

BLACK DIAMOND CITY COUNCIL MINUTES
November 5, 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 Morgan, Edelman, and Goodwin.

ABSENT: Councilmembers Deady and Taylor (excused)

Staff present: Seth Boettcher, Public Works Director; May Miller, Finance Director; Jamey Kiblinger, Police Chief; and Brenda L. Martinez, City Clerk.

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS: None

CONSENT AGENDA:

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Goodwin to adopt the Consent Agenda. Motion **passed** with all voting in favor (3-0). The Consent Agenda was approved as follows:

- 1) **Claim Checks** – November 5, 2015, No. 42824 through No. 42882 (void 42823) and EFTs in the amount of \$154,324.51
- 2) **Minutes** – Council Meeting of October 15, 2015

PUBLIC COMMENTS:

Peter Kellman, Kent discussed being part of a group of volunteers who routed a petition regarding the YarrowBay developments and the burden those developments will have on them and the City. He also discussed the Government Facilities Charge and the Council not collecting it.

Robbin Taylor, Black Diamond informed those in the audience of the study that was done in regards to the General Government Facilities Fee and YarrowBay suing the City and the Council standing firm and not giving in to them.

Mike Irrgang, Black Diamond urged Council to adopt and accept the Government Facilities plan and fee with at least the recommended fee. He also commented on the clear cutting of YarrowBay property in regards to the tree ordinance.

Gwendolyn Vuckich, Auburn discussed being concerned about the Council not adopting the Government Facilities Fee and is fearful the community will go down the drain and asked Council to reconsider this issue as it's too important.

Cindy Wheeler, Black Diamond commented on the article in the newspaper and the failure to adopt a Government Facilities Fee. She noted being an informed citizen who stays in touch and has not seen in any newsletter or heard in any town hall meeting that the Council would not be adopting this fee. She also commented on the 11 month extension not being properly noticed.

Kristen Bryant, Bellevue read into the record her written testimony on the General Government Facilities Fee which is attached and incorporated into the minutes. She also commented that the decision not to collect this fee was a legislative decision which needs a public process and wondered when the decision was made and who made it.

William Bryant, Black Diamond stated supporting his daughter's comments about this fee as he can't afford higher taxes.

PUBLIC HEARINGS:

Proposed Ordinance Adopting Property Tax Levy Increase

Finance Director Miller reported King County having a deadline of November 30th to get any property tax increases into them. She noted there are two ordinances required by King County; one is for the 1% increase and the second has the dollar amount increase. She stated reviewing the material with the city attorney and finance committee who recommends adoption. The proposed ordinance will be on the agenda for adoption at the November 19th meeting.

Mayor Benson opened the Public Hearing at 7:30:30 pm. No oral or written testimony was heard or received and Mayor Benson closed the Public Hearing at 7:30:33.

Proposed Stormwater Management Plan

Public Works Director Boettcher reported each year the Stormwater Management Plan is updated by the City. In this update he noted most of the changes in the document are in the tense of the verbiage, however Illicit Discharge has the most changes in the document. He informed Council that next year the City will be adopting the 2012 DOE Stormwater Manual or equivalent which will require low impact development incorporation into City code.

Mayor Benson closed the Public Hearing at 7:33:52 pm.

Kristen Bryant, Bellevue read her written comments into the record which are attached and incorporated into the minutes.

Mayor Benson closed the Public Hearing at 7:38:38 pm.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Resolution No. 15-1047, authorizing Addendum #1 to Professional Services Agreement with Stantec Consultant Services, Inc.

Public Works Director Boettcher reported this agreement needs to be extended as this project was delayed at no fault to the City which led to a late bid. He noted staff was able to get an extension on this project and re-bid at a more favorable bidding time. He noted the City needs continued assistance from Stantec, however the original agreement is set to expire on November 15, 2015; this addendum extends the contract to July 31, 2016.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Edelman to adopt Resolution No. 15-1047, authorizing the Mayor to execute Addendum #1, extending the Professional Services Agreement (Resolution No. 15-1021) with Stantec Consulting Services Inc. for the design engineering of the Downtown AC Water Main Replacement and Looping Project. Motion **passed** with all voting in favor (3-0).

Resolution No. 15-1048, authorizing On-Call Transportation Engineering Contract with Parametrix, Inc.

Public Works Director Boettcher reported the City routinely has needs for on-going transportation engineering services. The City went through a transportation engineering selection process, and through that process, selected Parametrix whose contract is expiring. He noted the City being happy with the services provided by Parametrix and the proposed contract would be for a two-year period.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Edelman to adopt Resolution No. 15-1048, authorizing the Mayor to execute a two-year, on-call Professional services Agreement for Transportation Engineering Services with Parametrix, Inc., not to exceed \$100,000. Motion **passed** (2-1 (Morgan)).

Resolution No. 15-1049, adopting an Agreement with the Black Diamond Community Center

Mayor Benson reported for many years the Black Diamond Community Center has had liability insurance provided by the City, however the City will be changing to a new insurance carrier this year and this carrier will not carry insurance on an entity the City

does not own. She also noted that the new insurance is \$10,000 less than the previous carrier and is recommending the City continue to support the Black Diamond Community Center by giving them the \$10,000 savings to use towards the purchase of liability insurance.

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Goodwin to adopt Resolution No. 15-1048, authorizing the Mayor to execute an agreement with the Black Diamond Community Center. Motion **passed** with all voting in favor (3-0).

DEPARTMENT REPORTS:

Chief Kiblinger thanked Kevin Esping for all his help on the removal of property the police confiscated during a search.

MAYOR'S REPORT:

Mayor Benson reported attending two Public Works Committee meetings, a management meeting, a Planning and Community Services meeting, two Finance Committee meetings, a Fire Ad Hoc Committee meeting, a Traffic and Transportation Ad Hoc Committee meeting, the SCA Networking Dinner and a Work Session on the Public Works budget. She also noted our Emergency Services Director, Kevin Esping held an emergency management potluck meeting for City employees along with a presentation and complemented Mr. Esping for doing a great job on this new appointment.

COUNCIL REPORTS:

Councilmember Deady (absent)

Councilmember Morgan asked what the actual deadline is for adopting the GFC fee and asked the Mayor and Council to consider an emergency meeting prior to the deadline date to have an executive session to consider an emergency ordinance to delay the deadline. Mayor Benson replied a workstudy may be better and she would look into it.

Councilmember Edelman reported participating in the candidate forum at Kentlake High School, attending the Chamber luncheon, meeting with MDRT Director, participating in the emergency preparation meeting and Make a Difference Day, attending the Black Diamond Historical Society Annual meeting, the SCA Networking Dinner, a Finance Committee meeting, the budget workstudy and a Public Safety Committee meeting.

Councilmember Goodwin – no report

Councilmember Taylor (absent)

ATTORNEY REPORT: None

PUBLIC COMMENTS:

Robbin Taylor, Black Diamond commented on attending the budget workstudy and Councilmember Taylor's request to have a line item budget for the annexation study regarding the City being annexed into Mountain View Fire District. She noted there was Council consensus to add a \$5,000 line item in the budget with review in June to possibly add more money. However, she is concerned that all the ad hoc committees could be dissolved and suggested Council consider fully funding the study this year.

Mike Irrgang, Black Diamond gave an example of his interaction with Parametrix in the past regarding holes in the transportation study and the need for good oversight on the on-call agreement with them.

Cindy Wheeler, Black Diamond stated she disagrees with transportation being our biggest issue here in the city and believes financial security is. She noted being concerned that no City attorney is attending meetings and wondered if it is a cost savings measure, and if so she believes it is a poor cost savings measure. She noted the City Attorney needing to be present to address issues that come up at meeting such as Councilmember Morgan's issue regarding the GFC fee. She also discussed the meeting minutes from a Planning and Community Services Committee meeting where it was discussed another fee lapsing with YarrowBay. She further discussed being a legal party of record on the Development Agreements and not getting notifications on minor amendments.


EXECUTIVE SESSION: None

ADJOURNMENT:

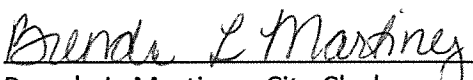
A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Edelman to adjourn the meeting. Motion **passed** with all voting in favor (3-0).

Meeting ended at 8:08:46 p.m.

ATTEST:



Carol Benson, Mayor



Brenda L. Martinez, City Clerk