

**BLACK DIAMOND CITY COUNCIL
WORK SESSION MINUTES
August 11, 2016**

CALL TO ORDER, FLAG SALUTE:

Mayor Benson called the regular meeting to order at 6:00 p.m. and lead us all in the Flag Salute.

ROLL CALL:

PRESENT: Councilmembers Deady, Morgan, Edelman, Weber, Pepper

ABSENT: None

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

Work Session:

1) Six Year Transportation Improvement Program

Public Works Director Boettcher reported on the public hearing held on June 2 and the workshop that was held. He discussed revisions that were made based on Council's input at the last workshop. The issue was tabled for another workshop. He asked Council what revisions, edits, additions or deletions Council would like to see to make this an approvable document.

There was Council discussion.

Councilmember Edelman noted for the record there are Councilmembers who showed up not prepared to discuss this item.

Councilmember Deady called a point of order, this is a work study meeting.

There was continued Council discussion around the Development Agreement.

2) Continuation of Council Rules of Procedure

- **Section 7: Parliamentary Procedures and Motions**

7.3- Waiver of Rules-Councilmember Edelman noted that to be consistent with Roberts Rules that carries an affirmative vote of at least a majority of the whole membership, the Council may waive or modify these rules of procedure. To be consistent with Robert's Rules; she referenced back to 7.2.11. She noted an appendix to J of Roberts Rules take 2/3 vote and recommended that we change section **7.3** to be consistent with **7.2.11**.

There was Council discussion.

Section 8: Voting

- **8.1-**Councilmember Edelman noted no change
- **8.2-**Councilmember Edelman noted no change
- **8.3-**There was discussion around RCW (conflicts of interest) and RMSA-this is 8.5 in July version, and 8.6 in January version. Councilmember Edelman will add a statement prior to 8.6.1 that refers to the RCW. Councilmembers noted to move forward with this.
- **8.4-**Councilmember Edelman discussed that votes by Mayor were deleted in the July rules. There was discussion on the veto powers of the Mayor. She recommended to leave 8.4 as is in the 2015 version.
- **8.5- 8.7-** Councilmember Edelman noted no change

Section 9: Ordinances and Resolutions

- **9.1-** Councilmember Edelman stated changes were made in the July version. She noted that Talmadge took exception to the revision and Talmadge wrote "revise rule 9.1 removes the mandatory review of ordinances by the City Attorney. It replaces it with language that the City Attorney "should" review ordinances; since ordinances are laws adopted by the City, we suggest the mandatory review procedure." Morris wrote "the language should remain consistent with law to the extent that it prevents the Mayor from placing an ordinance on the agenda and ensuring timely adoption. This is also inconsistent with law because the Mayor Pro Tem has no duties unless the Mayor is absent." She suggested we need to keep the language that was in the January version.
- **9.2-**Councilmember Edelman commented that this was in the July version but not the January version. She noted that it needs to have its own section. She shared that both Talmadge and Morris suggest that resolutions can constitute City policy. Talmadge states "review by the City Attorney is suggested at least as to resolutions that could affect City policy and potential legal liability." She recommended that we keep the former rules from the 2015 version.

Section 10: Public Comments

- **10.1-**Councilmember Edelman commented she doesn't see a problem in eliminating the sign-in sheet. She also suggested verbiage saying "persons

addressing the Council should step up to the podium and give their name and city for the record.”

10.2- Councilmember Edelman noted no change.

10.3- Councilmember Edelman noted no change.

10.4- Councilmember Edelman noted no change.

Section 11: Legislative and Quasi-Judicial Hearings

- 11.1.3- Councilmember Edelman noted that in the 2015 version no one may speak for a second time without the approval of the presiding officer. In the July 2016 version, there is no mention of the presiding officer, it has been deleted and per Carol Morris that is contrary to law, the presiding officer still needs to be in there. It may be the Mayor; it may be the Mayor Pro Tempore, but deleting the presiding officer is taking authority away from whomever is the presiding officer.

There was Council discussion over the verbiage of section 11.1.3 in the 2015 rules.

- 11.1.4- Councilmember Edelman noted no change.
- 11.1.5- Councilmember Edelman noted this was deleted in the July 2016 version.

There was Council discussion around the verbiage.

Section 12: Town Hall Meetings

- Recommended to put quotation marks around Town Hall Meetings. However, Councilmember Edelman doesn't believe this to be necessary.

Section 13: Mayor Pro Tempore and Council President Selection Process

- Discussion over the first paragraph reading the same as the 2015 version. New paragraph was added in the 2016 version.

There was Council discussion around rules and Mayor Pro Tempore.

Councilmember Edelman noted for the record, “you really cannot justify the need for the position of Council President.”

Section 14: Selecting a Council Member Pro Tempore or Filling a Vacant Council Position

Councilmember Edelman noted no change.

Section 15: Council Meeting Staffing

- 15.1- Councilmember Edelman noted no change.

- 15.2-Councilmember Edelman read a quote from Talmadge regarding this section. She read what Morris stated on this item. She suggested to keep the same language as 2015 rules.
- 15.3-Councilmember Edelman read the suggestions from Talmadge and Morris. and suggested verbiage.

Section 16: Council Relations with Staff

- 16.3-Councilmember Morgan noted there was an RMSA issue and there may be a conflict.
- 16.5-Councilmember Edelman commented that this paragraph was deleted. She read the Talmadge and Morris opinion. She also suggested keeping the 16.5 verbiage in 2015 rules.

There was Council discussion around this.

- Councilmember Weber suggested that we revisit this item to give Councilmember Morgan more time to come up with a citation.

Section 17: Appointment by Mayor & Confirmation by City Council-When Required

- Councilmember Edelman noted no change.

Section 18: Council Committees and Citizen Advisory Boards

- 18.1.1- Councilmember Edelman noted that this was rewritten. She read the quote from Talmadge and read the Morris recommendation. Noted “do pas” is a way to obstruct City business. She then suggested to keep as is in the 2015 version.

There was Council discussion around this.

Mayor Benson noted inviting Council to have Committee meetings that start at 4 p.m and those meetings will be open to the public.

- 18.1.2- Councilmember Edelman discussed being at an impasse and noted taking all authority away from the Mayor. The Mayor appoints, the Council confirms. She noted that the Mayor should be able to have some say of what’s going on at the committees.

There was Council discussion around this.

- 18.1.3- Councilmember Edelman noted no change.
- 18.1.3(a)-Councilmember Edelman noted deleted verbiage working with the Mayor and Staff, and added verbiage noticing requirements for meeting times to be on week-day evenings.

There was Council discussion around this.

- 18.1.3(b) Councilmember Edelman noted there being added a Vice Chair; she wondered why there was a need for a Vice Chair.

There was Council discussion around this.

18.1.3 (d)-Councilmember Edelman discussed this being in the July 2016 rules; she read what Talmadge and Morris noted on what "signed out" means and there needing to be a definition added.

There was Council discussion around this.

Councilmember Edelman backed up to section 18.1.3:

- A) Councilmember Edelman discussed in July version, revised rules deleted verbiage "working with Mayor and City" and rewrote the entire paragraph A.
- 18.1.3-Councilmember Edelman read the new language in 2016 rules. She noted whoever it is, needs to work with the Mayor to finalize agendas.


There was Council discussion around this.

3) ADJOURNMENT:

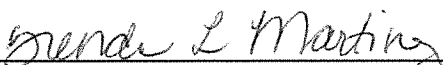
A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Deady to adjourn the meeting. Motion **passed** with all voting in favor (5-0).

The meeting ended at 7:59 p.m.

ATTEST:



Carol Benson, Mayor



Brenda L. Martinez, City Clerk