

# **BLACK DIAMOND CITY COUNCIL MINUTES**

**April 7, 2011**

**Council Chamber, 25510 Lawson Street, Black Diamond, Washington**

## **CALL TO ORDER, FLAG SALUTE:**

Mayor Olness called the regular meeting to order at 7:01 p.m. and lead us all in the Flag Salute.

## **ROLL CALL:**

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

**ABSENT:** Councilmember Hanson (excused)

Staff present were: Steve Pilcher, Community Development Director; Andrew Williamson, Economic Development Director; May Miller, Finance Director; Seth Boettcher, Public Works Director; Jamey Kiblinger, Police Chief; Greg Smith, Fire Chief; Bruce Disend, City Attorney and Rachel Pitzel, Deputy City Clerk.

## **PUBLIC COMMENTS:**

**Gomer Evans, Black Diamond** – discussed moving forward and Council working together not being divided.

**Robbin Taylor, Black Diamond** – discussed police cars being driven home after shifts and the new Tahoe for weighing trucks.

**Erika Morgan, Black Diamond** – discussed Abrams Avenue waterways and passed out a copy of a wetland map-section 23.

**Harvey Senecal, Black Diamond** – encouraged Council to go forward in the future and not get depressed or beat up, that they are doing a good job.

**Colin Lund, YarrowBay** – discussed sink hole on Lawson Hills.

**Geoff Bowie, Black Diamond** – discussed moving forward with growth in town to help improve tax base and jobs.

**Lisa Garvich, Black Diamond** – asked about the weight limit ordinance that was tabled and also voiced her concern regarding Police Department car usage.

**Cindy Wheeler, Black Diamond** – discussed the Lawson Hill sink hole; her property taxes increasing by 44%.

**PUBLIC HEARINGS: None**

**PRESENTATIONS, ANNOUNCEMENTS, APPOINTMENTS: None**

**UNFINISHED BUSINESS: None**

**NEW BUSINESS:**

**Resolution No. 11-743, authorizing the Mayor to execute an agreement for jail services with the South Correctional Entity (SCORE).**

Chief Kiblinger reported this is not a primary booking facility and will only be used occasionally; it has a term of five years.

A **motion** was made by Councilmember Boston and **seconded** by Councilmember Mulvihill to adopt Resolution No. 11-743, authorizing the Mayor to execute an agreement for jail services with the South Correctional Entity (SCORE). Motion **passed** with all voting in favor (4-0).

**Ordinance No. 11-959, amending the budget for calendar year 2011 as adopted by Ordinance No. 10-957 by means of appropriations, adjustments and transfers within various funds in accounts in the 2011 budget.**

Finance Director Miller reported this is a housekeeping budget change, adjust to actual funds for revenues and expenditures, carry-overs on all unfinished projects, added items that Council added from December to the last meeting before this one and corrects minor errors that were within the document.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Boston to adopt Ordinance No. 11-959, amending the budget for calendar year 2011 as adopted by Ordinance No. 10-957 by means of appropriations, adjustments and transfers within various funds in accounts in the 2011 budget. Motion **passed** with all voting in favor (4-0).

**Resolution No. 11-744, authorizing the Mayor to execute contract Amendment No. 2 to Public Health - Seattle and King County Contract No. D39300D for Basic Life Support Services reimbursement for Emergency Medical Services.**

Finance Director Miller reported this is money coming in to the City to reimburse the City for our EMS costs.

A **motion** was made by Councilmember Saas and **seconded** by Councilmember Boston to adopt Resolution No. 11-744, authorizing the Mayor to execute contract Amendment No. 2 to Public Health - Seattle and King County Contract No. D39300D for Basic Life Support Services reimbursement for Emergency Medical Services. Motion **passed** with all voting in favor (4-0).

**Ordinance No. 11-960, relating to assignment of street names and building addresses; repealing and re-enacting Chapter 12.08 of the Black Diamond Municipal Code; providing for severability; and establishing an effective date.**

Community Development Director Pilcher reported a lot of short plat applications have been coming through the Permitting Department and staff has reviewed the code and realized it should be addressed regarding the assignment of street names and building addresses. The main difference is there would be a clearer procedure of processes. Mr. Pilcher stated that in order for addresses and street names to be changed it would require action of the Council.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Mulvihill to adopt Ordinance No. 11-960, relating to assignment of street names and building addresses; repealing and re-enacting Chapter 12.08 of the Black Diamond Municipal Code; providing for severability; and establishing an effective date. Motion **passed** with all voting in favor (4-0).

**Resolution No. 11-745, authorizing the purchase of a new slope mower for the Public Works Department.**

Public Works Director Boettcher reported that staff was able to find an outstanding purchase for a slope mower in excellent condition and price is reasonable. Staff completed a bid according to RCW 35.23.352 and Washington Tractor provided the lowest bid. Mr. Boettcher gave a description of the old slope mower and the issue staff has with it, he stated the new slope mower will save time in mechanical work to free up to do other work needed within the City.

A **motion** was made by Councilmember Boston and **seconded** by Councilmember Saas to adopt Resolution No. 11-745, authorizing the purchase of a new slope mower for the Public Works Department. Motion **passed** with all voting in favor (4-0).

**DEPARTMENT REPORTS:**

Community Development Director Pilcher reported on the Recycling Event and summarized a handout he passed out to Council.

Finance Director Miller gave to Council copies of the January financial report along with the tentative calendar for the Capital Improvement Plan update.

**MAYOR'S REPORT:**

Mayor Olness thanked Councilmember Boston for presiding in her absence, reported she attended a Suburban Cities Association meeting, noted that the boat launch was closed on Monday due to the high rise in water and she also reminded everyone that April is Emergency Preparedness month and that city staff will be participating in the earthquake drill on April 20.

**COUNCIL REPORTS:**

Councilmember Boston reported that he and Mr. Williamson attended the DMU workshop, concerns he had with the sinkhole and on March 5 with permission of YarrowBay the Mayor, Councilmember Hanson, Mr. Williamson, Mr. Lund and Mr. Kohlmann with Golder

and Associates met at the site, he showed pictures of the site with no trespassing signs and suggested that a possible monument should be erected there, 16 miners lost their lives there and it might be something YarrowBay and the Historical Society may want to look in to. He also stated he wanted to thank Ms. Taylor for bringing this to their attention, but according to the Office of Surface Mining they are saying it's a closed issue. Lastly, he stated at the March 3 meeting during public comments that Council acting as Mayor Pro-Tem cannot make comment, this is false as he verified it and the Mayor Pro-tem has all rights as Council while officiating the meeting.

Councilmember Mulvihill reported that the Labor Day Committee has started to meet and settled on the theme which is "Festival of Fun" and the next committee meeting is scheduled for April 19 at 7 p.m. at the Black Diamond Bakery.

Councilmember Goodwin reported about the monthly King County Regional Water Quality meeting he attended which discussed what to do with wastewater.

### **ATTORNEY REPORT: None**

### **PUBLIC COMMENTS:**

**Lisa Garvich, Black Diamond** – discussed the Mayor bringing up Emergency Preparedness month and it being an important event and asked where the City was with their Emergency Management Plan.

Mayor Olness reminded everyone that the Emergency Management Plan was adopted last year in May.

**Robbin Taylor, Black Diamond** – discussed more on the sink hole; buffer zones and also asked that Council repeal the MPD Ordinances.

**Erika Morgan, Black Diamond** – discussed artisan well on Abrams Avenue.

**Colin Lund, YarrowBay** – handed out the report that Golder and Associated provided regarding the sinkhole; respectful for the mining history and thought the monument was a great suggestion and that it is an item worth being considered.

**Cindy Wheeler, Black Diamond** – discussed the report that Mr. Lund handed out and hoped the City would put it on the website; discussed not given the opportunity to go on private tours with YarrowBay; monument was not addressed in the EIS.

### **CONSENT AGENDA:**

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

The Consent Agenda was approved as follows:

**Claim Checks** – April 7, 2011, No. 36797 through No. 36851 in the amount of \$221,121.68

**Minutes** – Special Meeting of March 14, 2011 and Council Meeting of March 17, 2011

**EXECUTIVE SESSION:**

Mayor Olness announced an Executive Session at 8:15 p.m. to discuss real estate pursuant to RCW 42.30.110(b). No action was anticipated to follow the Executive Session, which was expected to last 15 minutes.

The regular meeting was called back to order at 8:30 p.m.

**ADJOURNMENT:**

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

ATTEST:

  
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Rebecca Olness, Mayor

  
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Rachel Pitzel, Deputy City Clerk