

BLACK DIAMOND CITY COUNCIL MINUTES
Council Meeting of March 3, 2026
Hybrid Meeting Via Zoom and In-Person
Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE:

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

ROLL CALL:

PRESENT: Councilmembers Deady, Nielsen, Peterson, Sorci (Zoom), Young, Dal Santo

ABSENT: Councilmember Kumar

Staff present: Xavier Mason, Finance Director; Scott Hanis, Public Works Director; Jake Kapsandy, IT Tech II; David Linehan, City Attorney; City Administrator, Kevin O'Neill; Carina Thornquist, Deputy City Clerk.

AGENDA REVIEW AND APPROVAL:

Councilmember Nielsen **moved** to approve the Agenda; **second** Councilmember Young. Motion **passed 6-0**.

PUBLIC COMMENTS:

Max Sampson, Black Diamond spoke to Councilmembers.
Nanette Stocks, Black Diamond spoke to Councilmembers.
Brian McGee, Black Diamond spoke to Councilmembers.
Julien Loh, Seattle spoke to Councilmembers.
Geoff Bowie, Black Diamond spoke to Councilmembers.
Rick Stocks, Black Diamond spoke to Councilmembers.
James DeLay, Covington spoke to Councilmembers.
Pat Troll, unincorporated King County spoke to Councilmembers.

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS:

- 1) **AB26-025** – Confirming the Mayor's Appointment of Natalie Waters to Position No. 6 of the Planning Commission

Mayor Adler briefed the council on this item.

Councilmember Peterson **moved** to confirm the Mayor's appointment of Natalie Waters to Position No. 6 on the Black Diamond Planning Commission; said term to expire December 31, 2029; **second** Councilmember Deady. Motion **passed** with all voting in favor (6 – 0).

COMMITTEE REPORTS: None

DEPARTMENT REPORTS:

Gym - Brock Deady gave an update with the new process of taking payments for gym rental.

CONSENT AGENDA:

Councilmember Peterson **moved** to approve the Consent Agenda; **second** Councilmember Young. Motion **passed** with all voting in favor (6-0). The Consent Agenda was approved as follows:

- 2) **Claim Checks** – March 3, 2026, Check No. 57070 through Check No. 57103 in the amount of \$176,594.04
- 3) **Minutes** – Work Session of February 12, 2026,

PUBLIC HEARINGS: None

UNFINISHED BUSINESS:

- 4) **AB26-022A** – Pipeline Road Major Amendment to the Villages MPD Development Agreement – continued Council deliberation and/or possible final action

City Attorney Mr. Linehan stated that Councilmembers could either continue deliberation, or they could vote if they are ready to make a decision.

Councilmember Peterson **moved** to remand this issue back to the Hearing Examiner; **second** Councilmember Deady. **Vote.** Motion **passed** 4-2 (Dal Santo, Sorci).

NEW BUSINESS:

- 5) **AB26-026** – Ordinance Repealing Chapter 2.56 and Amending Chapter 2.57 of the Black Diamond Municipal Code Chapter Concerning Reimbursement of Travel-Related Business Expenses

Finance Director Mason discussed this item with the Council.

Back and forth discussion between Councilmembers and Mr. Mason took place.

Councilmember Deady **moved** to approve Ordinance No. 26-1245, repealing Chapter 2.56 and amending Chapter 2.57 of the Black Diamond Municipal Code Chapter concerning reimbursement of travel-related City businesses; providing severability; and establishing an effective date; **second** Councilmember Young. Motion **passed** with all voting in favor (6-0).

6) AB26-027 – Ordinance Regarding Battery Energy Storage System (BESS)

City Administrator Mr. O'Neill reported on this item while providing a PowerPoint presentation. Mr. O'Neill shared the different options included extending the existing moratorium for an additional 6 months; adopting permanent regulations; adopting interim zoning controls; or allow the moratorium to expire.

Mr. O'Neill continued by sharing the staff recommendation which would be to adopt interim zoning controls and prohibit industrial scale BESS, as well as utility scale BESS. Small scale residential systems with less than, or equal to 15 kilowatts be allowed.

Further information on interim zoning controls was shared and Mr. O'Neill stated they would schedule a Public Hearing for April 7, 2026.

Extensive back and forth discussion between the Councilmembers, Mr. O'Neill, and Attorney Linehan took place. They asked Mr. Loh if he would be willing to answer any technical questions that Councilmembers have which he was accepting to.

Mr. Linehan shared that there are three sections in the Ordinance where he could just revise it by striking out a couple of items in the Ordinance and it would become an Interim Zoning Control for six months not allowing any BESS. Those specifics to be revised were as follows:

- Page 4 at the bottom of the page in the last Whereas clause – strike out "utility scale and industrial scale".
- Page 5 in the 3rd Whereas clause - strike out "utility or industrial scale." And also in the final Whereas clause, strike out "While continuing to allow residential battery storage systems."
- Page 6 at the top of page in Definition of Utilities. Remove the sentence, "As used in this Title 18, utilities include battery energy storage systems only when the total system power is 15 kilowatts or less." And also strike out "utility scale and industrial scale".

Chief Judkins was asked to answer questions that Councilmembers had on fire safety if there was a BESS fire.

Councilmember Peterson **moved** to adopt Ordinance No. 26-1246 establishing interim zoning controls to prohibit the siting of battery energy storage systems within the City for a period of six months; providing for severability; and establishing an immediate effective date if approved by a majority-plus-one of the council with the adjustments the Council

made to the Ordinance; **second** Councilmember Young. Motion **passed** with all voting in favor (6-0).

7) AB26-028 – Resolution Regarding Fire Annexation Agreement

City Administrator Mr. O'Neill gave a brief report on the beginning of fire annexation while giving a PowerPoint presentation. He discussed the history of fire service with the city; the two options that were provided to the city; what staffing would look like; funding maximum; governance for Puget Sound Fire Authority; the next steps with a pre-annexation agreement; and his anticipation for placing this on the August ballot.

Back and forth discussion between Councilmembers and Mr. O'Neill took place. Deputy Chief of Support Services from Puget Sound Fire joined in the conversation to answer questions from the Councilmembers. Continued back and forth discussion took place with the Councilmembers and staff.

Councilmember Deady **moved** to adopt Resolution No. 26-1728, authorizing the mayor to request annexation of the City into the Puget Sound Regional Fire Authority pursuant to RCW 52.26.300, upon the terms and conditions set forth therein; **second** Councilmember Nielsen. Motion **passed** 4-2 (Young, Sorci).

MAYOR'S REPORT: None

COUNCIL REPORTS:

Councilmember Young reported attending the Mountain View Fire and Rescue Board Commissioners meeting as the Council representative and explained the CARES program. And he attended the Tri-City meeting last week which he thought was beneficial.

Councilmember Dal Santo addressed safety issues that were expressed during public comment period with the traffic on Roberts Dr. He also addressed comments from the public regarding the lack of trust by the citizens with the city government.

Councilmember Kumar - none
Councilmember Deady - none

Councilmember Nielsen expressed that transparency, governance, and accountability with the master planned development were her main objectives of joining council.

Councilmember Peterson attended the Tri-City meeting last week and she's eagerly awaiting to see the rate study proposal for the water and sewer rates that staff reported on this last fall.

Councilmember Sorci reiterated what Councilmember Dal Santo and Nielsen said regarding the accountability of the MDRT and is looking for transparency.

CITY ADMINISTRATOR REPORT:

City Administrator O'Neill gave a quick update on the Council Retreat. He is in the process of planning it and would like to hear from the Councilmembers for their preferred dates.

ATTORNEY REPORT: None

PUBLIC COMMENTS:

Bonnie Holmes, Yelm spoke to the Councilmembers.
Gerald Thomas, Black Diamond spoke to the Councilmembers.
Brian McGee, Black Diamond spoke to the Councilmembers.
Geoff Bowie, Black Diamond spoke to the Councilmembers.
Nanette Stocks, Black Diamond spoke to the Councilmembers.
Rick Stocks, Black Diamond spoke to the Councilmembers.
Kristy Thomas, Black Diamond spoke to the Councilmembers.
Pat Troll, unincorporated King County spoke to Councilmembers.
Kristen Bryant, Bellevue spoke to Councilmembers.
James DeLay, Covington spoke to Councilmembers.
John Butler, Black Diamond spoke to the Councilmembers.
Max Sampson, Black Diamond spoke to the Councilmembers.

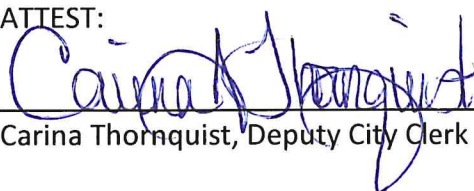
EXECUTIVE SESSION: None

ADJOURNMENT:

Councilmember Deady **moved** to adjourn the meeting; **second** Councilmember Peterson. Vote. Motion **passed** with all voting in favor (6-0). The meeting ended at 9:44 p.m.



John Adler, Mayor

ATTEST:


Carina Thornquist, Deputy City Clerk