

<p style="text-align: center;">BLACK DIAMOND CITY COUNCIL MINUTES May 17, 2007 Council Chamber, 25510 Lawson Street, Black Diamond, Washington</p>
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CALL TO ORDER, FLAG SALUTE:

Mayor Botts called the regular meeting to order at 7:00 p.m. and lead us all in the Flag Salute.

ROLL CALL:

PRESENT: Mayor Botts, Councilmembers Sorci, Bowie, McPherson and Olness.

ABSENT: Councilmember Cline (Excused)

Staff present were: Rick Luther, City Administrator/Police Chief; Gail Perkins, Policy Analyst; Dan Dal Santo, May Miller, Interim Finance Director; Jamey Kiblinger, Police Commander; Kaaren Woods, Court Administrator; Loren D. Combs, City Attorney; Greg Smith, Fire Chief; and Rachel Pitzel, Utility Clerk.

PUBLIC COMMENTS: None

ANNOUNCEMENT, PRESENTATIONS, APPOINTMENTS:

Mayor Botts introduced Ross Earnst, Poverty Bay Squadron who explained to Council the safe boating campaign and discussed the Boating Handbook.

Proclamation

Mayor Botts gave the following proclamation:

Recreational boating is fun and enjoyable, and we are fortunate that we have sufficient resources to accommodate the wide variety of pleasure boating activities. While being a marvelous source of recreation, boating, to the unprepared, can be a risky sport. If people are aware of the risk, they are likely to take the precautionary measures to protect their family and friends. Knowledge and skills are important in reducing human error and improving judgment. That is why we must continue to spread the messages of boating safety not only during National Safe Boating Week but also throughout the entire year.

Whereas, on average, 700 people die each year in boating-related accidents in the U.S.; nearly 70% of these are fatalities caused by drowning; and

Whereas, the vast majority of these accidents are caused by human error or poor judgment and not by the boat, equipment, or environmental factors; and

Whereas, approximately 80% of boaters who lose their lives by drowning each year would be alive today had they worn their life jackets; and

Whereas, modern life jackets are more comfortable, more attractive, and more wearable than styles of years past and deserve a fresh look by today's boating public.

Therefore, I, Mayor Howard Botts, do hereby support the goals of the North American Safe Boating Campaign and proclaim **May 19-25, 2007**, as **National Safe Boating Week** and the start of the year-round effort to promote safe boating.

In Witness Whereof, I urge all those who boat to **"Boat Smart. Boat Safe. Wear it."** and practice safe boating habits.

Pastor Steve Murray spoke to Council concerning the new church they are planning to build off Morgan Creek and Hwy 169. Pastor Murray explained how they are in the design stage, but want to make sure that they incorporate the vision the City has in mind for buildings and are open for discussion to make sure that their building meets this vision.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Resolution No. 07-441, Rainbow Park & Playground Contract

Ms. Perkins introduced proposed Resolution No. 07-441 and explained that in 2004 the City was awarded Community Development Block Grant (CDBG) funds to complete the first phase of improvements at Tennis Courts Park located adjacent to the Black Diamond Elementary School Community Ball Field. These improvements included a new tennis court and basketball surface together with other improvements.

While these recent improvements represent a significant step forward for the community, they do not completely meet the recreational demands of today's youth. The Black Diamond Elementary School has been a popular destination for skate-boarding youth, but recently has had to outlaw skating due to a number of broken windows, etc. associated with wayward skateboarders and other unsupervised activity.

In 2006 the City was approved funding for Phase II of the CDBG improvements at Tennis Court Park to complete the design and construction of a modular skatepark facility to benefit children and young adults of this area. Due to its visibility from both the ball field and the highway, the proposed skatepark site will provide a good central location for skateboarding and in-line skating that can be monitored by the community.

On April 27th the City opened an Invitation to bid for the construction and installation of Phase II of this CDBG to build a Modular Skate Park Facility. May 4th the bids closed, with 5 vendors responding to the invitation and on May 12th Rainbow Park and Playground was selected as the lowest responsible bidder.

It is the recommendation of staff that the City Council give authorization for the Mayor to execute a contract agreement with Rainbow Park and Playground.

A **motion** was made by Councilmember McPherson and **seconded** by Councilmember Olness to adopt Resolution No. 07-441, authorizing the Mayor to enter into a contract with Rainbow Park and Playground to design and construct a modular skate park facility. Motion **passed** with all voting in favor (4-0).

Resolution No. 07-442, Final Project Acceptance- VLS Construction

Councilmember Bowie introduced proposed Resolution No. 07-442 and explained that work done by VLS Construction on the Water System Improvements on Schedule “B” work.

A **motion** was made by Councilmember Bowie and **seconded** by Councilmember Sorci to adopt Resolution No. 07-442 regarding final acceptance of the Water System Improvements Project Schedule “B” work. Motion **passed** with all voting in favor (4-0).

Resolution No. 07-443, Interlocal Agreement – City of Auburn, Building Inspection Services

Administrator Luther explained to Council the need for the City of Auburn to provide building inspection services to the City. He further noted that the City of Auburn has ample time and staff to provide this service and it is a win-win situation to sign the interlocal agreement.

A **motion** was made by Councilmember Bowie and **seconded** by Councilmember Sorci to adopt Resolution No. 07-443, authorizing the Mayor to enter into an Interlocal Agreement with the City of Auburn for providing building inspection services to the City. Motion **passed** with all voting in favor (4-0).

Ordinance No. 07-828, Small Works Roster

Attorney Combs explained that this Resolution would add a new Chapter to the Black Diamond Municipal Code establishing new procedures relating to purchasing of supplies,

materials and equipment and establish a small works roster process to award public works contracts. He also noted that the Council may want to look a paragraph I to make sure this is the award process they want, but recommended to take out the 200,000 provision.

A **motion** was made by Councilmember McPherson and **seconded** by Councilmember Olness to adopt Ordinance No. 07-828, establishing new procedures relating to purchasing of supplies, materials and equipments and establishing a small words roster process to award public works contracts and adding to the Black Diamond Municipal Code a new Chapter 2.90 and new Sections 2.90.010, 2.90.020, and 2.90.030 and to take out the \$200,000 provision in paragraph I. Motion **passed** with all voting in favor (4-0).

Ordinance No. 07-829, Speed Limits

A **motion** was made by Councilmember McPherson and **seconded** by Councilmember Bowie to adopt Ordinance No. 07-829, amending Chapters 10.08.020 and 10.08.030 Sub-Section 25 to the Black Diamond Municipal Code regarding speed limits. Motion **passed** with all voting in favor (4-0).

PacWest Engineering – Water System Plan Update and Development Standards

Administrator Luther reported that he has received two scopes of work from PacWest Engineering; one for Water System Plan Update and the other for Development Standards Update and requested Council to adopt these scopes of work so that we can have closure on these to updates by the end of the year.

A motion was made by Councilmember Bowie and seconded by Councilmember Sorci to authorize the Mayor to enter into a contract with PacWest Engineering, PC to update the Water System Plan for a not to exceed amount of \$59,570 and to update the City's Design Standards for a not to exceed amount of \$20,050.

Attorney Combs explained that these scopes were presented as not to exceed contracts.

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

DEPARTMENT REPORTS:

Administration - Administrator Luther discussed with Council the possibility of a no wake ordinance on Lake Sawyer. Mr. Luther also noted currently that the City is undermanned and staff is doing a great job helping out.

Finance – Interim Finance Director Miller gave Council an update on City finances.

Police – Commander Kiblinger addressed Council on crime stats for the month and about the Department participating in the night time seat belt enforcement.

MAYOR'S REPORT:

Mayor Botts echoed Mr. Luther's comment on City staff and what a great job they are doing.

COUNCIL REPORTS:

Councilmember Bowie would like to have a Council workstudy to address storm drain comp plan and a utility rate study for future improvements.

He also noted that he will be going to Black Diamond Elementary to address the 5th Grade class on the letters received concerning parks and playground equipment.

ATTORNEY REPORT:

Mr. Combs expressed how amazed he is with the quality of work by staff and their ability to go out of their comfort levels and can't say enough.

CONSENT AGENDA:

A **motion** was made by Councilmember Bowie and **seconded** by Councilmember Olness to adopt the Consent Agenda. Motion **passed** with all voting in favor (4-0). The Consent Agenda was approved as follows:

1. **Claim Warrants** – May 17, 2007, No. 30130 through 30200, 30129, 30128 and in the amount of \$432,729.04

EXECUTIVE SESSION:


Mayor Botts recessed the meeting at 8:41 p.m. for a 45 minute executive session on potential litigation and property acquisition.

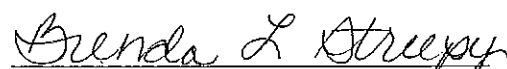
Mayor Botts called the meeting back to order at 9:25 p.m.

ADJOURNMENT:

A **motion** was made by Councilmember Olness and **seconded** by Councilmember Sorci to adjourn the meeting. Motion **passed** with all voting in favor (3-0).

ATTEST:


Howard Botts, Mayor


Brenda L. Streepy, City Clerk