

**CITY OF BLACK DIAMOND
CITY COUNCIL
SPECIAL MEETING MINUTES
December 12, 2013**

Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE:

Mayor Olness called the special meeting to order at 7:01 p.m. and led us all in the flag salute.

ROLL CALL:

PRESENT: Councilmembers Deady, Edelman, Benson and Taylor.

ABSENT: Councilmember Goodwin (excused).

Staff present: Seth Boettcher, Public Works Director; Stacey Welsh, Community Development Director; Mayene Miller, Finance Director; Jamey Kiblinger, Police Chief; Mark Hoppen, City Administrator; Chris Bacha, City Attorney and Brenda L. Martinez, City Clerk.

Mayor Olness announced that item #5 has been pulled from the agenda due to a mix up in the list and will be added to an agenda in January.

PUBLIC COMMENTS:

Bob Edelman, Black Diamond- commented on permits and plat applications and the status not changing on these from the City's website; discussed extensions on permits and the public needing to be notified of the "why".

Colin Lund, YarrowBay- reported construction has begun on The Villages Phase 1A. He noted this project has been through a long process of over 20 years and it will be 15 to 20 years before full build-out will be achieved. Noted the process involved of selecting a contractor for the clearing and grading.

Patrick Nelson, Black Diamond- congratulated Black Diamond Elementary for the grant involving the Seattle Seahawks. Thanks YarrowBay for getting the project started; wished the future Council luck.

PRESENTATIONS:

City Administrator Hoppen honored Councilmember Goodwin and Mayor Olness with plaques of appreciation for their service to the City of Black Diamond.

Mayor Olness noted it has been a very rewarding eight years of public service.

APPOINTMENTS:

Mayor Olness noted that staff advertised for a vacancy on the Civil Service commission due to a recent resignation. A recruitment notice was posted on the City's website and in various places around town. One application was received for the vacancy from Dorothy Botts. An interview was conducted with the applicant by a selection panel consisting of the Mayor and the Civil Service Secretary Luzville Goebel. She noted asking the council to confirm her appointment of Dorothy Botts to the Civil Service Commission with her term starting January 1, 2014 and ending December 31, 2019.

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Deady to confirm Dorothy Botts to the Civil Service Commission with her term starting January 1, 2014 and ending December 31, 2019. Motion **passed** (4-0).

UNFINISHED BUSINESS: None

NEW BUSINESS:

Ordinance No. 13-1017, amending Black Diamond Municipal Code Section 1.20.010 regarding designation of official city newspaper

Mayor Olness reported that on December 5, 2013 council adopted Resolution No. 13-907 accepting the Voice of the Valley publication bid and designated it the official city newspaper. Adoption of this Ordinance would amend Section 1.20.010 of the Black Diamond Municipal Code and change the official newspaper from the Covington/Maple Valley Reporter to the Voice of the Valley.

A **motion** was made by Councilmember Benson and **seconded** by Councilmember Taylor to adopt Ordinance No. 13-1017, amending Black Diamond Municipal Code Section 1.20.010 regarding designation of official city newspaper. Motion **passed** (4-0).

Ordinance No. 13-1018, adopting the budget for calendar year 2014

Finance Director Miller reported that Council has seen the budget at many workstudies and has held several public hearings. The budget includes the Mayor's preliminary budget and the financial changes reviewed by Council at their December 5, 2103 workstudy meeting.

A **motion** was made by Councilmember Benson and **seconded** by Councilmember Deady to adopt Ordinance No. 13-1018, adopting the budget for calendar year 2014.

Mayor Olness noted bringing a balanced budget before the City Council and that staff had some very difficult decisions to make with the YarrowBay reductions and the decreasing revenues in some areas. She added her number one priority is what is best for the City and her second priority was to be fair and equitable to all departments and leave the least amount of damage to people and their department. She noted at the last workstudy Council recommended the following changes to the budget as presented, eliminating the IT position and reinstating two directors to 100%, increasing the City Administrator to 100% and reinstating the facilities coordinator at a lower pay scale

resulting in an approximately \$13,000 dollar pay cut annually. She noted being very concerned about cutting IT services without some sort of transition period and asked Council to reconsider these changes especially the IT Manager and Facilities Coordinator.

Council discussed with City Administrator Hoppen options for a transition period for IS services.

Councilmember Taylor added he does not feel a transition period is needed as the City of Auburn are professionals and deal with this sort of thing all the time.

Motion **passed** (4-0).

Mayor Olness announced that she does not intend to sign this Ordinance but in fact her intent is to veto it. She added she would like to work with the Council and discuss a compromise that is acceptable. She noted it could be done a couple of ways by either taking it to the finance committee or to have Council decide on a committee of two to talk about these issues. She also wanted them to think about her planning commission appointments and noted she followed to the letter Council's adopted process.

Discussion began on the veto process and City Attorney Bacha recommended that Council may want to set up a special meeting in case there is a veto on the ordinance. He further added that should no veto happen by December 23rd the meeting could then be cancelled.

A **motion** was made by Councilmember Taylor and **seconded** by Councilmember Benson to set a Special meeting of the Council at 7:00 p.m. in the Council Chambers on December 27, 2013. Motion **passed** (4-0).

Resolution No. 13-908, adopting the Stormwater Management Program (SWMP) Plan 2014 update

Public Works Director Boettcher reported the SWMP is required to be updated annually and a public hearing was held on November 21st and continued on December 5th. He added staff is recommending approval of this Plan.

A **motion** was made by Councilmember Taylor and **seconded** by Councilmember Benson to adopt Resolution No. 13-908, adopting the Stormwater Management Program (SWMP) Plan 2014 update. Motion **passed** (4-0).

Resolution No. 13-910, authorizing the Mayor to execute a Fuel Tax Grant Agreement with the Washington Transportation Improvement Board (TIB) for the Rock Creek Bridge Project

Public Works Director Boettcher reported the City was selected for a Small City Arterial Program Fuel Tax Grant from TIB. This project would be to repair the bridge, upgrade safety, install a pedestrian walkway, install a sidewalk, street or pedestrian lighting, and overlay the road from west of the bridge to Sunny Lane. The overall cost is estimated at \$527,000 with a local match requirement of \$52,700. YarrowBay has committed to

picking up the \$46,000 of the local match, leaving the City to fund \$6,500, which can be via in-kind staff labor. The grant would pay for design and construction of this project.

A **motion** was made by Councilmember Deady and **seconded** by Councilmember Edelman to adopt Resolution No. 13-910, authorizing the Mayor to execute a Fuel Tax Grant Agreement with the Washington Transportation Improvement Board (TIB) for the Rock Creek Bridge Project. Motion **passed** (4-0).

Resolution No. 13-911, authorizing the Mayor to execute a Fuel Tax Grant Agreement with the Washington Transportation Improvement Board (TIB) for the Lawson Street Sidewalk Phase I Project

Public Works Director Boettcher reported the City was again selected for a Small City Sidewalk Program Fuel Tax Grant from TIB. This project would be to install a sidewalk on the North side of Lawson Street from SR 169 to Sixth Avenue. The grant would pay for design and construction of this project.

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Benson to adopt Resolution No. 13-911, authorizing the Mayor to execute a Fuel Tax Grant Agreement with the Washington Transportation Improvement Board (TIB) for the Lawson Street Sidewalk Phase I Project. Motion **passed** (4-0).

Resolution No. 13-912, authorizing the Mayor to execute the Seventh Memorandum of Understanding (MOU) with the Black Diamond Police Officers Association

City Administrator Hoppen reported this MOU allows us to have officers use vacation time before holiday time is used. He noted the City using this practice in the past and worked ok.

A **motion** was made by Councilmember Deady and **seconded** by Councilmember Edelman to adopt Resolution No. 13-912, authorizing the Mayor to execute the Seventh Memorandum of Understanding (MOU) with the Black Diamond Police Officers Association. Motion **passed** (4-0).

DEPARTMENT REPORTS: None

MAYOR'S REPORT:

Mayor Olness reported she attended the Christmas Tree Lighting event at the Black Diamond Community Center; Black Diamond Elementary School event that was awarded through the NFL and in conjunction with the Seattle Seahawks; attended the Planning Commission meeting to recognize two members service to the Planning Commission; talked about Shop with a Cop and the Share the Joy program.

COUNCIL REPORTS:

Councilmember Edelman reported she attended the tree lighting event and AWC's Newly Elected Official training. Presented Mayor Olness with flowers and thanked her for her service.

Councilmember Taylor discussed the venue for the upcoming Town Hall meetings and asked Council to think about in the upcoming year changing this to Council Chambers. Thanked Mayor Olness for her service to the City as Mayor.

Councilmember Deady reported she attended the tree lighting event and the Community Center and thanked Mayor Olness for her service to the City.

ATTORNEY REPORT: None

PUBLIC COMMENTS:

Brian Weber, Black Diamond- commented on the Council considering working with King County Council regarding the New Reserve at Woodlands as the only way to the development is through The Villages.

Vern Gibson, Black Diamond- commented on Council working with King County regarding the Reserve at Woodlands.

Ginger Passerelli, Black Diamond- thanked Mayor Olness for her service to the City as Mayor and also as a former Councilmember and for being an inspiration to her.

Harvey Senecal, Black Diamond- noted always being impressed with Mayor Olness' demeanor during difficult Council meetings.

Kristine Hanson, Black Diamond- thanked the Public Works Committee and Council for moving forward with the grant project at the Rock Creek Bridge. Thanked Mayor Olness for her service and has admired her presence and kind spirit during the Council meetings.

CONSENT AGENDA:

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

Claim Checks – December 12, 2013 No. 40315 through No. 40341 (void 40314) in the amount of \$59,130.32

Minutes – Council Meeting of November 21, 2013; Workstudy Notes of November 21, 2013 and Special Meeting of December 2, 2013.

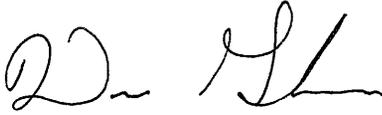
A **motion** was made by Councilmember Benson and **seconded** by Councilmember Edelman to cancel the December 19, 2013 Regular Council meeting. Motion **passed** (4-0).

EXECUTIVE SESSION: None

ADJOURNMENT:

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

ATTEST:



Dave Gordon, Mayor



Rachel Pitzel, Deputy City Clerk