

BLACK DIAMOND CITY COUNCIL MINUTES

July 20, 2017

Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE:

Mayor Benson called the regular meeting to order at 7:03 p.m. and led us all in the Flag Salute.

ROLL CALL:

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

ABSENT: None

Staff present were: Sergeant Mike Grias; David Linehan, City Attorney; May Miller, Finance Director; Kevin Esping, Facility Coordinator; Dan Dal Santo, Utility Superintendent and Katherine Allen, Deputy City Clerk.

CHANGES TO AND APPROVAL OF AGENDA

A **motion** was made by Councilmember Pepper and **seconded** by Councilmember Morgan to adopt the Council approved agenda per Council Rules of Procedure and to include one additional change from the printed version to add a motion on the CIP as item 8.

Councilmember Pepper spoke to her motion regarding the changes to the posted agenda. She noted under unfinished business add the edition of Amended Council Minutes of June 2, 2016. Add an item under new business Resolution requesting training. She also noted Councilmember Morgan wants to add a motion for Capital Improvement Plan under new business. Councilmember Pepper proposed to add Capital Improvement Plan motion as item 8.

Mayor Benson asked Councilmember Morgan if she has backup for this motion.

Councilmember Morgan stated she had passed the information out.

Councilmember Morgan stated that the Capital Improvement Plan was a continuation from April 20. She stated it was time for it to come for first reading before it goes back into the Growth Management Committee.

A point of order was called by Councilmember Edelman.

Councilmember Pepper continued to speak and read a statement regarding the meeting agenda process for efficient meetings. She then called upon Attorney Glenn to advise

Council on posting the agenda to the website and is the City obligated to build the agenda according to the Council Rules.

Councilmember Pepper stated she has the floor.

A point of order was raised by Councilmember Deady.

In unison point of orders were raised by Councilmembers Deady and Pepper.

A point of order was raised by Councilmember Deady.

There was Council discussion on legal services.

Councilmember Deady called point of order to Councilmember Pepper when she stated that she invited Attorney Glenn to give an opinion.

Councilmember Pepper then stated that Mr. Glenn is our legal person.

There was continued Council discussion around a signed contract with Attorney Glenn.

Mayor Benson asked Councilmember Pepper if she has a signed contract, to which she responded the City does.

Mayor Benson stated the City does not.

Councilmember Pepper stated she still has the floor.

Councilmember Pepper stated Attorney Glenn has been invited to give a comment on the public posting of the agenda to the website and is the City obligated to build the agenda according to the Council rules.

Councilmember Pepper stated there is a motion on the floor with a second.

There was continued Council discussion over contracts.

Councilmember Pepper called point of order.

Councilmember Edelman called for the vote.

Councilmember Pepper called point of order.

Councilmember Pepper called point of order for audience control.

Mayor Benson asked Clerk for clarification of the motion.

Councilmember Pepper stated she has a motion on the floor with a second and would be happy to repeat the changes, if that is necessary.

Mayor Benson noted we have the changes.

VOTE: Motion passed 3-2 (Deady, Edelman)

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS: None

PUBLIC COMMENTS:

Leslie Cooley, Black Diamond spoke to Council.

Johna Thomson, Black Diamond spoke to Council.

Pam McCain, Black Diamond spoke to Council.

Judy Goodwin, Black Diamond spoke to Council.

Kristen Bryant, Bellevue spoke to Council.

Jackie Buss, Black Diamond spoke to Council.

Robbin Taylor, Black Diamond spoke to Council.

UNFINISHED BUSINESS:

6) Amended Minutes of June 2, 2016

A **motion** was made by Councilmember Pepper and was **seconded** by Councilmember Morgan to approve the amended minutes for June 2, 2016; Black Diamond City Council meeting approved.

There was Council discussion.

Councilmember Weber called point of order for control of meeting.

Councilmember Edelman called the question.

The Mayor stated the question has been called, all those in favor.

Councilmember Edelman responded "Aye".

Mayor Benson stated those opposed.

Councilmember Pepper asked for clarification of what we are voting on.

Councilmember Edelman stated "calling of the question".

Councilmember Deady seconded this.

There was continued discussion around calling the question and voting and the Nay votes were never taken.

Councilmember Weber called point of order for courtesy.

There continued to be discussion and Mayor Benson stated there is a motion and a second on the floor as amended.

VOTE: Motion **passed** 3-2 (Deady, Edelman) on adopting the amended minutes of June 2, 2016.

NEW BUSINESS

7) Resolution Requesting Training from AWC

Councilmember Morgan reported on this item.

A **motion** was made by Councilmember Morgan and **seconded** by Councilmember Deady to send this resolution of the City Council of the City of Black Diamond, King County Washington requesting a presentation from the Association of Washington Cities to the Government Operations Committee to decide on some sort of direction-subjects that we would like them to cover.

There was Council discussion.

Councilmember Morgan stated that as Chair of the Government Operation Committee, folks can email her with any suggestions they may have.

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

8) Capital Improvement Plan 2017-2022

Councilmember Morgan reported on this item.

A **motion** was made by Councilmember Morgan and **seconded** by Councilmember Pepper to send to Growth Management Committee for first reading.

There was Council discussion.

Councilmember Deady stated she has the floor.

Councilmember Pepper called Point of Order to Councilmember Deady's questions.

VOTE: Motion **passed** 4-1 (Deady).

CONSENT AGENDA:

Councilmember Morgan noted she would like to address each consent item separately.

1) Claim Checks – July 20, 2017 - No. 45080 through No. 45135 and EFTs in the amount of \$160,709.28

Councilmember Morgan noted she would like to pull voucher number 45081 (AHBL), voucher number 45106 (Kenyon Disend), and voucher number 45119 (Parametrix).

Councilmember Morgan stated she has the floor.

A **motion** was made by Councilmember Morgan and **seconded** by Councilmember Weber to approve the rest of the vouchers at this time.

There was Council discussion.

Councilmember Weber stated for the record his goal is to not stop the development.

Councilmember Pepper called point of order for courtesy to Councilmember Deady.

VOTE: Motion **passed** 3-2 (Deady, Edelman).

2) Payroll – June 30, 2017 – No. 19356 through No. 19373 and ACHs in the amount of \$287,933.53.

A **motion** was made by Councilmember Weber and **seconded** by Councilmember Edelman to approve payroll. Motion **passed** with all voting in favor (5-0).

3) Minutes – Council Work Session of December 8, 2016

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Pepper to adopt the Council Work Session Meeting Minutes of December 8, 2016. Motion **passed** with all voting in favor (5-0).

4) Minutes – Council Special Meeting of December 27, 2016

A **motion** was made by Councilmember Morgan and **seconded** by Councilmember Weber to amend the minutes of December 27, 2016 so that everyplace that says “City Attorney Kenyon” remove the word “City”.

Councilmember Morgan spoke to her motion regarding contracting authority.

There was Council discussion.

Councilmember Pepper called point of order for courtesy.

There was continued Council discussion around a signed Attorney contract.

Councilmember Edelman asked who signed a contract? She asked Councilmember Pepper if she signed the contract.

Councilmember Edelman asked Councilmember Pepper if she would please provide a copy of the contract?

Councilmember Pepper stated "I would be delighted".

Councilmember Edelman asked for a specific date that she would see this contract.

Councilmember Pepper called point of order for courtesy to Councilmember Edelman.

Councilmember Edelman asked again to Councilmember Pepper "did you sign a contract?".

Councilmember Pepper stated "of course", "so did the Mayor Pro Tem". She further stated you need to know that if the Mayor refuses to do her ministerial duty, the Mayor Pro Tem signs a contract.

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

5) Minutes – Council Meeting of July 6, 2017

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Weber to adopt the July 6, 2017 minutes. Motion **passed** with all voting in favor (5-0).

DEPARTMENT REPORTS: None

MAYOR'S REPORT: None

COUNCIL REPORTS:

Councilmember Deady reported that she met with May Miller, Finance Director. She attended the Wacky golf tournament. She met with Police Chief, Fire Chief, Mayor and Judge to go over safety Issues in the City. She attended Miners Day. She noted that August 7 is the dedication of the school.

Councilmember Morgan reported she is doing additional agenda work. She helped prepare meals at the Presbyterian Church. She attended the soft opening of the Enumclaw Fair. Attended a meeting regarding flood control. She reported on concern over the 100-year-

old Ballard Locks giving way and dropping Lake Washington by nine feet. Those flood control projects have a huge regional impact.

Councilmember Edelman reported meeting with the Police Chief, Fire Chief, Mayor and Judge for public safety issues. She attended a meeting in Leavenworth (AWC) budget conference. She serves lunch at the Community Center. She attended the Sound Cities Association networking dinner. She reported on the Veteran/Seniors Levy that is coming up in November.

Councilmember Weber reported that he and Councilmember Pepper went to Roberts Creek Bridge and met with King County Bridge Inspector, Margaret Jerome.

Councilmember Pepper reported she attended Miners Day. She further discussed contracts and duties of the Mayor. She read general principles for cities on contracting by Paul Sullivan, a Municipal law expert.

ATTORNEY REPORT:

Attorney Linehan reported that May Miller confirmed that the City received \$19,750 from Bonneville Power Administration and was able to get an extra \$2,500 for the City to cover legal administrative expenses.

PUBLIC COMMENTS:

Dan Glenn, Attorney spoke to Council
Robbin Taylor, Black Diamond spoke to Council.
Johna Thompson, Black Diamond spoke to Council.
Councilmember Pepper call point of order for political comments.
Pam McCain, Planning Commissioner Chair spoke to Council.
Judy Watson, Black Diamond spoke to Council.

EXECUTIVE SESSION: None

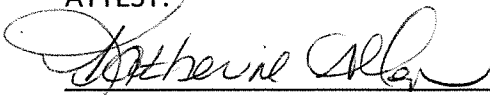
ADJOURNMENT:

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

The meeting ended at 8:21 p.m.



Carol Benson, Mayor

ATTEST:


Katherine Allen, Deputy City Clerk