

BLACK DIAMOND CITY COUNCIL MINUTES
February 19, 2015
Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE:

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

ROLL CALL:

PRESENT: Councilmembers Deady, Morgan, Edelman, Goodwin and Taylor.

ABSENT: None.

Staff present were: Aaron Nix, Community Development/Natural Resources Director; Mayene Miller, Finance Director; Seth Boettcher, Public Works Director; Greg Smith, Fire Chief; Jamey Kiblinger, Police Chief and Brenda L. Martinez, City Clerk.

CONSENT AGENDA:

A **motion** was made by Councilmember Taylor and **seconded** by Councilmember Edelman to adopt the Consent Agenda with corrections to minutes to reflect Council appointments motion were not all voting in favor. Motion **passed** with all voting in favor (5-0). The Consent Agenda was approved as follows:

Claim Checks – February 19, 2015, No. 41923 through No. 41991 and EFTs in the amount of \$144,095.00

Payroll Checks – January 31, 2015 No. 18494 through No. 18514 and ACH Pay in the amount of \$253,704.76

Minutes – Council Meeting of February 5, 2015

EXECUTIVE SESSION:

Mayor Benson announced an Executive Session at 7:02:13 p.m. pursuant to RCW 42.30.140(4) to discuss collective bargaining and to also discuss with Legal Counsel potential litigation pursuant to 42.30.110(1)(i); which was expected to last approximately 20 minutes.

The regular meeting was called back to order at 7:23:24 p.m.

PUBLIC COMMENTS: None

PUBLIC HEARINGS: None

APPOINTMENTS, PRESENTATIONS, ANNOUNCEMENTS: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

Resolution No. 15-1013, authorizing the Mayor to sign the Collective Bargaining Agreement between the City of Black Diamond and Black Diamond Police Officers Association along with the Memorandum of Understanding

Chief Kiblinger reported the contract in the packets has been ratified by the Association and the negotiation team is recommending ratification.

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Deady to adopt Resolution No. 15-1013, authorizing the Mayor to sign the Collective Bargaining Agreement between the City of Black Diamond and Black Diamond Police Officers Association along with the Memorandum of Understanding. Motion **passed** with all voting in favor (5-0).

Resolution No. 15-1014, authorizing the Mayor to execute a lease for real property with the Sorci Family, LLC for the use of City office space

Mayor Benson reported meeting with Mr. Sorci earlier this year and he offered letting the City stay in this space for free for the next nine months. She noted that should we leave before 36 months there would be monies recouped for the free rent during the nine months.

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Deady to adopt Resolution No. 15-1014, authorizing the Mayor to execute a lease for real property with the Sorci Family, LLC for the use of City office space. Motion **passed** with all voting in favor (5-0).

Resolution No. 15-1015, authorizing the Mayor to execute an agreement to extend the Interlocal Agreement between the City and King County for Animal Services through December 31, 2017

City Clerk Martinez reported since June of 2010 the City entered into an Interlocal Agreement with King County for Animal Services, this agreement allows another two year extension through 2017. She noted this is an especially good financial agreement, as the projected King County costs to Black Diamond are expected to be well below the cost it would take for Black Diamond to have their own animal control. The costs are offset by the amount of Animal License Fees that are remitted to King County by Black Diamond residents.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Deady to adopt Resolution No. 15-1015, authorizing the Mayor to execute an agreement to extend the Interlocal Agreement between the City and King County for Animal Services through December 31, 2017. Motion **passed** with all voting in favor (5-0).

Ordinance No. 15-1049, relating to Council meeting dates and locations; amending 2.04.010, meetings of the Black Diamond Municipal Code; providing for severability; and establishing and effective date

City Clerk Martinez reported in accordance with Council's newly revised Rules of Procedure this proposed ordinance would establish the second Thursday in the months of January, March, May, July, September and November, beginning at 7 p.m., for purposes of holding Town Hall meetings.

A **motion** was made by Councilmember Deady and **seconded** by Councilmember Edelman to adopt Ordinance No. 15-1049, relating to Council meeting dates and locations; amending 2.04.010, meetings of the Black Diamond Municipal Code; providing for severability; and establishing and effective date. Motion **passed** with all voting in favor (5-0).

Resolution No. 15-1016, authorizing the Mayor to execute a Consultant Services contract with Olympic Environmental Resources for the City's 2015 Spring Recycling Event

Public Works Director Boettcher reported this is the last step for the Recycling Event to be operational in the Spring of 2015. Olympic Environmental runs the event and reporting requirements. They do this for the cost of the grants the City receives for this event.

A **motion** was made by Councilmember Deady and **seconded** by Councilmember Morgan to adopt Resolution No. 15-1016, authorizing the Mayor to execute a Consultant Services contract with Olympic Environmental Resources for the City's 2015 Spring Recycling Event. Motion **passed** with all voting in favor (5-0).

Ordinance No. 15-1050, relating to Land Use and Zoning, extending a moratorium on the acceptance of applications for the new Development within the Master Planned Development (MPD) District for another six months, excluding any applications subject to the Development Agreements approved for the MPD Developments entitled The Villages and Lawson Hills; defining the applications subject to the moratorium, directing staff to set a date for a public hearing on the moratorium within the next sixty days, establishing six months as the extension period until the Council public hearing on the continued maintenance of the moratorium extension and establish an effective date

Community Development/Natural Resources Director Nix reported Ordinance No. 14-1025 was previously approved by the City Council at their March 20, 2014 Council meeting and subsequently extended on August 21, 2014 for an additional six months through Ordinance No. 14-1036. Mr. Nix noted changes that are recommended by the City Attorney and we will need to add an emergency clause so it becomes effective immediately.

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Deady to adopt Ordinance No. 15-1050, relating to Land Use and Zoning, extending a moratorium on the acceptance of applications for the new Development within the Master Planned Development (MPD) District for another six months, excluding any applications subject to the Development Agreements approved for the MPD Developments entitled The Villages and Lawson Hills; defining the applications subject to the moratorium, directing staff to set a date for a public hearing on the moratorium within the next sixty days, establishing six months as the extension period until the Council public hearing on the continued maintenance of the moratorium extension and establish an effective date; declaring this an emergency requiring immediate adoption tonight. Motion **passed** with all voting in favor (5-0).

Resolution No. 15-1017, authorizing the Mayor to execute an addendum to the agreement for Inmate Housing with South Correctional Entity for 2015

Chief Kiblinger reported this is an addendum to the current SCORE Agreement and is in regards to an increase in daily rates from \$135 to \$145.

A **motion** was made by Councilmember Deady and **seconded** by Councilmember Taylor to adopt Resolution No. 15-1017, authorizing the Mayor to execute an addendum to the agreement for Inmate Housing with South Correctional Entity for 2015. Motion **passed** with all voting in favor (5-0).

DEPARTMENT REPORTS: None

MAYOR'S REPORT:

Mayor Benson reported she attended the Public Works and Planning and Community Services Committee meetings; attended Court and talked with the Police Department and Prosecutor; talked with Mr. Keith Watson on Gymnasium, financial issues have been resolved. Noted she attended Management meeting; Finance Committee meeting, SCATBd meeting update; Chamber Luncheon; Concurrency meeting; ESD meeting; Parks and Cemetery Committee meeting.

COUNCIL REPORTS:

Councilmember Edelman: reported she met with Save Black Diamond folks; attended the Planning & Community Services Committee meeting; STEM Luncheon with ESD; met with Councilmember Goodwin; attended the Chamber Luncheon; PIC meeting; noted she will be attending the SCA Networking Dinner on February 25th.

Councilmember Deady: reported attended the PIC meeting; Finance and Public Safety Committee meetings; STEM Luncheon with ESD; reminded folks about the Spaghetti Dinner fundraiser for Commander Goral at 5 p.m. at the Eagles on Saturday; asked a question regarding the trees and shrubs painted bright orange on Roberts and Morgan Drive and wondered what they are marked for.

Public Works Director Boettcher stated staff noticed the same thing and suspects they are marks from Asplundh on trees that would need to be trimmed.

Councilmember Goodwin: stated he looks forward to seeing everyone on Saturday at the Eagles for Commander Gorals fundraiser.

Councilmember Taylor: reported on the Public Safety Committee meeting and noted that the City was put on notice the City of Auburn will not be providing IT services past June 30, 2015 and staff is looking into this; Saturday at 10 a.m. there is a Special Council meeting regarding the Ad Hoc Committee findings.

Councilmember Morgan: reported she attended the Planning & Community Services

Committee meeting and gave a brief update; WRIA survey on internet; WRIA 9 meeting
King Conservation District meeting.

ATTORNEY REPORT:

City Attorney Morris discussed HB-1417 regarding the Mayor's letter opposing this legislation.

PUBLIC COMMENTS: None

ADJOURNMENT:

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

ATTEST:



Carol Benson, Mayor



Rachel Pitzel, Deputy City Clerk