

**CITY OF BLACK DIAMOND
CITY COUNCIL
SPECIAL MEETING MINUTES / WORKSTUDY NOTES
August 30, 2011
Council Chamber, 25510 Lawson Street, Black Diamond, Washington**

Mayor Olness called the special meeting to order at 6:00 p.m.

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

ABSENT: None

Staff present: Steve Pilcher, Community Development Director; Andy Williamson, Economic Development Director; Jamey Kiblinger, Police Chief; Chris Bacha, City Attorney and Brenda L. Martinez, City Clerk.

PUBLIC COMMENTS:

Cindy Proctor, Sun Mountain Drive – commented on setting the date for the Closed Record Hearings being premature and asked for it to be tabled.

PROCLAMATION:

Mayor Olness read into the record the following proclamation:

WHEREAS, Robert Byers Eaton, Jr. (Bob) was a long-time Black Diamond resident; and

WHEREAS, Bob Eaton devoted many years to volunteer organizations and community service; and

WHEREAS, Bob Eaton was a founding member of the Lake Sawyer Community Club; and

WHEREAS, Bob Eaton was a member and volunteer at the Black Diamond Historical Society; and

WHEREAS, Bob Eaton was a member of the Association of King County Historical Organizations; and

WHEREAS, Bob Eaton was a volunteer King County Marine Patrol Officer and Boating Advisory Board Member; and

WHEREAS, Bob Eaton served on the City of Black Diamond Water Safety Committee; and

WHEREAS, Bob Eaton was a member of the Citizen Advisory Committee for Lake Sawyer Regional Park; and

WHEREAS, Bob Eaton was a City of Black Diamond Planning Commissioner for several years; and

WHEREAS, Bob Eaton was a long-time Labor Day Committee Member; and

WHEREAS, in 2005 Bob Eaton was honored for his Lifetime Commitment to Black Diamond;

THEREFORE BE IT RESOLVED that I, Mayor Rebecca Olness, do hereby recognize and proclaim August 30, 2011 as

BOB EATON DAY

and invite all citizens of Black Diamond to reflect upon and honor the achievements of and the impact he has left upon the City of Black Diamond.

NEW BUSINESS:

Setting the date for the Closed Record Hearings regarding The Villages and Lawson Hills Development Agreements

Councilmember Boston discussed setting the date for the Closed Record Hearing and asked that September 21st, be the first day which would be the appearance of fairness, he also added that the September 15th Council meeting would be a good time to discuss rules for these hearings.

Mayor Olness commented that the first day (September 21) would be Appearance of Fairness and the next day (September 22) would be staff and applicant presentation with oral testimony starting on Monday, September 26th.

A **motion** was made by Councilmember Mulvihill and **seconded** by Councilmember Boston to move forward to discuss the rules of the Closed Record Hearings at the September 15th Council meeting and to start the Hearing on September 21st with Appearance of Fairness.

Councilmember Goodwin stated he would like to have the opportunity to re-visit this decision at the September 15th meeting.

Councilmember Saas asked that we have as much time as possible.

Vote: Motion **passed** with all voting in favor (5-0).

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 (5-0). The Consent Agenda was approved as follows:

Claim Checks – September 1, 2011 No. 37334 through No. 37382 in the amount of \$252,193.29

Minutes – Council Meeting of August 18, 2011

WORKSTUDY:

Medical Marijuana Collective Gardens

City Attorney Bacha gave background information on legislation regarding this issue; discussed other cities opting to adopt moratoriums so that more research could be done. He also talked about this being unlawful under Federal law and many cities wonder how they can issue business licenses. Another issue is Police and the issue is making an arrest only to find out the County will not prosecute.

Mayor Olness noted that Mr. Bacha will be preparing a memo for Council outlining the issue and they should receive it late next week.

Sign Code

Community Development Director Pilcher reported the sign code re-write can be quite lengthy as there are quite a few issues and policy decisions that need to be made. He noted the change to the code came to be with the closing of the Kummer Bridge and the City's relaxed some of the restrictions. In early 2011, several business owners approached the Council and asked that the City consider allowing greater use of temporary signage on a continual basis. The matter was referred to the Planning and Community Services Committee, which in turn, requested the Planning Commission to discuss the issue and come back with a proposal. After several meetings and conducting a public hearing, the Planning Commission recommended change that would: 1) allow the use of one sandwich board sign per business; 2) allow the use of banners for a maximum of 180 days during a calendar year and generally, no longer than 30 days at a time; and 3) continue the prohibition on the use of pennants and other wind-blown devices. Staff is looking for direction on where Council would like to go with the sign regulations.

Discussion occurred on banners and what is being promoted (content) and looks.

Councilmember Saas noted he is an opponent to banners and a proponent for "A" boards and basically for the reason of the situation with Diamond Square.

Discussion occurred on placement of "A" boards in a public right-of-way.

Discussion occurred on Real Estate signs.

Councilmember Goodwin noted he would like to see a permit process for "A" boards as well as Real Estate signs; discussed the gateway overlay signage and being able to differentiate depending on what district you are in.

City Attorney Bacha stated that staff is looking for direction from Council as what they want and then allowing staff to come back with an ordinance that incorporates Council's direction.

Community Development Director Pilcher stated we need direction on whether or not "A" boards are allowed in the public right-of-way.

Councilmember Goodwin discussed not allowing political signs in the public right-of-way.

Mayor Olness noted there appears to be consensus that banners are out; discussion on allowing banners for events only with a sunset date.

Councilmember Hanson would like to see the original code before the revision due to the bridge closure.

Following discussion direction was to not to enforce code regarding "A" boards and banners until policy decisions have been made.

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).

The workstudy ended at 7:54 p.m.

ATTEST:



Rebecca Olness, Mayor



Rachel Pitzel, Deputy City Clerk