

BLACK DIAMOND CITY COUNCIL MINUTES

January 3, 2013

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 Deady, Goodwin, May, Benson and Taylor.

ABSENT: None

Staff present were: Aaron Nix, Natural Resources/Parks Director; Greg Smith, Fire Chief; Jamey Kiblinger, Police Chief; Chris Bacha, City Attorney and Brenda L. Martinez, Assistant City Administrator/City Clerk.

PUBLIC COMMENTS:

Tina McGann, Black Diamond – spoke on behalf of the Enumclaw School Board and invited Council to attend the State of the School Address on January 26.

Erika Morgan, Black Diamond – commented on the new transfer box on corner of Morgan Street and Roberts Drive and her view being obstructed and feels this will cause accidents.

Kristine Hanson, Black Diamond – commented that she does not have any trouble with this intersection; commented on passage of Gross vs. Net and wondered if it is city-wide and feels this will really affect the little guy and the devalue it does for the TDR program.

Cindy Proctor, Enumclaw – commented on public hearing the Enumclaw School District is holding next Tuesday regarding redistricting of an area of the Tahoma School District; asked Council to pass a resolution that requires mediation between the Enumclaw School District and Tahoma School District.

Jenny Leatham, Black Diamond – commented she was representing the Black Diamond PTA Board and asked Council to attend the hearing next Tuesday and to give their support to the Enumclaw School District.

Bob Edelman, Black Diamond – commented that Black Diamond is served by three school districts and the land in question is the north triangle and there are no residents there as this is slated for commercial.

APPOINTMENTS:

AB13-001- Appointment of Mayor Pro Tempore

Mayor Olness reported that at the first meeting of a new Council, the members, thereof, by majority vote, shall designate one of their members Mayor Pro Tempore for such a period and the Council may specify. The Mayor Pro Tempore shall serve in the absence or temporary disability of the Mayor. She noted that in the past this appointment has been for one year.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Deady to appoint Councilmember Benson as Mayor Pro Tempore. Motion **passed** (5-0).

AB13-002- Confirmation of Council Standing Committee Appointments

Mayor Olness reported that also at the first meeting in January the City Council shall vote on whether to confirm the Mayor's appointments to the Council standing committees. The purpose of the committees is to provide recommendations on major policy items to the City Council. She noted this year there was a suggestion for two councilmembers to change committees and the agenda bill presented reflects this change.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Taylor to confirm the 2013 appointments to the Council's Standing Committees. Motion **passed** (5-0).

UNFINISHED BUSINESS: None

NEW BUSINESS:

Resolution No. 13-847, authorizing the Mayor to execute a Technical Services Agreement with King County Department of Natural Resources and Parks, Water and Land Resources Division for continued Water Quality Monitoring, Lab Services and Volunteer Training

Natural Resources/Parks Director Nix reported the City has identified the need for continued water monitoring services with the King County Department of Natural Resources and Parks, Water and Land Resources Division (WLRD). WLRD has supplied volunteer training and lab services to the city since 2006. Several water quality parameters including total settle able solids (TSS); phosphorous, pH, temperature etc. are sampled on an annual basis. Results are recorded by King County and city staff.

A **motion** was made by Councilmember Deady and **seconded** by Councilmember May to adopt Resolution No. 13-847, authorizing the Mayor to execute a Technical Services Agreement with the King County Department of Natural Resources and Parks, Water and Land Resources Division for continued Water Quality Monitoring, Lab Services and Volunteer Training. Motion **passed** with all voting in favor (5-0).

Resolution No. 13-848, authorizing the Mayor to execute a contract with the Seattle-King County Department of Health for Grant Monies offered by the Local Hazardous Waste Management Program in the Amount of \$5,925.81

Natural Resources/Parks Director Nix reported this is our annual grant we receive from Seattle-King County Department of Health to help hold a Spring Recycling Event in March or April of 2013. Adoption of this would aid in the continuation of the Spring Recycling Event.

A **motion** was made by Councilmember Deady and **seconded** by Councilmember Taylor to adopt Resolution No. 13-848, authorizing the Mayor to execute a contract with the Seattle-King County Department of Health for grant monies offered by the Local Hazardous Waste Management Program in the amount of \$5,925.81. Motion **passed** with all voting in favor (5-0).

Resolution No. 13-849, authorizing the Mayor to execute a Memorandum of Understanding with Olympic Environmental Resources for the 2013 Special Recycling Event

Natural Resources/Parks Director Nix reported that again, this has been going on since 1992 however, he suggested postponing so we could put the Memorandum of Understanding in our formal consultant agreement template.

A **motion** was made by Councilmember Benson and **seconded** by Councilmember Goodwin to postpone Resolution No. 13-849, authorizing the Mayor to execute a Memorandum of Understanding with Olympic Environmental Resources for the 2013 Special Recycling Event until the first meeting in February to allow staff to change the format to our formal consultant agreement template. Motion **passed** with all voting in favor (5-0).

Resolution No. 13-850, authorizing the Mayor to execute a Professional Service Agreement with Darcy McPherson regarding Public Defense Services

Mayor Olness noted that our existing agreement for Public Defense Services has expired. Services have continued on a month-to-month basis. It is strongly desired to have these services performed in the future under a new agreement that takes into account certain standards for public defense services and mandated by the State Supreme court. The Attorney managing public defense services for the past three years has performed well under the now-expired agreement. This resolution and agreement allows the term for one year with an option for (2) one-year extensions.

A **motion** was made by Councilmember Taylor and **seconded** by Councilmember Benson to adopt Resolution No. 13-850, authorizing the Mayor to execute a Professional Service Agreement with Darcy McPherson regarding Public Defense Services. Motion **passed** with all voting in favor (5-0).

Resolution No. 13-851, declaring certain property surplus to the needs of the City; K-9 dog Sabre

Mayor Olness reported that as part of the 2013 budget the Police Department's K-9 program has been discontinued. The sole dog that is a part of the K-9 program is therefore surplus to the needs of the city. The resolution provides for how the dog, Sabre, will be accommodated and states Sabre may be sold to his working partner and caregiver for a fee of one dollar (\$1.00).

A **motion** was made by Councilmember Benson and **seconded** by Councilmember Deady to adopt Resolution No. 13-851, declaring certain property surplus to the needs of the City; K-9 dog Sabre. Motion **passed** with all voting in favor (5-0).

DEPARTMENT REPORTS: None

MAYOR'S REPORT:

Mayor Olness reported there was an opening on the SCATBd and asked council if anyone is interested in serving; King County has approved the General Sewer Plan; the Planning Commission is holding a public hearing on January 8 to receive comments on proposed redistricting; January 10 community input opportunity on the Public Facility Way-Finding signs from 3-6:30 p.m. in the Council Chambers and we will also give a report at the Town Hall meeting; January 17 Council workstudy at 5:30 p.m. on Fee Schedule and Cemetery code changes; February 7 retirement reception for Sabre before the regular Council meeting; wished everyone a Happy New Year.

COUNCIL REPORTS: None

ATTORNEY REPORT: None

PUBLIC COMMENTS:

Cindy Proctor, Enumclaw – commented on the public hearing notice from the Enumclaw School District regarding January 8 public hearing; funding of public education and our children should come first.

CONSENT AGENDA:


A **motion** was made by Councilmember May and **seconded** by Councilmember Goodwin to adopt the Consent Agenda. Motion **passed** with all voting in favor (5-0). The Consent Agenda was approved as follows:

- 1.) **Claim Checks** – January 3, 2013 No. 39140, 39143 through 39184 (voided checks 39148, 39149, 39152) in the amount of \$110,078.25
- 2.) **Minutes** – Council Meeting of December 20, 2012

EXECUTIVE SESSION: None

ADJOURNMENT:

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



Rebecca Olness, Mayor

ATTEST:


Rachel Pitzel, Deputy City Clerk