

BLACK DIAMOND CITY COUNCIL MINUTES
Council Special Meeting of June 26, 2025
Hybrid Meeting Via Zoom and In-Person
Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE, ROLL CALL:

Mayor Benson called the regular meeting to order at 6:00 p.m. and led us all in the Flag Salute.

ROLL CALL:

PRESENT: Councilmembers Deady, Nielsen, Mulvihill, Young, Jones, Page.

ABSENT: Councilmember Peterson (excused motion below following executive session)

Staff present: Andrew Williamson, MDRT/Ec Development Director; Jill Kuzaro, Senior Planner; Xavier Mason, Finance Director; Scott Hanis, Public Works Director; Rob Reed, IS Manager (via Zoom); Jake Kapsandy, IT Tech II; David Linehan, City Attorney; Kevin O'Neill, City Administrator; Carina Thornquist, Deputy City Clerk.

READING OF GUIDING PRINCIPLES:

AGENDA REVIEW AND APPROVAL:

Mayor Benson stated that items number one and ten will be deleted from the agenda, and an executive session would take place after the public comment period

Councilmember Mulvihill **moved** to approve the agenda as revised; **second** Councilmember Deady. Motion **passed** with all voting in favor (6-0).

PUBLIC COMMENTS:

Josh Nielsen from Black Diamond spoke to the Councilmembers.

Paul Fisher from Enumclaw School Board spoke to the Councilmembers.

John Adler from Black Diamond spoke to the Councilmembers.

EXECUTIVE SESSION:

At 6:07 p.m., Mayor Benson announced pursuant to RCW 42.30.110(1)(i) the City Council would be going into executive session for 30 minutes to discuss potential litigation with the City Attorney, with no action to follow.

The Councilmembers exited the council chambers to the patrol room and the Executive Session started at 6:09 p.m.

At 6:39 p.m., it was announced that there would be a 10-minute extension.

At 6:49 p.m. the executive session ended and Mayor Benson announced that there would be a short break and the meeting would resume at 7:00 p.m.

At 7:00 p.m. Mayor Beson called the meeting back to order.

ACTION: Councilmember Young **moved** to excuse Darcey Peterson from the meeting; **second** Councilmember Page. Motion **passed** with all voting in favor (6-0).

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS:

~~1) AB25-052 – Presentation – FCS (6 p.m. – 7 p.m.)~~

2) **Proclamation** – Skatepark Naming

Mayor Benson asked Councilmember Page to read the Proclamation which shared the history of KJ Gardner whom the skatepark is being named after. She also announced that the Grand Opening is scheduled for Saturday, July 19, 2025, at the skatepark where the Proclamation will be read again so all of the citizens present will know the history behind the skatepark and then will be presented to the family in a celebration.

COMMITTEE REPORTS: None

DEPARTMENT REPORTS:

Fire - Chief Judkins from Mountainview Fire and Rescue reported that the burn ban takes effect on June 30th for King County and is always the case for people living within the city limits of Black Diamond. She also went over the rules for fireworks and noted the rule of thumb is, anything that goes up or blows up is not permitted.

CONSENT AGENDA:

Councilmember Young stated he wanted to move number eight to the end of the agenda to get more information from the police.

Councilmember Young **moved** to approve the Consent Agenda moving AB25-056 which is number eight on the consent agenda, to the end of the agenda to get more information from the police; **second** Councilmember Deady. Motion **passed** with all voting in favor (6-0).

City Administrator O'Neill asked respectfully if it could be done after the consent agenda since Officer Henrich was off duty at 8:00 p.m. which Mayor and Councilmembers agreed to.

The Consent Agenda was approved as follows:

- 3) **Claim Checks** – June 26, 2025, Check No. 56132 through Check No. 56220 and EFTs in the amount of \$688,782.57
- 4) **Payroll** – May 2025, Check No. 20517 through Check No. 20524 ACHs in the amount of \$606,566.92
- 5) **AB25-053** – Resolution Adopting Six Year Transportation Improvement Plan
- 6) **AB25-054** – Resolution Accepting Bid and Awarding Contract for SR 169 Watermain Project
- 7) **AB25-055** – Resolution Approving Ten Trails Village Town (V12) Final Plat
- 9) **AB25-057** – 1st Quarter 2025 Financial Report
- ~~10) **AB25-058** – Ordinance Amending BDMC Chapter 8.28 Regulating Use of the City's Skate Park~~
- 8) **AB25-056** – Resolution Regarding Body Camera and Taser Contract

Chief Kiblinger introduced Officer Henrich who gave a brief presentation on Body Camera's and Tasers along with explaining the contract they are proposing.

ACTION: Councilmember Mulvihill **moved** to approve the Body Camera and Taser Contract; **second** Councilmember Deady. Motion **passed** with all voting in favor (6-0).

PUBLIC HEARINGS:

- 11) **AB25-059**– Public Hearing Regarding Draft Comprehensive Plan Periodic Update

Community Development Director Williamson spoke on this item and then introduced Wayne Carlson from AHBL who gave a very brief slide presentation which was basically the same one that was done at a meeting a few weeks ago.

Director Williamson returned to participate in a back-and-forth discussion with the Councilmembers.

Mayor Benson opened the Public Hearing at 7:50 p.m.

Paul Fisher from the Enumclaw School Board stated that the school district hasn't been notified of the Comp Plan update which is concerning. And they are concerned about the Tri party agreement term which is linked to the MPD Agreement. Asking to keep the MPD overlay.

John Adler from Black Diamond spoke on legacy and what it means in respect to Black Diamond. He also commented on Mr. Williamson's comment that "this is my life's work." which he commended. He also stated that the Comp Plan and the MPD have more in common than we realize. He finished by mentioning the situation with Cle Elum and expressed that Black Diamond doesn't want to find ourselves in the same situation.

Alan Gangl from Black Diamond reported that the Comp Plan allows for excessive development which will lead to further traffic issues. He stated the city needs to fix the land use map to show more of low density. The city should be setting strong standards instead of the minimum service standards for parks, fire, police, etc.

Kristen Bryant from Bellevue went over the myths of the Comp Plan. She gave suggestions of how to deal with the non-conforming use such as changing the city's codes. Furthermore, she expressed her dislike of Oakpointe's shortcomings. She stated that we want to raise standards. She addressed the housing numbers and went over the Regional Transit Plan and Growth Centers. She concluded by stating we need to change the maps to show more low-density housing instead of high density.

Bill Bryant from Black Diamond discussed pass-through traffic especially from 3rd Ave. (Hwy 169) and his dislike for traffic cutting through neighborhoods. He finished by saying he's worried about the character of the city.

Gary Kohl from Black Diamond reported that he received his utility bill a few months ago along with the newsletter which mentioned that the city had a surplus. He was curious what this money is going to be used for and thought it should be specified where the city plans to spend it on. Furthermore, we need 44 million dollars for space for a new city hall, police department and public works. The city hasn't been collecting money from Oakpointe. He also stated that Oakpointe would be contributing 10 million towards a new city hall, but the city would still need to pay 25+ million for it. He said the Comp Plan still needs to be reviewed further before decisions should be made and the city needs to designate low-density housing.

Nanette Stocks from Black Diamond stated that the city needs to hold the developer accountable and shouldn't be giving things away to them. She addressed the new fire station on Lawson and why it couldn't have been stopped, when it could have been stopped. She

stated no more houses, apartments, commercial, etc., it's just getting to be too much. She finished by sharing issues with lack of crosswalks and pedestrian safety with the amount of traffic.

Renee Mix from Black Diamond shared the significant impacts with rezones. The Comp Plan reduces standards, so developers don't have to pay. The undeveloped land in Ten Trails will be governed by this new Comp Plan.

Gary Jones from Black Diamond shared that the city buildings, particularly the Council Chambers and Police Station needing to be redone. Schools need to be built, and the fire station needs attention. The city needs infrastructure! He expressed his dissatisfaction of spending eight million dollars on the Lawson Hills fire station and it's useless.

Sherrie Jones from Black Diamond shared her personal story of caring for a relative and needing emergency assistance. She said it took over 30 min. for EMS to arrive and she was thankful it wasn't something life threatening such as a heart attack. We need to make sure the city has fire and EMS resources to take care of our citizens.

Mario Scorci from Black Diamond reported that he was on council when the growth plan took place. Ten Trails was to have the density but nothing east of town. And that's where it should stay to keep the character of the city.

Phillip Acosta from Black Diamond spoke about safety on 218th and 288th and was upset that sidewalks and lights were not being resolved. He said there are problems with the Comp Plan and there needs to be checks and balances. Mr. Acosta finished by saying the city needs to come into compliance with PSRC.

Brian Derdowski from Enumclaw shared his resume to the Council. He stated that they should not be taking a vote to do this but should have a legal review and explained his thoughts for his reasoning. He is concerned by the Appendix which was completed by staff, and it should be done by engineers such as Parametrix. He would recommend keeping the Public Hearing open for another couple of weeks.

There was a request at 8:29 p.m. from Councilmember Nielsen to take a quick 5-minute break.

Mayor Benson called the meeting back to order at 8:34 p.m.

Tawni Dalziel, Public Works Director for City of Maple Valley stated that she is seeking clarity on the intent to a change behind the FLUM. They would request that Oakpointe (Ten Trails and Lawson Hills) cannot develop their land except with an approved MPD. She explained why this affects Maple Valley and Hwy. 169. Funding for improvements for Hwy. 169 through Oakpointe is critical and need to extend the current MPD until full buildout is complete to keep the funding for Hwy 169.

Erik Nielsen from Black Diamond – stated he is in support of the Comp Plan and says the opponents are inaccurate about not being able to rebuild should their house burns down because it's non-conforming. The good things about it are the revenue coming in, services which are for everyone not just Ten Trails residents (parks, stores, etc).

Mr. Williamson addressed the council once again and gave council the different options that were available to them. He then introduced Mr. Linehan, the city's attorney, who reiterated what Director Williamson stated.

Councilmember Deady suggested keeping the Public Hearing open for two weeks and staff can gather information. Other Councilmembers followed by giving their opinions. Mr. Williamson explained what staff would need to get this done.

Extensive back and forth discussion took place between Councilmembers and Director Williamson.

Attorney Linehan gave options and City Administrator O'Neill gave a recommendation to keep the Public Hearing open for two additional weeks and give Mr. Williamson 45 days to have staff gather information and to make necessary corrections to the Comp Plan.

Director Williamson introduced Nicole Stickney from AHBL who gave clarification on some items in the Comp Plan.

Mr. Linehan gave a suggestion of a motion.

Councilmember Deady **moved** to extend the Public Hearing comment period for two weeks from today (7/10) with comments to be submitted via email and Andy having an additional 45 days thereafter; **second** Councilmember Nielsen. Motion **passed** with all voting in favor (6 – 0).

A robust back and forth conversation took place between the Councilmembers and Director Williamson.

UNFINISHED BUSINESS:

Fire Services – discussion only

City Administrator O'Neill gave clarification on the FCS presentation which was cancelled tonight but would be forthcoming. He gave an overview of how the city got to this point with the fire service. He stated that the city would have two options: annex into either Puget Sound Fire or Mountain View. There will be presentations from both departments on 7/10.

Extensive back and forth discussion took place.

NEW BUSINESS:

12) AB25-060 – Resolution Adopting 2026 Budget Planning Calendar

Finance Director Mason briefly discussed the Budget Calendar and expectations.

Councilmember Deady **moved** to approve Resolution No. 25-1686, adopting the 2026 Budget Planning Calendar: **second** Councilmember Mulvihill. Motion **passed** with all voting in favor (6-0).

13) AB25-061 – Ordinance Regarding Changing Tree Cutting Fees

Community Development Director Williamson briefed the council on this item.

Back and forth discussion took place between the Councilmembers and Director Williamson.

Councilmember Page **moved** to adopt Ordinance No. 25-1224, amending Title 19 of the Black Diamond Municipal Code to reduce the tree removal mitigation fee from the amount of five hundred dollars (\$500) for each tree removed to one hundred dollars (\$100) in Sections 19.30.070(D) and 19.30.100(B); **second** Councilmember Mulvihill. Motion **passed** with all voting in favor (6-0).

MAYOR'S REPORT: None

COUNCIL REPORTS:

Councilmember Deady – None

Councilmember Nielsen reported attending the Pride Flag raising event which she was proud of. She shared her desire to hear the voices of the citizens, working on transparency from the city, and to be fiscally responsible.

Councilmember Mulvihill shared meeting with our new City Administrator Kevin O'Neill and thanked him. She gave a brief update on Miners Day and Labor Days events.

Councilmember Young thanked staff, Planning Commission, and citizens for participation and hard work, and reminded everyone of Miners Day on 7/12.

Councilmember Jones thanked the citizens for comments and participation. He shared his concerns about the fire service and what that will look like. He is also concerned with the lake safety and weeds.

Councilmember Page thanked the citizens for the comments which is part of the process. She gave clarification that Councilmembers just listen to public comments at a Public Hearing. If they want a two-way conversation, that would take place at the Town Hall meetings. She is excited for the new skatepark with the grand opening set for 7/19 at 11:00 a.m.

CITY ADMINISTRATOR REPORT: None

ATTORNEY REPORT: None

PUBLIC COMMENTS:

Jacqueline Banks from Black Diamond spoke to the Councilmembers.

Kristen Bryant from Bellevue spoke to the Councilmembers.

Bill Bryant from Black Diamond spoke to the Councilmembers.

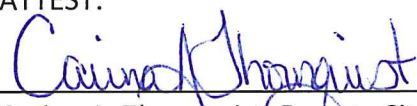
EXECUTIVE SESSION:

ADJOURNMENT:

Councilmember Young **moved** to adjourn the meeting; **second** Councilmember Deady. Motion **passed** with all voting in favor (6-0). The meeting ended at 9:56 p.m.



Carol Benson, Mayor

ATTEST:


Carina A. Thornquist, Deputy City Clerk