

BLACK DIAMOND CITY COUNCIL MINUTES
Council Meeting of May 5, 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, and Young

Councilmember Deady **moved** to excuse Councilmember Dal Santo from tonight's meeting; **second** Councilmember Young. Motion **passed** with all voting in favor (5-0).

ABSENT: Councilmember Dal Santo (excused)

Staff present: Xavier Mason, Finance Director; Scott Hanis, Public Works Director; Ryan Sweet, Capital Project/Program Manager; Hal Hart, Community Development Director; Rob Reed, IS Manager; Jake Kapsandy, IT Tech II; David Linehan, City Attorney; City Administrator, Kevin O'Neill; and Carina Thornquist, Deputy City Clerk.

READING OF GUIDING PRINCIPLES

AGENDA REVIEW AND APPROVAL:

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

PUBLIC COMMENTS:

Geoff Bowie from Black Diamond, spoke to Councilmembers.

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS: None

COMMITTEE REPORTS:

Councilmember Young reported on items discussed at the Public Works Committee on April 22nd which included: staff identified 49 sidewalk hazards around the city and staff is working on getting a contract in place for repairs; surplus sale of 2012 F-150 Pickup Truck to Mt. View Fire and Rescue; staff received notice from WSDOT that patch work continues through the summer and there will be times that the road near Jones Lake Rd. and Hwy. 169 will be closed; work continues at the intersection of 288th and 216th.

DEPARTMENT REPORTS:

1) AB26-044 – February 2026 Monthly Financial Report

Finance Director Mason provided an overview of the February 2026 Monthly Financial Report. He reported that two people were sent to a conference hosted by the Washington Public Treasurers Association. They brought back suggestions and shared it with the Finance Committee.

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

CONSENT AGENDA:

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

- 2) Claim Checks –** May 5, 2026, Check No. 57265 through Check No. 57309 and EFTs in the amount of \$377,569.46.
- 3) Minutes –**Work Session of April 14, 2026, Special Meeting (Retreat) of April 17, 2026, Special Meeting of April 21, 2026, and Council Meeting of April 21, 2026.
- 4) AB26-045 –** Resolution Declaring 2012 Ford F-250 as Surplus and Authorizing Sale to Mountain View Fire.
- 5) AB26-046 –** Resolution Authorizing Interlocal Agreement with UW for Law Enforcement Services at UW Special Events.

PUBLIC HEARINGS:

- 6) AB26-047 –** Proposed Ordinance Regarding Changes and Updates to Black Diamond Municipal Code Chapter 8.24 Water Safety.

Chief Kiblinger briefly updated the City Council on highlights that were added in the Municipal Code regarding water safety.

Mayor Adler opened the public hearing at 7:15 p.m.

Jason MacLurg from Black Diamond, spoke to Council and wanted to give gratitude to the City Council for giving the public an opportunity to speak on this topic. He also thanked the Black Diamond Police Department for patrolling the roads near the lake and ticketing those vehicles that park illegally. Finally, he thanked Mountain View Fire and Rescue for coming for an aid call for his partner and they were there within minutes potentially saving her life. The proposals for the lake are great. He has a few suggestions:

- BDMC 8.24.195 (regarding aircraft) the code says what the rules are for pilots, but as a boater, he doesn't know what their responsibility is.
- BDMC 8.24.280 (people in tow) this section is confusing; make it simple.

Jacqueline Banks from Black Diamond spoke to Council stating she has two young children, so she is extremely concerned about safe boating practices. She thanked Chief Kiblinger for collaboration with the citizens after the October meeting and engaging with the community about shaping the new ordinance. Productive conversations that led to real progress like the swim buoy line. The new ordinance gives the police authority to manage the lake effectively. This works best when paired with communication with the lake residents, strong officer training, and consistent patrol presence. Trust between a police department and the community is not something every community has like Black Diamond. Ms. Banks further spoke about her support of e-foils and how they are good for the lake. She said someone gave out wrong information at a prior meeting saying they go at a speed of 30 mph. She said this is incorrect and it's more like 10 – 15 mph. She concluded by stating the biggest offenders on the lake are the fishing vessels who unexpectedly go from trolling to flying across the lake.

Norman Wineberg from Black Diamond spoke in support of the no wake period for the swimmers, rowers, etc. He's mostly concerned about safety and gave suggestions.

Rick Stocks from Black Diamond spoke to Council and disagreed with the previous speaker. Mr. Stocks didn't mean any disrespect to the gentleman, but he stated that boaters and water skiers were at the lake before he moved there. He further explained that if he was looking for a quieter lake, he should have looked at Lake Morton or some other small lake.

Nanette Stocks from Black Diamond stated that her daughter, Jacqueline, who spoke earlier had a lot of bad experiences regarding water safety growing up so she is extremely concerned and passionate about this topic. Ms. Stocks supports what her daughter said and said her daughter would be more than happy to take anyone out to e-foil if they want to know more about them.

Mayor Adler closed the public hearing at 7:33 p.m.

UNFINISHED BUSINESS:

- 7) AB26-048** – Quasi Judicial Closed Record Hearing on a Proposed Major Amendment to the Ten Trails MPD Development Agreement Regarding Pipeline Road Construction Timing

Mayor Adler opened the closed record hearing at 7:34 p.m.

Mayor Adler announced that this is a Quasi-Judicial Closed Record Hearing on a Proposed Major Amendment to the Ten Trails MPD Development Agreement Regarding the Pipeline Road Construction Timing. He advised that since it's a closed record hearing, Councils' role tonight is to review the existing record developed already and there will not be any new testimony or evidence introduced. There will be an opportunity to ask questions regarding

what's already in the record. Again, there won't be any new information introduced at this time.

Mayor Adler turned the meeting over to City Administrator Kevin O'Neill. Mr. O'Neill stated that he had a brief presentation tonight and introduced Michelle Wright who is the City Engineer and is serving as the Interim MDRT Director. She has been very instrumental in this process recently and can help answer questions should they come up. He stated that this presentation is very similar to the one he gave to the Hearing Examiner a few short months ago.

Presentations:

City – City Administrator, Kevin O'Neill spoke in support of the major amendment on behalf of the city.

Extensive questions for the city staff from Councilmembers took place.

School District - Interim Enumclaw School Superintendent, Jill Burnes spoke in support of the major amendment on behalf of the school district.

Oakpointe - Justin Wortman, Senior Project Manager was present, and Mr. Wortman spoke in support of the major amendment.

Natalie Waters, Black Diamond spoke in support of approving the proposed major amendment.

Andre Koch, Black Diamond spoke in support of approving the proposed major amendment.

Extensive questions for the applicant, Oakpointe, from Councilmembers took place.

Natalie Waters, Black Diamond spoke to Councilmembers regarding questions.

Mayor Adler stated that it's time for the Opposing Party to speak and they must be a Party of Record.

**Opposition –
Public Testimony-**

Kristen Bryant, Bellevue spoke against the proposed major amendment.

Tom Ekberg, Black Diamond spoke against the proposed major amendment.

Bill Bryant, Black Diamond spoke against the proposed major amendment.

Nanette Stocks, Black Diamond spoke against the proposed major amendment.

Rebuttals –

City – None

School District – None

Oakpointe – None

Public -

Kristen Bryant, Bellevue

8:41 p.m. - Mayor Adler closed the quasi-judicial hearing.

Councilmember Peterson **moved** to approve Pipeline Road Major Amendment (PLN25-0006) with conditions by Oakpointe; **second** Councilmember Young. Councilmember Nielsen asked if they could go into deliberations; Councilmember Sorci seconded.

Mayor Adler asked City Attorney David Linehan if we need a RCW to go into executive session. Mr. Linehan advised that we don't need an RCW since this doesn't apply to the Open Public Meeting Act. However, he did provide RCW 42.30.140(2).

8:42 p.m. - Mayor Adler announced that the City Council would be going into deliberations back in the patrol room for 20 minutes with possible action to follow.

9:02 p.m. - Deputy City Clerk announced that Council asked for a five-minute extension to the deliberations.

9:07 p.m. - Councilmembers returned from the patrol room to the Council Chambers.

9:07 p.m. – Mayor Adler called the meeting back to order.

Statements from the Councilmembers took place.

Councilmember Peterson **moved** to approve Pipeline Road Major Amendment (PLN25-0006) with conditions by Oakpointe with conditions; **second** Councilmember Young. Motion **passed** (4-1) (Sorci).

NEW BUSINESS:

8) AB26-049 – Resolution Accepting and Executing a Grant Agreement with King County for the KJ Gardner Skatepark Shade Structure

Capital Project/Program Manager, Mr. Sweet reported about getting a grant for a shade structure for the skatepark.

Councilmember Deady **moved** to adopt Resolution No. 26-1742 authorizing the Mayor to execute a grant agreement with King County of \$100,000 for the KJ Gardner Skatepark Shade Structure; **second** Councilmember Nielsen. Motion **passed** with all voting in favor (5-0).

MAYOR'S REPORT:

Mayor Adler welcomed Hal Hart, the city's new Community Development Director.

COUNCIL REPORTS:

Councilmember Peterson – no report.

Councilmember Sorci – no report.

Councilmember Young shared that he attended the Mountain View Fire & Rescue Fire Commissioners meeting and gave statistics of the fire department calls. He announced that Nurses' week is coming up next week and thanked all the nurses for their service.

Councilmember Deady reported attending the Mountain View Fire & Rescue Fire Commissioners meeting. She asked if we could put an update on the website about traffic situations.

Councilmember Nielsen – she wanted to recognize Mountain View Fire & Rescue for all the work they do as well as the police department.

CITY ADMINISTRATOR REPORT:

City Administrator O'Neill advised the Councilmembers to watch their Inbox regarding the FEFA event on 6/12 – 6/14 at Lake Wilderness Park in Maple Valley. An opportunity is coming up on 5/19 at 6:00 p.m. for Active Shooter's Training. A notice of potential quorum will be completed.

ATTORNEY REPORT:

Attorney Linehan inquired about a housekeeping item regarding Pipeline Road. He asked for clarification that City Council wanted him to prepare an Ordinance for Pipeline Road, which they confirmed yes.

Councilmembers added an Executive Session pursuant to RCW 42.30.110(f) and RCW 42.30.110(i). No action to follow.

PUBLIC COMMENTS:

Geoff Bowie from Black Diamond, spoke to Council.

EXECUTIVE SESSION:

9:37 p.m. - Mayor Adler announced that Council would be going into executive session pursuant to RCW 42.30.110(f) and RCW 42.30.110(i) Potential Litigation. The Executive Session was anticipated to last 15 minutes with no action to follow. Councilmembers exited the Council Chambers to the patrol room.

9:52 p.m. - Deputy City Clerk announced that Council has requested a three-minute extension to the Executive Session.

9:55 p.m. - Mayor Adler called the meeting back to order.

ADJOURNMENT:

Councilmember Peterson **moved** to adjourn the meeting; **second** Councilmember Deady. Motion **passed** with all voting in favor (5-0). The meeting ended at 9:55 p.m.



John Adler, Mayor

ATTEST:



Carina Thornquist, Deputy City Clerk