

**BLACK DIAMOND CITY COUNCIL MINUTES**  
**Council Meeting of September 18, 2025**  
**Hybrid Meeting Via Zoom and In-Person**  
**Council Chamber, 25510 Lawson Street, Black Diamond, Washington**

**CALL TO ORDER, FLAG SALUTE:**

Mayor Benson called the regular meeting to order at 7:00 p.m. and led us all in the Flag Salute.

**ROLL CALL:**

**PRESENT:** Councilmembers Deady, Peterson, Nielsen, Young, Jones

Councilmember Deady **moved** to excuse Councilmember Mulvihill from the meeting; **second** Councilmember Jones. Motion **passed** with all voting in favor (5-0).

**ABSENT:** Councilmember Mulvihill (excused)

**Staff present:** Andrew Williamson, MDRT/Ec Development Director; Xavier Mason, Finance Director; Scott Hanis, Public Works Director; Rob Reed, IS Manager; Jamey Kiblinger, Police Chief; David Linehan, City Attorney; City Administrator, Kevin O'Neill; Brenda L. Martinez, City Clerk/HR Manager.

**READING OF GUIDING PRINCIPLES**

**AGENDA REVIEW AND APPROVAL:**

Councilmember Deady **moved** to approve the Agenda; **second** Councilmember Young. Motion **passed** with all voting in favor (5-0).

**PUBLIC COMMENTS:**

Kristen Bryant, Bellevue spoke to Council.

Nanette Stocks, Black Diamond spoke to Council.

Sue Johnson, Shepperd of the Valley Church spoke to Council

Andrew Arnold, Sheppard of the Valley Church spoke to Council.

**APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS:**

Mayor Benson read a proclamation for Constitution Week.

**COMMITTEE REPORTS:** None

**DEPARTMENT REPORTS:**

**Fire** – Chief Judkins noted sending her report in earlier today and if they have questions to reach out. She also reminded Council of the liaison position and invited a Councilmember to attend their board meetings.

**1) AB25-095 – Finance – 2<sup>nd</sup> Quarter Financial Report**

Finance Director Mason reported on this item and shared 2<sup>nd</sup> quarter highlights.

**CONSENT AGENDA:**

Councilmember Deady **moved** to approve the Consent Agenda; **second** Councilmember Young. Motion **passed** with all voting in favor (5-0). The Consent Agenda was approved as follows:

- 2) Claim Checks** – September 18, 2025, Check No. 56474 through Check No. 46523 and EFTs in the amount of \$460,249.79
- 3) Payroll** – August 2025, Check No. 20543 through Check No. 20550 in the amount of \$605,072.98
- 4) Minutes** – Council Meeting of September 4, 2025
- 5) AB25-096** – Resolution Accepting Reimbursement Funds from AOC for Interpreter Services

**PUBLIC HEARINGS:**

- 6) AB25-097** – To Consider a Petition to Vacate Portions of SE 320<sup>th</sup> Street and Botts Drive SE in the City of Black Diamond

MDRT/Ec Dev Director Williamson spoke on this item

Mayor Benson opened the public hearing at 7:32p.m.

Megan Nelson, General Counsel at Oakpointe, representing the petitioner, noted Mr. Williamson doing a great job on summarizing the petition. She noted the Lawson Hills Development Agreement called for a different alignment of Lawson Parks and Botts Drive at it enters Lawson Street, and in order to effectuate that development agreement we applied for this right-of-way vacation pursuant to the state statute. She stated that this is really just accomplishing what the road alignment for the future Lawson Parkway has discussed. She also stated being able to commit that the developer will be covering the cost to relocate all of the utilities that were talked about. She noted that there will be a temporary easement in place for those utilities until that relocation happens. She explained that the relocation will happen as part of the plat infrastructure improvements, as they construct the Lawson Hills MPD.

Nanette Stocks, Black Diamond continued to read from the statement she handed out. She referred to everyone being neighbors and the needs of the city and it being report card

time. She says the Master Plan Development is ending and we deserve to know what has been accomplished, what wasn't, and why so future council have the building experience to move us forward.

DanDal Santo, Black Diamond noted this being a learning process. He noted reading the application and there was no staff report. He was happy to hear that the developer would be responsible for moving the costs of the utilities and thinks this should be in the agreement. He talked about the stormwater discharge that comes off the hill and into what he calls the Mud Lake wetlands and another one of his concerns was how the water will get back up the street so he would like something in the application that says we are covered for all these costs.

Kristen Bryant, Bellevue, her comments were that state law requires the city ensure that it gets fair market value, and while the city is getting land of equivalent size in exchange, she states it is not sufficient to prove it is fair market value. She referred to the resolution and noted it does not clearly say that Oakpointe would pay the full cost and all the impacts of moving the utilities. She noted that before Council adopts this to make sure it's very clear in writing that the developer would be responsible to pay the full cost. She noted that on the application there is a checked box that there are not sensitive areas on the properties and Oakpointe has studies for these properties and those should be included. She stated that the buffers and mine hazards are not being accounted for and noted there being no title report. She asked that her comments be carefully considered because facts are facts.

Director Williamson addressed the comments and reported that the hearing examiner in his approval of the new fire station concluded there were no wetlands. Director Williamson also stated that the area of the new road alignment is out of the mine hazard area too. He noted that if you look at the appraisal, it is exactly the same value, the same land, and the same price. He noted, agreeing with Mr. DalSanto, that our discharge point has to stay at the same place and stated that these will all be taken care of as the plats all come online.

City Attorney Linehan spoke about the process tonight and how after Council's deliberation he could come back to the council at the next meeting outlining in the ordinance the formalities of the dedication and the obligations on the developer for the vacation to become effective.

At 8:01 p.m. Mayor Benson closed the public hearing.

Councilmember Peterson **moved** to grant Oakpointe's August 12, 2025, petition to vacate approximately 8,631 square feet of SE 320<sup>th</sup> street and SE Botts Drive, in exchange for the construction and dedication of equivalent new right of way, all as shown in the petition and attachment to Resolution No. 25-1701; **second** Councilmember Young. Motion **passed** with all voting in favor (5-0).

## **UNFINISHED BUSINESS:**

### **7) AB25-098 – Discussion and Direction on Comprehensive Plan Update**

MDRT/Ec Dev Director Williamson discussed this item with the Council and spoke of the comments that the staff has answered and stated he is looking for direction from the

council and whether they are ready to move forward and make a motion for an ordinance to pass the comp plan.

Following discussion, there was consensus to move forward and vote at the next meeting in order to start working on all the other regulations.

**NEW BUSINESS:** None

**MAYOR'S REPORT:**

Mayor Benson reported that she attended the South End Mayor's meeting and how money was going to be spent. She also attended the bell ringing for the Constitution with some people from the public and the Daughters of the American Revolution.

**COUNCIL REPORTS:**

Councilmember Jones shared that Covid is still out there.

Councilmember Deady - no report

Councilmember Nielsen welcomed the new church to our community. She stated that many young people are making choices for the next steps after graduating and she wanted to recognize her neighbor, Noah from Ten Trails and his choice to join the military to defend and protect us all and we should recognize all the helpers in our community that make sure we are safe and secure every day.

Councilmember Peterson stated she has had a cold and will be back next week.

Councilmember Young – no report

**CITY ADMINISTRATOR REPORT:**

City Administrator O'Neill spoke about the date for bringing the comp plan vote to the Council. He suggested bringing it forward at the meeting on October 16 to give more time to prepare the ordinance and answer any last-minute questions.

**ATTORNEY REPORT:** None

**PUBLIC COMMENTS:**

Rick Stocks, Black Diamond, spoke to Council.

**EXECUTIVE SESSION:**

**ADJOURNMENT:**

Councilmember Young **moved** to adjourn the meeting; **second** Councilmember Deady. Motion **passed** with all voting in favor (5-0). The meeting ended at 8:23 p.m.

  
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Carol Benson, Mayor

ATTEST:

  
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Brenda L. Martinez, City Clerk