

# **BLACK DIAMOND CITY COUNCIL MINUTES**

**March 7, 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, Benson and Taylor.

**ABSENT:** None.

Staff present were: Andrew Williamson, Executive Director of Engineering Services/Ec. Dev.; Greg Smith, Fire Chief; Chris Bacha, City Attorney; Mark Hoppen, City Administrator and Brenda L. Martinez, Asst. City Admin/City Clerk.

**PUBLIC COMMENTS: None**

## **PUBLIC HEARINGS:**

Mario Sorci, Black Diamond commented on interview process by Save Black Diamond during the last appointment and noted that a group of citizens will be interviewing the upcoming candidates and will report back to Council prior to their selection.

Peter Rimpos, Maple Valley spoke on behalf of the Citizens Action Team in support of item #2 on the agenda and read nine reasons they are in support of passage of this resolution and thanked Council for bringing this forward.

Susan Harvey, Ravensdale representing the Greater Maple Valley Area Council and their support of item #2 on the agenda. She distributed a letter to Council regarding this issue.

Robbin Taylor, Black Diamond noted it being the right of any citizen or group to endorse any individual or ballot measure.

## **UNFINISHED BUSINESS:**

**Ordinance No. 13-999, relating to establishment and administration of public cemeteries; repealing and re-enacting Chapter 12.12 BDMC to re-establish a cemetery board and to conform this chapter to applicable state law; providing for vested rights and right of descent and survivorship; providing for transfer of ownership; providing for severability; and establishing an effective date**

City Attorney Bacha reported as discussed early these amendments are brought forward as our current code is not up to date with State Law and to bring our current cemetery code up to compliance and to create an advisory body and Cemetery Board.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Deady to adopt Ordinance No. 13-999, relating to establishment and administration of public cemeteries; repealing and re-enacting Chapter 12.12 BDMC to re-establish a cemetery board and to conform this chapter to applicable state law; providing for vested rights and right of descent and survivorship; providing for transfer of ownership; providing for severability; and establishing an effective date with the exception that the word “may” on page 3 Section 12.12.060(c) second sentence be changed to “shall”. Motion **passed** (4-0).

## **NEW BUSINESS:**

**Resolution No. 13-857, expressing opposition to that portion of King County Ordinance 17845 approving amendments to the KCC authorizing consideration of annual amendments to the KC Comprehensive Plan allowing mining site conversion demonstration projects**

Councilmember Goodwin asked that the report be distributed to the Council earlier by email be made part of the record with this item. He discussed reserve silica is seeking to lower their reclamation costs and to add 50 homes. He noted Council has no authority other than to express their concern and opposition to this.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Benson to adopt Resolution No. 13-857, expressing opposition to that portion of King County Ordinance 17845 approving amendments to the KCC authorizing consideration of annual amendments to the KC Comprehensive Plan allowing mining site conversion demonstration projects. Motion **passed** (4-0).

**Resolution No. 13-858, awarding a construction contract to Iversen and Sons, Inc. for the 5<sup>th</sup> Avenue Water Main Replacement project**

Executive Director of Engineering Services/Ec. Dev. Mr. Williamson reported the City advertised in the DJC, the Maple Valley/Covington Reporter and Seattle Medium. He noted receiving 15 bids and Iversen and Sons, Inc. was the lowest responsive bidder. Scotty's General Construction had a lower bid but exceeded the 8% maximum for mobilization and was deemed a non-responsive bidder. He further noted using REET funds for this project.

A **motion** was made by Councilmember Goodwin and **seconded** by Councilmember Deady to adopt Resolution No. 13-858, awarding a construction contract to Iversen and Sons, Inc. for the 5<sup>th</sup> Avenue Water Main Replacement project. Motion **passed** (4-0).

## **DEPARTMENT REPORTS:**

**Fire** – Chief Smith updated Council on Fire District 44 Prop 1 Ballot issue. He noted this ballot issue will not affect any citizens or property in Black Diamond and will also not

impact the Level of Service in the City of Black Diamond. Public meetings are scheduled for the 12<sup>th</sup> and the 26<sup>th</sup>.

**Public Works** – Executive Director of Engineering Services/Ec. Dev. Mr. Williamson reported on the lights on the Roberts Drive project and noted as soon as there is resolution he will notify the Mayor who will then notify Council.

## **MAYOR’S REPORT:**

Mayor Olness reported on the following:

- Tri-Council planning meeting, held in Covington and hosted this year by Maple Valley
- Read to 4<sup>th</sup> Grade class for Read Across America
- Served at PTA Spaghetti Feed Function
- CIP scheduling meeting was held this week
- Sound cities Associates workshop on proposed 2014-2019 Parks Levy
- PIC meeting and noted times to be voted on at the next meeting and will be bringing this forward to Council
- Council-Staff Retreat will be held tomorrow
- Council vacancy interviews will be next Thursday
- Special Council meeting at 6:45 p.m. on March 14<sup>th</sup>
- Planning Commission opening and deadline is March 22 at 4 p.m. with interviews taking place the first week of April

## **COUNCIL REPORTS:**

Councilmember Deady asked Council to set up a monthly workstudy before the 1<sup>st</sup> or 3<sup>rd</sup> meeting or even Town Hall and wonders if Council is willing to do this. - Councilmember Taylor stated he finds workstudies very useful as it gives us a chance to explore items that may be on the docket that night or at a future meeting; Benson likes the idea as it gives Council the opportunity to add things to the agenda and be educated before that happens. Goodwin noted as long as there is a clear agenda and meaning he would support this; but does not support if there is not a clear purpose.

Councilmember Goodwin reported on the Regional Water Quality Committee and on their agenda are connection fees. He noted that \$59 is the current cost plus whatever each City adds to deal with conveyance and this is back up information for action to be taken later this year.

Councilmember Taylor reported on Public Safety Committee and one of the main topics they are recommending for Council consideration is Fire Service long-term and will include the public in this discussion.

**ATTORNEY REPORT: None**

## **PUBLIC COMMENTS:**

Carol Lynn Harp, Black Diamond asked for clarification on the Resolution that was passed tonight regarding King County and wondered would this be sent to King County.

Councilmember Goodwin responded that yes, it would be sent to King County.

### **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 (4-0). The Consent Agenda was approved as follows:

**Claim Checks** – March 7, 2013, Check No. 39403 through 39451 (voided checks Nos. 39338, 39405) in the amount of \$64,192.39

**Minutes** – Council Meeting of February 21, 2013

### **EXECUTIVE SESSION:**

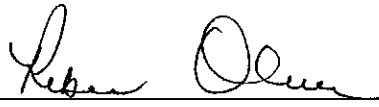
Mayor Olness announced an Executive Session at 7:41 p.m. to discuss with Legal Counsel potential litigation pursuant to RCW 42.30.110(1)(i) and for a personnel matter pursuant to RCW 42.30.110(1)(f). No action was anticipated to follow the Executive Session, which was expected to last approximately 20 minutes.

The regular meeting was called back to order at 8:07 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 (4-0).

ATTEST:

  
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Rebecca Olness, Mayor

  
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Rachel Pitzel, Deputy City Clerk