Taylor, Black Diamond – commented on reference of the Development Agreement that Councilmember Hanson noted and asked what it was that she was referring to; commented on talking with staff on conditions of the MPDs; addressed Councilmember Mulvihill's comments on take home cars and does not understand the move over equipment as most is already in the cars, mutual response and do they respond when off-duty, driving styles, maintenances, making connections with police officers, does not agree with officer take home vehicles.

Ericka Morgan, Black Diamond – question on sewage treatment plant and what is going on down there; discussed buffers regarding her property for the MPDs.

Ron Taylor, Black Diamond – commented on police take home cars, pointed out a lot of jurisdictions don't and that is because of the cost benefit analysis; inequity of what the City spends on fire vs. police.

Cris Ellingson, Black Diamond – commented on take home cars and think there should be a limit of how far away they live from the station; maybe should be a perk - get a take home car once you've been with the department for five years.

Melanie Gauthier, Black Diamond – commented on buffer issue regarding the MPDs and the inequity.

CONSENT AGENDA:

A **motion** was made by Councilmember Hanson and **seconded** by Councilmember Saas to adopt the Consent Agenda. Motion **passed** with all voting in favor (5-0).

The Consent Agenda was approved as follows:

Resolution No. 11-747, authorizing the Mayor to execute Amendment No. 2 to the Coordinated Prevention Grant Agreement (G1000441) with the Department of Ecology entered into by Council on February 5, 2010.

Claim Checks – April 21, 2011, No. 36852 through No. 36909 in the amount of \$116,677.28

Payroll – March 31, 2011, No. 17394 through No. 17415 (voided No. 17399) and ACH Pay in the total amount of \$277,743.90

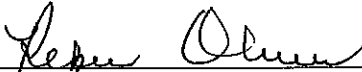
Minutes –Council Meeting of April 7, 2011 and Council Workstudy Notes of April 14, 2011

EXECUTIVE SESSION: None

ADJOURNMENT:

A **motion** was made by Councilmember Mulvihill and **seconded** by Councilmember Hanson to adjourn the meeting. Motion **passed** with all voting in favor (5-0).

ATTEST:



Rebecca Olness, Mayor



Rachel Pitzel, Deputy City Clerk