

BLACK DIAMOND CITY COUNCIL MINUTES

June 7, 2018

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 led us all in the Flag Salute.

ROLL CALL:

PRESENT: Councilmembers Deady, Oglesbee, Edelman, Stout, and Wisnoski.

ABSENT: None

Staff present: Andrew Williamson, MDRT/Ec Dev/Interim Community Development Director; Seth Boettcher, Public Works Director; Jamey Kiblinger, Attorney; David Linehan, City Attorney, and Brenda L. Martinez, City Clerk.

Councilmember Deady **moved** to add the Oakpointe letter of credit to the beginning of the Council's agenda; **second** Councilmember Stout. Motion **passed** with all voting in favor (5-0).

AGENDA REVIEW AND APPROVAL:

Councilmember Edelman **moved** to adopt the revised agenda; **second** Councilmember Deady. Motion **passed** 5-0.

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS:

Mayor Benson discussed with Council the June 14 Work Session and noted there is no topic for this meeting and asked if Council would like to cancel it. There was Council consensus to cancel this meeting. It was also suggested that should another open work session date come up that we add to that agenda the topic of going to a seven-member Council.

Oakpointe Letter of Credit

Councilmember Deady **moved** to release the December 2015 letter of credit for Oakpointe; **second** Councilmember Edelman. Motion **passed** with all voting in favor (5-0).

CONSENT AGENDA:

Councilmember Edelman **moved** to adopt the Consent Agenda; **second** Councilmember Wisnoski. Motion **passed** with all voting in favor (5-0). The Consent Agenda was approved as follows:

- 1) **Claim Checks** – June 7, 2018 – Check No. 46242 through 46298 in the amount of \$502,794.94
- 2) **Minutes** – Council Meeting of December 15, 2016
- 3) **Minutes** – Council Meeting of May 17, 2018

PUBLIC COMMENTS:

Kristen Bryant, Bellevue spoke to Council.

PUBLIC HEARINGS:

- 4) **AB18-059A** – Continuation of Proposed Resolution No. 18-1249 Adopting the 2019-2024 Six Year Transportation Improvement Program

Public Works Director Boettcher reported to Council on this item and discussed the written testimony that has been received.

Mayor Benson opened the public hearing at 7:10 p.m.

Gary Davis, Black Diamond commented on item ranked #3 for year 2019 called Roberts Drive to 236th to Bruckners. He stated the Roberts Creek Bridge should be replaced and we should not hang a walkway off the side of this bridge as it is more than 100 years old. He noted once we have increased traffic and a walkway on the bridge, it will be even harder to replace. He discussed that Black Diamond Municipal Code requires that the bridge be replaced at the time of road work or when the population served is increase by 20%. He further discussed the population is easily going up by much more than 20% and that paving the road and adding a sidewalk and a walkway to the bridge is major construction. He read Black Diamond Municipal Code 19.10.328 – Water bodies-Culvert replacement sections A and B. In closing he asked that we go back and check the city code as it sounds like it was already decided about a new bridge going there.

Kristen Bryant, Bellevue noted that on the Six Year TIP some of the projects mention pedestrian improvements and some may also mention bicycle improvements and feels a real safety issue for a lot of residents has been overlooked is along highway 169 from Roberts Drive towards the school or community center. She shared a story from her past involving her brother who had a bicycle accident while crossing highway 169. She stated she doesn't want to see this happen again and we need to be looking at safety improvements to those areas and the Black Diamond Community Center is right there as well and people may need to walk to the community center for their services or children who may want to ride their bikes to the school. She asked to please increase the priority of these projects on the Six Year TIP.

Mayor Benson closed the public hearing at 7:17 p.m.

There was staff and Council discussion.

Councilmember Oglesbee **moved** to adopt Resolution No. 18-1249 approving the 2019-2024 Six Year Transportation Improvement Program.; **second** Councilmember Edelman. Motion **passed** with all voting in favor (5-0).

UNFINISHED BUSINESS:

- 5) **AB18-057A** – Ordinance No. 18-1105 Re-establishing a Non-exclusive, Ten Year Franchise with PSE

Public Works Director Boettcher discussed this item and asked that Puget Sound Energy representatives Julian Lowe and Jeff Payne be allowed to speak and share their thoughts on this.

Councilmember Stout **moved** to adopt Ordinance No. 18-1105, authorizing the re-establishment of a non-exclusive, ten-year franchise with Puget Sound Energy, Inc., to provide electric service within the City limits; providing for severability; and establishing an effective date; **second** Councilmember Deady. Motion **passed** with all voting in favor (5-0).

- 6) **AB18-040A** – Ordinance No. 18-1101 Regarding CCD Black Diamond Partners LLC and Ten Trails Residential Owners Association a Non-Exclusive Franchise to Use and Occupy Certain Public Rights of Way

MDRT Director Williamson reported on this item.

Councilmember Edelman **moved** to adopt Ordinance No. 18-1101, authorizing the Mayor to execute an agreement with CCD Black Diamond Partners LLC and Ten Trails Residential Owners Association a non-exclusive franchise to use and occupy certain public rights-of-way; **second** Councilmember Stout. Motion **passed** with all voting in favor (5-0).

NEW BUSINESS:

- 7) **AB18-061** – Resolution No. 18-1250 Approval of Deed of Dedication for Right of Way in Tract “T” of the Ten Trails P1A Division 1 Final Plat and Track “A” of the Ten Trails 2C Division 1 Final Plat

MDRT Director Williamson reported on this item and reviewed with Council the map showing the affected areas.

Councilmember Deady **moved** to approve Resolution No. 18-1250, accepting and authorizing the Mayor to execute the Deed of Dedication for the use as public right-of-way in Tract “T” of P1A Div 1 final plant and Tract “A” of P2C Div 1 final plat; **second** Councilmember Edelman. Motion **passed** with all voting in favor (5-0).

8) AB18-062 – Resolution No. 18-1251 Approving Acquisition of a Utilities Easement for Water at the Black Diamond Elementary School

Public Works Director Boettcher discussed this item with Council.

Councilmember Edelman **moved** to adopt Resolution No. 18-1251, approving the acquisition of a utilities easement for water at Black Diamond Elementary; **second** Councilmember Oglesbee. Motion **passed** with all voting in favor (5-0).

DEPARTMENT REPORTS:

Fire Department – Chief Barlow updated Council on the Fire Department operations. He discussed graduating seven volunteer firefighters this past Saturday and noted it being a small class. He added those graduates will continue in their after-academy classes to get their certification. He also shared call out numbers and staffing and volunteer hours for manning the station.

MAYOR’S REPORT:

Mayor Benson reported attending the Mayor’s meeting in Roslyn and the SEAL TC meeting.

COUNCIL REPORTS:

Councilmember Edelman reported attending the Memorial Day proceeding at the cemetery; meeting with Barb Kincaid to discuss the “Welcome to Black Diamond” brochure; attended the Welcome to Black Diamond Committee meeting; went on a hike and tour of the mines in the City of Newcastle; attended the SEAL TC and Public Safety meetings.

Councilmember Oglesbee reported going on a ride along with the local police and noted she does plan on doing more of those; attended the Tri-City Council meeting and the Welcome to Black Diamond Committee meeting.

Councilmember Deady reported attending the Finance Committee meeting, Memorial Day proceeding at the cemetery, and the Public Safety meeting. She reminded everyone about the Boots & Badges fundraiser on June 10 at the Enumclaw High School Gym and noted the doors open at 2 p.m. She also shared Welsh Day is coming up on June 9th at the Museum, June 18 is the Enumclaw High School graduation, June 22 is the pig roast at the Black Diamond Community Center, and she will be attending the AWC annual conference in Yakima June 26-29.

Councilmember Wisnoski commented that he recently vacationed in Sacramento and participated as a ham radio operator for the Lake Wilderness Triathlon. He discussed researching urban agriculture and shared that Seattle and Sacramento do this and it might be an interesting way to allow small urban homesteaders to sell food from their homes and it may also help develop our Farmer’s Market more.

Councilmember Stout reported attending the Memorial Day proceedings at the cemetery and noted it being a beautiful place with so much history. She attended the Public Works committee meeting where they discussed items that were on tonight's agenda; attended the PSRC Annual meeting in downtown Seattle, the SCA Networking dinner where Bob Ferguson was the featured speaker, Finance Committee meeting, and spent time out of town last week in Boise and Bellingham and noted it being interesting to see how development works in different places.

ATTORNEY REPORT:

City Attorney Linehan suggested that Council convene an executive session tonight to discuss a potential real estate acquisition.

PUBLIC COMMENTS:

Gary Davis, Black Diamond spoke to Council.

EXECUTIVE SESSION:

At 8:02 p.m. the City Council went in to executive session pursuant to RCW 42.30.110(1)(b) to discuss with legal counsel a potential real estate acquisition. The executive session was anticipated to last 15 minutes with no action to follow.

Mayor Benson called the meeting back to order at 8:17 p.m.

ADJOURNMENT:

Councilmember Edelman **moved** to adjourn the meeting; **second** Councilmember Deady. Motion **passed** with all voting in favor (5-0).

The meeting ended at 8:17 p.m.

ATTEST:

Carol Benson, Mayor

Brenda L. Martinez, City Clerk