

# AMENDED BY MAJORITY COUNCIL MEMBERS

## BLACK DIAMOND CITY COUNCIL SPECIAL MINUTES

December 27, 2016

Council Chamber, 25510 Lawson Street, Black Diamond, Washington

### CALL TO ORDER, FLAG SALUTE:

Mayor Benson called the regular meeting to order at 5:00 p.m. and led us all in the Flag Salute.

**ROLL CALL:** Councilmembers Deady, Morgan, Edelman, Weber, Pepper (Councilmembers Weber and Pepper were not present during roll call and entered the meeting late.

**PRESENT:** Councilmembers Deady, Morgan, Edelman

### ABSENT:

Staff present were: Andrew Williamson, MDRT/Economic Development; Kevin Esping, Facilities Coordinator; Mike Kenyon, City Attorney; May Miller, Finance Director; Jana King, Deputy Finance Director; Deanna Humphreys, Court Clerk; Stephanie Metcalf, Court Administrator; Jamey Kiblinger, Police Chief; and Brenda L. Martinez, City Clerk.

Councilmember Weber entered the meeting at 5:00.49 p.m.

**APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS: None**

### PUBLIC COMMENTS:

Erin Stout, Black Diamond spoke to Council.

Bill Mcdermand, Black Diamond spoke to Council.

Brock Deady, Black Diamond spoke to Council.

Leslie Cooley, Black Diamond spoke to Council.

Bob Edelman, Black Diamond spoke to Council.

Gwendolyn Vuchich, King County spoke to Council.

Pat Nelson, Black Diamond spoke to Council.

Paula Boyd, Black Diamond spoke to Council.

Craig Goodwin, Black Diamond spoke to Council.

Jill Lund, Black Diamond spoke to Council.

Tanya Nielsen, President of Maple Valley/Black Diamond Chamber of Commerce spoke to Council.

Judy Baxley, Black Diamond spoke to Council.

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Doug Ostergard, Black Diamond spoke to Council.

Tina McGann, Black Diamond spoke to Council.

Kayla Anderson, Black Diamond spoke to Council.

Nancy Rogers, spoke on behalf of Oakpointe as their Legal Counsel.

Robbin Taylor, Black Diamond spoke to Council.

Ron Taylor, Black Diamond spoke to Council.

Leah Grant, Black Diamond spoke to Council.

Victoria Lundford, Black Diamond spoke to Council.

Johna Thomsen, Black Diamond spoke to Council.

Jacki Buss, Black Diamond spoke to Council.

Councilmember Pat Pepper entered the meeting at 5:46:07 p.m.

Judith Carrier, Auburn spoke to Council.

Mila Sateris, Black Diamond spoke to Council.

## **UNFINISHED BUSINESS:**

### **1) AB16-088A – Ordinance Adopting 2017 Budget**

May Miller, Finance Director reported on this item.

Attorney Kenyon spoke on the emergency process for adopting an ordinance.

There was Council discussion around this.

Attorney Kenyon noted there are some expenditures where more than a quarter of the expenses incurs the first quarter of the year. He further noted we could amend the ordinance tonight to include the twenty-five percent expenditure limit, with the provision we come back to Council in January with some exceptions.

Mayor Benson noted there will need to be two work sessions a month to get through the process.

There was continued Council discussion around this emergency budget.

Attorney Kenyon stated we should correct the title of the ordinance. The rest of section five language declares this to be an emergency and why that's important to be effective immediately. It can become effective tonight; if it gets four votes. He proposed to renumber section five as section six; and add a new section five that would read "The Mayor shall not expend more than twenty-five percent of the budgeted expenditures during the term of this ordinance, except as maybe necessary for capital projects or other extraordinary expenses." He stated to Council that we will get together with May Miller, Finance Director and Public Works, and get back in January with a list of what appear to be

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the expenditures during the first quarter that will require more than twenty five percent of the budget.

A **motion** was made by Councilmember Weber and **seconded** by Councilmember Deady to approve ordinance AB16-088A as amended for adopting the 2017 budget.

A **motion** was made by Councilmember Morgan and **seconded** by Councilmember Weber that all contracts signed by the executive office will come to the Council for approval during this three months' time.

There was Council discussion around the amended ordinance.

Attorney Kenyon noted the conflicts that arise with code and recommends letting it ride out the three months.

**VOTE:** Motion **passed** 3-2 (Edelman, Deady) regarding contracts signed by the executive office.

**VOTE:** Motion **passed** 5-0 for the emergency ordinance adopting the amended 2017 budget ordinance.

### 2) **AB16-091** – Substitute 2017 Budget Ordinance

Mayor Benson noted that item number AB16-091 should be postponed.

A **motion** was made by Councilmember Weber and **seconded** by Councilmember Morgan to postpone the substitute budget until after the three-month period is completed. Motion **passed** 5-0.

### 3) **AB16-079A** – Ordinance Amending 2016 Budget

May Miller, Finance Director reported on this item.

There was Council discussion around this.

A **motion** was made by Councilmember Pepper and was **seconded** by Councilmember Morgan that the Finance Director and City Director are requested to draft an amendment of the 2016 budget that provides funds to pay the legal services billed to the City in 2016 by the firm of Talmadge & Fitzpatrick and that the Council approves this payment and further that the 2016 budget is on postponed until the Council has provided this in writing.

Following Council discussion, Councilmember Pepper withdrew her motion. No vote was taken.

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A **motion** was made by Councilmember Deady and **seconded** by Councilmember Edelman to approve an ordinance adopting the 2016 budget amendment.

There was Council discussion around this.

**VOTE:** Motion passed 3-2 (Morgan, Pepper)

**DEPARTMENT REPORTS:** None

**MAYOR'S REPORT:** None

**COUNCIL REPORTS:**

Councilmember Edelman thanked everyone for coming out tonight and wished them a "Happy New Year".

**ATTORNEY REPORT:** None

**PUBLIC COMMENTS:**

Kristine Hanson, Black Diamond spoke to Council.

Pat Nelson, Black Diamond spoke to Council.

Bob Edelman, Black Diamond spoke to Council.

Johna Thompson, Black Diamond spoke to Council.

Ginger Passarelli, Black Diamond spoke to Council.

Leslie Cooley, Black Diamond spoke to Council.

Ron Taylor, Black Diamond spoke to Council.

Bill Mcdermand, Black Diamond spoke to Council.

Brian Derdowski, Bellevue spoke to Council.

Andrew Williamson, representing Teamsters spoke to Council.


Robbin Taylor, Black Diamond spoke to Council.

**EXECUTIVE SESSION:** None

**ADJOURNMENT:**

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Deady to adjourn the meeting. Motion passed 5-0.

ATTEST:

  
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Carol Benson, Mayor

  
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Brenda L. Martinez, City Clerk