

BLACK DIAMOND CITY COUNCIL MINUTES
August 18, 2011
Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE:

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

ROLL CALL:

PRESENT: Councilmembers Hanson, Goodwin, Boston, Mulvihill and Saas.

ABSENT:

Staff present were: Seth Boettcher, Public Works Director; Andrew Williamson, Economic Development Director; Steve Pilcher, Community Development Director; Greg Smith, Fire Chief; Eric Weinreich, Police Sergeant; Chris Bacha, City Attorney and Brenda L. Martinez, City Clerk.

PRESENTATIONS, ANNOUNCEMENTS, APPOINTMENTS:

PUBLIC COMMENTS:

Ron Taylor, Black Diamond – acknowledged and thanked that YarrowBay has found other office space in town.

Robbin Taylor, Black Diamond – commented on August 4th Council meeting comment by Ron Taylor regarding the Building Department and cited certain areas in the Interlocal Agreement that refers to termination of the Agreement.

Joe May, Black Diamond – commented on business license item on the agenda.

PUBLIC HEARINGS: None

UNFINISHED BUSINESS: None

PROCLAMATIONS:

National Recovery Month

Mayor Olness read into the record the following proclamation for National Recovery Month:

WHEREAS, behavioral health is an essential part of health and one's overall wellness and prevention works, treatment is effective, and people can and do recover from substance use and mental disorders; and

WHEREAS, all people have the fundamental and inherent value to be accepted and treated with respect, human dignity and worth; and

WHEREAS, individuals should have access to fully participate in community life including economic advancement and prosperity; fair and decent housing; quality education; positive opportunities to benefit from and contribute to material, cultural, and social progress; and

WHEREAS, it is critical to educate our policymakers, friends and family members, health care providers, and businesses that substance use and mental disorders are treatable, and that people should seek assistance for these conditions, with the same urgency as they would any other health condition; and

WHEREAS, all Americans have the opportunity to access provisions within the Affordable Care Act and Mental Health Parity and Addictions Equity Act (MHPAEA) aimed to improve physical and emotional health while ensuring people will receive the care they need at a more reasonable cost; and

WHEREAS, substance use and mental disorders are serious public health problems, and we must continue to reach the millions more who need help; and

WHEREAS, to help more people achieve long-term recovery, and learn how recovery positively benefits the Nation's overall well-being, the U.S. Department of Health and Human Services (HHS), the Substance Abuse and Mental Health Services Administration (SAMHSA), the White House Office of National Drug Control Policy (ONDCP), and local human service agencies invite all residents of Black Diamond, Washington to participate in *National Recovery Month: Prevention Works, Treatment is Effective, People Recover (Recovery Month)*;

NOW, THEREFORE, I, Rebecca Olness, Mayor of the City of Black Diamond, on behalf of the Black Diamond City Council, call upon Black Diamond residents to observe the month of September with appropriate programs, activities, and ceremonies supporting this year's these, "**Join the Voices for Recovery; Recovery Benefits Everyone**" and do hereby proclaim in the City of Black Diamond, the month of September 2011 as a month to recognize **NATIONAL RECOVERY MONTH**

Resolution No. 11-764A, awarding the low bid on the 2011 overlay project Lawson Street at Newcastle Intersection to Lakeridge Paving Co., LLC

Public Works Director Boettcher reported this project was contemplated back in 2009 and bids at that time were over budget. Additional funds were budgeted for the following year however we didn't have the staff to get this project started. He explained the project addresses failed asphalt pavement on Lawson Street at Newcastle Drive. Failed asphalt will be removed then patched with hot mix asphalt concrete. The project went out to bid on July 27th to nine contractors, selected from MRSC Small Works Roster.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Mulvihill to adopt Resolution No. 11-764A, awarding the low bid on the 2011 overlay project Lawson Street at Newcastle Intersection to Lakeridge Paving Co., LLC. Motion **passed** (5-0).

Ordinance No. 11-964, authorizing the Mayor to execute amending Chapter 2.58, Business Licenses, by repealing and replacing in its entirety Chapter 2.58; providing for severability; and establishing an effective date

Community Development Director Pilcher reported the proposed ordinance has been reviewed by the Finance Committee. He noted there are a few things that the City is trying to do, currently the business license term is set on the calendar year and there is no pro-rating allowance for a business that starts in the second half of the year. In addition, section 2.58.025 gives criteria for exemptions but the language is vague on how to track short term business operation inside the city limits. There are also some minor changes that are required in the criteria for denying a business license and the appeal process that is available to the applicant. The recommended amendments to the business license code will provide clear criteria to suspend, revoke or deny a business license as well as the proper appeal procedures. The amendments will also provide the city a better mechanism to track short term business activity inside the city limits and provide a pro-rated fee for businesses not operating a full calendar year inside the City.

City Attorney Bacha suggested defining the code in the area spoke to regarding the earlier comment from Mr. May.

Councilmember Goodwin stated he was fine with adopting tonight and then coming back at a later date to address those matters.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Mulvihill to adopt Ordinance No. 11-964, authorizing the Mayor to execute amending Chapter 2.58, Business Licenses, by repealing and replacing in its entirety Chapter 2.58; providing for severability; and establishing an effective date and also addressing certain issues at a future date by the City Council. Motion **passed** (5-0).

DEPARTMENT REPORT: None

MAYOR'S REPORT:

Mayor Olness reported she attended the Chamber luncheon and the speaker was King County Sheriff Sue Rahr who talked about closing the Maple Valley precinct. Mayor Olness mentioned a workstudy was scheduled for August 30 on Collective Gardens and Sign Code and noted we will be cancelling the September 1 meeting and incorporating it into a Special meeting on August 30.

COUNCIL REPORTS:

Councilmember Boston commented that he would like to add something to the August 30 meeting and that would be to discuss and set the date for the upcoming Closed Record Hearings regarding the Development Agreements.

ATTORNEY REPORT: None

PUBLIC COMMENTS:

Ron Taylor, Black Diamond – question on business license ordinance regarding how are we treating mobile vendors (i.e. milkman, Schwan's).

CONSENT AGENDA:

A **motion** was made by Councilmember Mulvihill and **seconded** by Councilmember Hanson to adopt the Consent Agenda. Motion **passed** with all voting in favor (5-0).

The Consent Agenda was approved as follows:

Claim Checks – August 18, 2011, No. 37276 through No. 37333 in the amount of \$166,196.43

Payroll Checks – July 31, 2011 No. 17488 through No. 17518 (voided No. 17493 through No. 17498) and ACH Payment for a total amount of \$283,469.90


Minutes –Regular Council Meeting of August 4, 2011

EXECUTIVE SESSION: None

ADJOURNMENT:

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

ATTEST:



Rebecca Olness, Mayor



Rachel Pitzel, Deputy City Clerk