

**BLACK DIAMOND CITY COUNCIL MINUTES**  
**Council Meeting of September 3, 2020**  
**Virtual Meeting Via Zoom**

**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 Oglesbee, Wisnoski, de Leon, and Paige.

**ABSENT:** Councilmember Stout (excused)

Staff present: Barb Kincaid, Community Development Director; Jamey Kiblinger, Police Chief; David Linehan, City Attorney; Seth Boettcher, Public Works Director; and Brenda L. Martinez, City Clerk/HR Manager.

**AGENDA REVIEW AND APPROVAL:**

Councilmember Deady **moved** to adopt the agenda; **second** Councilmember de Leon. Motion **passed** with all voting in favor (4-0).

**APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS:**

- 1) **Proclamation** – Childhood Cancer Awareness Month
- 2) **Proclamation** – National Recovery Month

**CONSENT AGENDA:**

Councilmember Deady **moved** to adopt the Consent Agenda; **second** Councilmember Oglesbee. Motion **passed** with all voting in favor (4-0). The Consent Agenda was approved as follows:

- 3) **Claim Checks** – September 3, 2020 Check No. 49094 through 49135 in the amount of \$245,997.91
- 4) **Minutes** – Special Meeting of July 30, 2020, and Council Meeting of August 20, 2020

**PUBLIC COMMENTS:**

Written comments received are included with the minutes for this meeting.

**PUBLIC HEARINGS:** None

**UNFINISHED BUSINESS:**

- 5) **AB20-063A** – Ordinance Amending BDMC Section 8.24.220 Relating to Moorage and Anchorage Restrictions on Lake Sawyer

Mayor Benson addressed this item with Council and noted that the time would be dusk to dawn and suggested striking the wording after permission.

Councilmember de Leon **moved** to adopt Ordinance No. 20-1148, amending Black Diamond Municipal Code Section 8.24.220 of the Black Diamond Municipal Code related to moorage and living on vessels on Lake Sawyer; providing for severability; and establishing an effective date and inserting the words dusk to dawn in subsection I and striking the words after” permission” also in subsection I ; **seconded** by Councilmember Deady.

There was Council discussion regarding safety on the lake and the correct venue to discuss crowd control and lake safety. It was suggested to hold a work session on this and to also talk with the Chief.

**Vote:** Motion **passed** with all voting in favor (4-0)

#### **NEW BUSINESS:**

- 6) **AB20-064** – Resolution Authorizing Addendum to SCORE Agreement for Inmate Housing

Chief Kiblinger reported on this agenda item.

Councilmember Deady **moved** to adopt Resolution No. 20-1380 authorizing the Mayor to execute an addendum to our SCORE Agreement for inmate housing; **second** Councilmember Paige. Motion **passed** with all voting in favor (4-0).

- 7) **AB20-065** – Resolution Authorizing Contract with Parametrix, Inc for a Traffic Impact Facilities Plan and a Traffic Impact Fee Analysis

Public Works Director Boettcher briefed Council on this item.

Councilmember de Leon **moved** to adopt Resolution No. 20-1381, authorizing the Mayor to sign the professional service contract with Parametrix in the amount of \$78,851 for Traffic Impact Facilities Plan and a Traffic Impact Fee Analysis and to appropriate \$20,000 of additional funds from Real Estate Excise Tax; **second** Councilmember Wisnoski. Motion **passed** with all voting in favor (4-0).

- 8) **AB20-066** – Ordinance Amending 2020 Salary Schedule to Add the Senior Planner as a Funded Position

Community Development Director Kincaid reported on this agenda item.

There was Council discussion with the focus being Councilmember support for this position.

Councilmember Deady **moved** to adopt Ordinance No. 20-1149 amending the 2020 Salary Schedule as adopted by Ordinance No. 20-1137 to reflect budgeting and hiring of a Senior Planner for the Community Development Department; **second** Councilmember de Leon. Motion **passed** with all voting in favor (4-0).

## **DEPARTMENT REPORTS:**

**Community Development** – Ms. Kincaid shared with Council stats regarding revenue received this year in the Community Development Department. She briefed Council on the permits received and issued. She discussed the status for commercial development on highway 169 and noted there is a lot going on within the city. She stated the goal is to do it well and mitigate for transportation and environmental impacts and be true to the Comprehensive Plan and design guidelines. She updated Council on the park plan and noted they received an application for the MultiCare building.

**Police** – Chief Kiblinger gave the department's mid-year update. She shared that recruitment for the second Sergeant position is underway, the police cars that were ordered have arrived and are being outfitted and a new speed sign has been ordered to replace the one that was stolen. She reported that the Marine classes through state parks will be held in September and two officers will be attending in Olympia to be marine certified. She reported on two significant cases they are working on, rape of a child and homicide in Pacific. She also shared that DV calls are up 75% since last year. She thanked our Police Reserve officers for the many hours they have put in and gave and thanked Kevin for the work on the evidence room. She discussed DUI calls and the volume of calls being about the same as last year.

**Fire** - Chief Smith reported that two new recruit career firefighters will be attending the academy, a new Deputy Chief will begin on Oct 1 and she comes from Tukwila Fire. The department will be administering a Captain's test in October to establish new two-year list. He reported on the phone conference with staff and consultant of the fire study. He noted that with this three-day weekend they expect to have multiple people on the river and are gearing up for that if called out. He shared that the 12 plex in Ten Trails now has twenty-four security as there are no sprinklers installed yet. He updated Council on the pre-built meeting regarding the new fire truck and suggested that the Lake Sawyer safety concerns go to the Public Safety Committee.

**Public Works** – Public Works Director Boettcher reported that the cottonwood piles are scheduled for removal the last week in September. He shared that water sales are up 7% above projections, sewer revenue is 15% ahead of projections. He noted it is maintenance time for his department and they are busy on looking for signs of illicit discharge on outfalls, vactoring catch basins, right of way cleaning for site distance on roadways, prep work for chip seal projects. He shared that park use is very high and the skate park will be shut down as the sub structure has failed in certain areas. He noted that temporary fencing will be used during the closure to keep citizens out so the repairs can be made.

Gym bids for HVAC are in and he noted he will email a more comprehensive list happenings in his department to the Councilmembers.

### **MAYOR'S REPORT:**

Mayor Benson reported attending the SCA Mayor's check-in and SCA Mayor's caucus and the SCA Networking session.

### **COUNCIL REPORTS:**

Councilmember Wisnoski reported attending the Public Safety Committee meeting where they discussed future space planning as the city grows. He stressed that everyone be safe on the holiday weekend and he briefly touched on the email about Cascade Paranormal working in the cemetery.

Councilmember Deady asked to have the Clerk put on the calendar for them to attend to see what exactly would be happening.

Councilmember Wisnoski continued with his report and asked people to frequent our businesses both new and old and again reminded everyone to take care and be safe this weekend.

Councilmember Stout - absent

Councilmember de Leon reported attending the Planning and Public Works Committee meetings and noted that as we move forward it is important to plan for those higher-level positions as we grow. She commented that it was great Council passed the additional senior planner position and to think about those other positions that might be needed too. She shared that students and teachers are going back to school and teachers and the workforce is having to adapt to a new way of learning and asked that we all show grace until teachers can come back and teach in person. She also added looking forward to continuing her conversations with staff.

Councilmember Paige reported attending the Finance Committee meeting and echoed fellow Councilmembers comments. He noted again that there is a safety issue on the lake, and it will be good to get input from everyone involved and would also like to be of that decision-making process. He noted Lake Sawyer is our one lake and we need to make it a desirable place to everyone. He commented that this weekend will be busy and it being a stress test for the lake and looks forward to seeing the marine patrol out there to keep it safe.

Councilmember Deady reported attending the Planning and Public Works Committee meetings. She commented that it would be best for lake safety issues to go to the Public Safety Committee first and then go to a work session of the full council. She commented on seeing a lot of people getting pulled over on Lawson Street and noted that some seem

to think it's a racetrack. She is glad to hear the wood piles will be picked up at the end of the month and will share this with residents. She noted that Brock runs the gym for the city and will be back to help with securing and installing the equipment from the \$5,000 grant funding the city received. She is excited to see the parks plan coming up and noted the TDR program takes up a lot of time. She thanked Chief Smith for use of their tables for the Community Center garage sale.

Councilmember Oglesbee reported attending the Planning and Public Safety Committee meetings. She shared that there will be a car show on Monday at the Eagles and encouraged citizens to get out and support the community and business. She expressed for everyone to be safe and to check in on your neighbors. She stated that people need to be aware of river activity and don't drink and drive, call a friend. She is looking forward to working on the parks plan and the safety at Lake Sawyer.

Councilmember Deady asked if Station 98 is being affected by lake parking. Chief Smith noted he hadn't heard anything.

Councilmember Oglesbee suggested having a time limit on parking by the Bakery and businesses on Railroad Avenue.

#### **ATTORNEY REPORT:**

City Attorney Linehan brought to the Council's attention that parking restrictions are something within the Public Works Director's authority. They can be worked through committees and then handled administratively, or Council could choose to adopt an ordinance imposing parking restrictions. He discussed the Traffic Impact Fee Study and shared that they are working on an impact fee ordinance, so it is ready to go as soon as the study is completed. He proposed adding an item to the September 17 agenda, as one quirk of the TDR program is that a particular type of TDR appeal needs to go to Council as it cannot be done administratively. He shared that Council would hold a closed record appeal hearing and then vote on how to handle it. He added that staff is working on a report to provide the Council with an analysis and would like to have it added to the September 17 agenda. There was Council consensus to move forward with this item on September 17th.

Councilmember Deady discussed the parking in old town by the museum regarding seeing how to get more parking spots. She stated that it might be nice to partner with the Eagles to help maintain their gravel area as overflow parking and suggested the city reaching out to the Eagles on this.

**EXECUTIVE SESSION:** None

#### **ADJOURNMENT:**

Councilmember Deady **moved** to adjourn the meeting; **second** Councilmember de Leon. Motion **passed** with all voting in favor (4-0).

The meeting ended at 8:27 p.m.

ATTEST:

---

Carol Benson, Mayor

---

Brenda L. Martinez, City Clerk

DRAFT