

BLACK DIAMOND CITY COUNCIL MINUTES

August 1, 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, Edelman, Benson and Taylor.

ABSENT: None.

Staff present: Seth Boettcher, Public Works Director.; Greg Smith, Fire Chief; Jamey Kiblinger, Police Chief; Mark Hoppen, City Administrator and Brenda L. Martinez, Asst. City Admin./City Clerk.

PUBLIC COMMENTS:

Mario Sorci, Black Diamond commented on utility taxes imposed being unfair and would like Council to look at this.

Robbin Taylor, Black Diamond commented on the City of Detroit bankruptcy and keep in mind during the budget process that when revenues fall you cannot continue to grow government.

Bob Edelman, Black Diamond commented on utility taxes imposed by the City in regards to the earlier speaker.

PUBLIC HEARINGS:

Transportation Benefit District (TBD)

Mayor Olness noted that this is an information gathering only with no action as there is no ordinance.

Public Works Director Boettcher reported there are stresses in funding local repairs of our streets. Currently we can cover some maintenance; however there is not enough money left for street improvements an tis is a tool staff is exploring and bringing information to help the funding in the street department.

City Attorney Bacha gave an overview of what a TBD is and what it does.

Mayor Olness opened the public hearing at 7:12:44 p.m.

Bob Edelman, Black Diamond noted there is really nothing to comment on and only unanswered questions such as what are the boundaries, what taxes would be raised, what it would cost us. Noted being at the workstudy and does not feel the City Council is ready to pass an ordinance creating a district. He views this district as another way to pass taxes without citizen's approval.

Erika Morgan, Black Diamond commented on the CIP and being a whole lot of stuff being capital improvement and it being maintenance. Capital improvements need to use money that does not come all the time such as REET and developer money. You need to also build in maintenance costs and sue money that comes in on a regular basis. Until we get a handle on a rational way of handling the public's money she was glad what she heard come out of the workstudy. Need to figure how to live within your budget when revenues are down in bad times.

Mario Sorci, Black Diamond commented that TBD in a small community greatly enhances the bottom line. TBD applied evenly throughout the City would be fair as everyone is taxed and maybe this idea is a bit early but believes this is a good idea.

Carol Lynn Harp, Black Diamond commented she is concerned the public vote is not required and it would be good to let folks involved and it should not be up to a public official or staff.

Robbin Taylor, Black Diamond commented that King County can create a TBD and if they do does that get added on to the City's TBD? She stated an answer is needed so this can be considered.

Harvey Senecal, Black Diamond had a question on TBD map and assumes the yellow on the map is the City boundary and would the entire City be the TBD. Wondered on the ranking of the streets and if you don't form a district what happens to these projects.

Brock Deady, Black Diamond commented he is not in favor of another tax.

Mayor Olness closed the public hearing at 7:24:02 p.m.

Councilmember Goodwin commented that he is concerned why this came before the City Council and feels this is way too premature to even have this on the agenda as there are no answers and putting this out there is unfair to everyone. He stated we need to do our homework and have plenty of opportunity to understand the parameters of this and it deserves the appropriate attention.

APPOINTMENTS, PRESENTATIONS, ANNOUNCEMENTS: None
UNFINISHED BUSINESS: None

NEW BUSINESS:

Ordinance No. 13-1007, relating to sanitary sewer utility charges; amending section 13.24.010 of the Black Diamond Municipal Code; implementing an annual inflationary increase in charges to meet sanitary sewer service obligations; providing for severability and establishing an effective date

City Attorney Bacha reported the original draft would have included the entire rate and we needed to revise to clearly define which components of the rate are subject to the inflationary rate.

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Benson to adopt Ordinance No. 13-1007, relating to sanitary sewer utility charges; amending section 13.24.010 of the Black Diamond Municipal Code; implementing an annual inflationary increase in charges to meet sanitary sewer service obligations; providing for severability and establishing an effective date, also include as amended by the typographical error on page 4. Motion **passed** (5-0).

Resolution No. 13-883, authorizing the establishment of an ad hoc joint committee of the City Council with the King County Fire District No. 44 Board of Fire Commissioners to explore long-term fire protection and emergency medical service models

Councilmember Deady noted being excited about this resolution and asked Councilmember Taylor to give a brief summary. Councilmember Taylor noted this resolution does not make any decisions and it just allows the committee to look at options that are available to them. Since it is time to renegotiate the contract this year it makes sense to form a committee to explore available options. The language talking about open public meeting is in there because they will be taking public comments; it made sense to have this in the resolution.

Chief Smith reported this is exploratory and it is formalizing discussions that have been taking place over the past few years. At the May 8th Council Retreat this was one of the top five priorities. The Interlocal agreement does say there is an opener in 2013 to look at costs to provide the costs to comparative like cities and then this will happen every five years after that. Noted working together with Black Diamond for almost 8 years. Current fire service is costing less than what was in the budget in 2005; RCW 52.04 talks about the process for annexation into a Fire District. He noted knowing that now is not time for annexation, but will be able to identify when that may be a possibility.

A **motion** was made by Councilmember Deady and **seconded** by Councilmember Taylor to adopt Resolution No. 13-883, authorizing the establishment of an ad hoc joint committee of the City Council with the King County Fire District No. 44 Board of Fire Commissioners to explore long-term fire protection and emergency medical service models. Motion **passed** (5-0).

DEPARTMENT REPORTS:

Police Department – Chief Kiblinger reported that National Night Out is next Tuesday, August 6th; next Monday is the Active Shooter response training.

MAYOR'S REPORT:

Mayor Olness reported she attended meeting in Mercer Island regarding solid waste transfer stations; met with Fire Department on SAFER Grants; she received notification from Commerce the City is eligible to receive \$18,000 for Comprehensive Plan amendments; Dept. of Ecology stated we are eligible for \$50,000 for Stormwater grants received notification from Ecology on the suggested and recommended changes to the Shoreline

Management Plan. This will be posted to the website tomorrow and the City will be holding a public hearing on August 15. This is not a requirement and it will go in next week's newspaper; SCATBD meeting letter that is before them asking the Governor to declare an emergency at the lack of a transportation package and asked if Council is inclined to have her sign along with the other Mayors.

Council's consensus was for Mayor to sign.

Mayor Olness also reported that the monthly activity reports are now on the website under "In the Spotlight". Reminders that Xterra is this Sunday; National Night Out is August 6th at the Community Center; August 10th Always Brothers will be coming through town as well as "Obliteride".

COUNCIL REPORTS:

Councilmember Edelman commented on an article in the Covington Reporter regarding the Mayor's race.

ATTORNEY REPORT:

City Attorney Bacha noted the stature regarding impact fees and if the County were to create their own it would only be on unincorporated areas so there would be no increases by the County that would impact the City unless they enter a TBD together.

PUBLIC COMMENTS:

Mario Sorci, Black Diamond commented speaking specifically to utility tax not rate increases.

Melanie Gauthier, Black Diamond commented on utility bill increases and hers going up 30% over the last three years.

CONSENT AGENDA:

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

Claim Checks – August 1, 2013, Check No.39816 through No. 39869 (void check nos. 39754, 39823, 39825, 39826) in the amount of \$94,379.55

Minutes– Workstudy Notes of July 11, 2013 and July 18, 2013 and Regular Meeting Minutes of July 11, 2013 and July 18, 2013

EXECUTIVE SESSION: None

ADJOURNMENT:

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

ATTEST:



Rebecca Olness, Mayor



Rachel Pitzel, Deputy City Clerk