

# **BLACK DIAMOND CITY COUNCIL MINUTES**

**January 17, 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: Andrew Williamson, Executive Director of Engineering Services/Ec Dev; Greg Smith, Fire Chief; Jamey Kiblinger, Police Chief; Seth Boettcher, Public Works Director; Chris Bacha, City Attorney and Brenda L. Martinez, Asst. City Admin/City Clerk.

A **motion** was made by Councilmember May and **seconded** by Councilmember Goodwin to change the order of the agenda and to have King Council Councilman Dunn go before public comments. Motion **passed** with all voting in favor 5-0.

## **PRESENTATION:**

### **State of the County Address – King County Councilman Reagan Dunn**

Councilman Dunn thanked Council for allowing him the opportunity to speak tonight. He stated it's been an interesting ride the last five years due to budget issues. He commented on the County budget that was adopted noting areas of reduction and improvements. He informed Council of a surplus van the County has and asked them to let him know of any non-profits that are in need of such a vehicle. He shared with them the committees he will be serving on this year and discussed changes to the Metro route in our area and asked for feedback. He discussed his legislative priorities of anti-human trafficking and the County Internship for veteran's – The Hero Project. He invited Council to attend the Fallen Officer's memorial dedication in Maple Valley on January 18 and ended noting he continues to represent this area on the King County Council and asked Council to let him know of any issues or concerns they may have.

Councilmember Goodwin commented on the restoration of environmental areas being done by an organization who is using Environmental Service, Inc. that employs veterans and noted this being very successful. An issue of concern he brought to Councilman Dunn's attention was the development of the Reserves.

## **PUBLIC COMMENTS:**

Carolyn Seimears, Black Diamond discussed with Council a letter she received from the City regarding a recent audit of her utility billing account that discovered her property had been under billed for the last 14 years. She noted this was not her mistake and does not feel it is right to have to pay this to the City. She is more than happy to pay the amount to the Community Center, but does not feel she should pay the City for their mistake. She also noted that the City is only asking for payment of the last three years, but asked Council to waive this amount.

## **PUBLIC HEARINGS:**

### **Proposed Ordinance Adopting New Flood Plain Regulations**

Executive Director of Engineering Services/Ec Dev Williamson reported the City must update our flood damage prevention ordinance in order to stay eligible for the Nation Flood Insurance Program. He added the Federal Emergency Management Agency (FEMA) has provided the City with a model ordinance that meets all of the environmental requirements of other federal agencies. He noted staff has evaluated the flooding scenarios in the City surrounding the mapped flood hazard areas and customized the model ordinance for the lowest flood insurance rates, ease of administration and compatibility with our sensitive areas ordinance. In addition, the ordinance has been updated to meet the NFIP requirements and address public projects, and reasonable use applications.

Mayor Olness opened the public hearing at 7:19:24 p.m. No comments were heard and the public hearing was closed at 7:19:44 p.m.

## **UNFINISHED BUSINESS: None**

## **NEW BUSINESS:**

A **motion** was made by Councilmember Benson and **seconded** by Councilmember Goodwin to waive the outstanding balance on Ms. Seimears utility bill due to a billing error. Motion **passed** (3-2, Deady, Taylor).

## **DEPARTMENT REPORTS:**

**Fire Department** – Chief Smith reported that on January 3<sup>rd</sup> engine 98 was involved in an accident on the Kent-Kangley Road while responding to a mutual aid call. He noted there was no significant body damage; however there is extensive damage to water tank. If repaired those repairs would be performed in Florida, so it may be less expensive to purchase a new water tank. He noted the truck will most likely be out of commission for six weeks, however this does not lower the level of service as another truck is being used as a replacement. On a good note he reported the truck was insured so insurance will be paying for the repairs minus the deductible.

## **MAYOR'S REPORT:**

Mayor Olness reported on the following:

- January 8 she attended the East King County Legislative Coalition Breakfast in Bellevue.
- January 9 she attended the Sound Cities Association Public Information Committee meeting and reported a policy was approved related to onerous cost and time burdens associated with some public records requests and the proposed legislation addressing this, a recommendation in support of the formation of a stakeholder group by the Washington State Legislature as the means to reach consensus on bill language regarding watershed investment authorities to be introduced in the 2014 session.
- Referred to information in the packet re: Solid Waste Interlocal Agreement.
- King County Council approved and ratified amendments to the King County-wide Planning Policies on behalf of unincorporated King County and have sent them to cities for ratification. She noted having copies for anyone wishing to see them.
- January 10 attended Black Diamond Elementary PTA board to assure them the DARE program will continue.
- City Administrator interviews were conducted on January 9<sup>th</sup> and 16<sup>th</sup>. Out of four candidates presented by Mr. Prothman, one was not interested, one lacked municipal experience and two were interviewed by a committee including Councilmember Benson, Mr. Pilcher, Ms. Martinez and herself. She added the committee's unanimous choice was Mark Hoppen. She further added that a special meeting will be held on Tuesday, January 29<sup>th</sup> at 5:00 p.m. for Council confirmation.
- January 16<sup>th</sup> attended with Ms. Martinez the Chamber of Commerce Luncheon.
- January 19<sup>th</sup> Chief Smith, Chief Kiblinger and herself met with Dan Neilsen of Always Brothers regarding the City's support for their upcoming 100 mile run to raise money for fallen soldiers and brain injuries. The event will occur during Marine Week and they will pass through Black Diamond on August 10<sup>th</sup>.
- She announced the Port of Seattle plans to appoint a new member on March 5, 2013. This is to complete an unexpired term through the end of 2013. Applications are being accepted until noon on February 1<sup>st</sup> and an information session will be held on January 22<sup>nd</sup> at 5:00 p.m. at the Seattle-Tacoma International Airport for anyone interested in learning more.
- February 7<sup>th</sup> at 5:30 p.m. there will be a reception/retirement celebration for Sabre at the Council Chambers.

## **COUNCIL REPORTS:**

Councilmember Goodwin reported on the study that is being done regarding the proposed change for the Reserve Silica Facility to provide for an increase in density on the site for residential. He added that nothing is decided and issues of concern are water quality and traffic. He commented he will be bringing for to Council a resolution regarding a Council perspective on the due diligence the Council would like to see in respect to the report.

## **ATTORNEY REPORT: None**

## **PUBLIC COMMENTS:**

Mario Sorci, Black Diamond asked if the City had contacted Ms. Seimears to see if they actually need a one inch meter as that is not necessary for a residence.

## CONSENT AGENDA:

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

## EXECUTIVE SESSION:

Mayor Olness announced Council will be going into Executive Session to discuss with Legal Counsel potential litigation pursuant to RCW 42.30.110(1)(i) which is expected to last 10 minutes with no action to follow. The executive session started at 7:44 p.m.

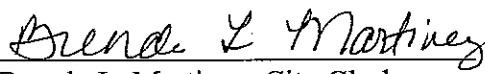
The Council meeting was called back to order at 7:54 p.m.

## ADJOURNMENT:

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

ATTEST:

  
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Rebecca Olness, Mayor

  
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Brenda L. Martinez, City Clerk