

BLACK DIAMOND CITY COUNCIL MINUTES
Council Meeting of June 3, 2021
Virtual Meeting Via Zoom

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, Oglesbee, Wisnoski, Mulvihill, de Leon, O'Donnell, and Page.

ABSENT:

Staff present: Andrew Williamson, MDRT/Ec Dev Director; Scott Hanis, Capital Projects/Program Manager; Mona Davis, Community Development Director; Seth Boettcher, Public Works Director; David Linehan, City Attorney; and Brenda L. Martinez, City Clerk/HR Manager.

AGENDA REVIEW AND APPROVAL:

Councilmember de Leon **moved** to approve the agenda. **second** Councilmember Deady. Motion **passed** with all voting in favor (7-0).

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS: None

CONSENT AGENDA:

Councilmember Wisnoski **moved** to adopt the Consent Agenda; **second** Councilmember Mulvihill. Motion **passed** with all voting in favor (7-0). The Consent Agenda was approved as follows:

- 1) **Claim Checks** – June 3, 2021, Check No. 50010 through 50059 (voids 49981-50009) in the amount of \$298,028.49
- 2) **Minutes** – Council Meeting of May 20, 2021

PUBLIC COMMENTS:

Angela Fettig, Black Diamond addressed the City Council.

Renee Mix, Black Diamond addressed the City Council.

Kristen Bryant, Black Diamond addressed the City Council.

PUBLIC HEARINGS:

3) AB21-032 – City’s Proposed 2022-2027 Six Year Transportation Improvement Plan
Capital Projects/Program Manager Hanis reported to Council on this item.

There was discussion between Councilmembers and Mr. Hanis regarding the plan and funding source opportunities.

Mayor Benson opened the public hearing at 7:27 p.m.

Kristen Bryant, Bellevue shared that the Washington State Department of Transportation has an active transportation page with a list of funding sources. She noted it being frustrating to hear that pedestrian safety is predicated on getting grants. She reminded Council that it is not the only way to pay for it, the budget is controlled by Council, and it can explore those sources as well as city sources and it shouldn’t be just about grants as safety is such a key item. She spoke to a letter from many citizens about pedestrian safety the Council received by email. She stated that many in the public have asked the city to revise its approach to pedestrian safety and the pedestrian environment. She commented that as traffic increases it is becoming clear you can’t walk and enjoy the city the same as residents use to. She stressed it will get worse if pedestrian projects are not prioritized and talked about the importance to this. She added that by prioritizing projects it tells staff which projects to look for other funding sources sooner. She noted there being a list of sidewalk projects they ask the Council to consider adding to the TIP. She talked about the process staff would need to do to add these projects and encouraged Council to walk around and look at them. She read the following project list and spoke to them:

1. Pedestrian crossing and safety treatment near 31108 3rd Ave (Diamond Valley) on SR169 to reach the north commercial areas on SR169
2. Pedestrian crossing and safety treatment on SR169 at Community Center to bus stop.
3. Pedestrian crossing and safety treatment on SR169 to James Street
4. Pedestrian crossing and safety treatment on Lake Sawyer Road (288th Ave SE) to get to Sawyer Woods Elementary.
5. Pedestrian crossing and safety Treatment on Roberts Drive east or Diamond Village

Ms. Bryant ran out of time.

Angel Fettig, Black Diamond noted that her request tonight is for Council to please amend the docket and include item 2021-16 and 2021-18 on the final docket for further consideration. She noted that after hearing many comments supporting road safety and well-reasoned concerns, the Planning Commission unfortunately declined to include them. She added that the City Council can make a motion tonight to include 2021-16 and 2021-18 on the docket. She added that what she sees in Black Diamond is that traffic concurrency requirements are not sufficient, and enforcement is weak. She pointed out that traffic concurrency means that road improvements are built concurrent with new development, and she is not seeing that. She gave the example of the roundabout at SR169 and the need for the Council to push the developer to make traffic and safety improvements to our city. She urged the Council to slow the growth until the transportation issues are addressed. She added the city is already taking on a massive amount of growth for traffic reasons and

asked that they consider limiting commercial growth with retail, because it is very traffic intense land use. She talked about the roundabout on 169 providing some pedestrian safety, but they keep getting delayed. She noted the TIP has roundabouts in 2023, however that is two years of unsafe pedestrian and bicycles on the road. She discussed needing policy for our delayed pedestrian and safety projects. She stated that when she listened to the Council meeting a few weeks ago, she heard a unanimous to construct a new skate park for the city to enjoy. She is concerned with how children and families will access the skate park safely as there is no safe way. She asked that the council prioritize the safety needs before allowing more growth to overcrowd our roads. She discussed how this plan feels like a wish list and is concerned it won't become a reality within the six years. She asked Council to look at the pedestrian safety projects and move them to the top.

Gary Davis, Black Diamond stated that pedestrian safety and bicycle safety and making changes to roads that will allow for general safety of the vehicles without necessarily increasing capacity. He read an excerpt from the Dangerous by Design national report stating that the number of people struck and killed by drivers nationwide while walking increased by an astonishing 45 percent over the last decade (2010-2019). Many states and localities have spent the last ten years focusing on enforcement, running ineffectual education campaigns, or blaming the victims of these crashes, while ignoring or actively distracting people from the role that roadway design in these deaths. Localities must stop deploying the same playbook and expecting this trend to change – they need a fundamentally different approach to the problem. They need to acknowledge that their approach to building and operating streets and roads contributes to these deaths. He added with the developments going on we need to hold them back until the agreed upon improvements for pedestrian and bicycle safety are improved.

Mayor Benson closed the public hearing at 7:40 p.m.

UNFINISHED BUSINESS: None

NEW BUSINESS:

4) AB21-033 – Resolution Regarding Port of Seattle Grant to Enhance Downtown Vacant Property

Community Development Director Davis briefed Council on this agenda item.

There was Council discussion.

Councilmember Wisnoski **moved** to adopt Resolution No. 21-1423 authorizing the acceptance of a \$5,000 economic development grant from the Port of Seattle and authorizing the Mayor to execute the grant agreement; **second** Councilmember Deady. Motion **passed** with all voting in favor (7-0).

5) AB21-034 – Resolution Regarding the 2021 Comprehensive Plan Docket

Community Development Director Davis discussed this item with Council.

Councilmembers engaged in a robust discussion on what the approved items for the 2021 Comprehensive Plan Docket items should be.

Councilmember Mulvihill **moved** to adopt Resolution No. 21-1424 establishing the City's 2021 Docket of proposed Comprehensive Plan amendments; **second** Councilmember Deady.

Roll Call Vote: Deady – yes; Oglesbee – no; Wisnoski – no; Mulvihill – yes; de Leon – yes; O'Donnell – no; Page – yes. 4 (yes) 3 (no – O'Donnell, Wisnoski, Oglesbee). Motion passed (4-3).

DEPARTMENT REPORTS:

Fire – Chief Smith shared incidents that have happen since his last report. He reported having a long discussion in the Public Safety Committee meeting on the safety at the Green River. He encouraged people to use Flaming Geyser Park instead of the Gorge.

MAYOR'S REPORT:

Mayor Benson announced the new website will be launched before June 11th. She stated that there are no items for the agenda for June 10 work session and Council will have two meetings the following week.

COUNCIL REPORTS:

Councilmember O'Donnell expressed feeling like letting the community down and did not listen to the community and their needs and Council not doing the work for the city tonight.

Councilmember Page stated she believes she did do the work of the city tonight and we need to allow staff to do the best work and noted she appreciated the conversation tonight as it wasn't easy for anyone. She reported attending her committee meetings and met with Ms. Miller on the finances of the city and how they work. She attended the tri city meeting between Black Diamond and the cities of Maple Valley and Covington. She thanked Scott Hanis for updating maps for labor days committee and thanked the citizens who emailed and phoned with the comments for this evening. She also thanked the candidates who on the meeting tonight and the residents who reached out regarding a walkabout in the city and invited others to reach out to her.

Councilmember Deady expressed that the citizens voices were heard tonight and through the emails and even during the time the bicycle accident happened. She noted working on getting sidewalks into the city and gave the example of Lawson Hills, Roberts Drive, and Baker Street. She noted that things don't happen as fast as we want, however the Public Works Committee will make sure the pedestrian safety remains a priority. She mentioned

that the Public Works Director is working on a comprehensive plan to identify areas of need. She said she enjoyed the debate tonight and noted leaning one way and then the other way and hopes they keep up the good work and keep the debates going. She reported attending the Town Hall meeting hosted by King Councilmember Dunn and shared some of the information discussed. She also reported attending the Public Health meeting and reminded everyone that the Miners Day celebration is July 17. She shared having conversation with citizens about the speed limit on Roberts Drive coming off Hwy 169. She met with the retreat facilitator and suggested having another retreat after this one to come together as a Council with all the issues to see what the top priorities are and what the plan is to achieve these goals. She also attended tri city meeting and reminded everyone that the IRONMAN event will be coming through the city in September, and Labor Days and Tough Mudder are happening in September too.

Councilmember Oglesbee shared how lucky our residents are to have passionate city councilmembers and thanked the public for sticking with them. She noted that as our city grows there is a good set of people and looks forward to being involved. She expressed that making decisions during this meeting was hard and we need to push staff and Council with the growth. She reported meeting with the retreat facilitator and attended tri city meeting. She commented on looking forward to seeing the city grow in a safe manner. She attended the Public Safety Committee meeting where they talked about crosswalk flags and next steps and the possibility of the police getting body cameras. She announced that there is a blood drive at St. Barbara's Church June 17 - 18 and 21 - 22. Thanked Ms. Fettig and would like to see that zoom meetings will continue once we are back to in person sessions.

Councilmember Wisnoski reported attending the tri city meeting and Finance Committee meeting. He commented on the growing pains that are associated with growth and knowing that at some point and time our ability to fund things would lag behind being able to fund things. He discussed how they thought there would be commercial space up and running and have sales tax revenue coming in already. He noted how the public got to see the passion from the members that represent them and they all the best interest of the city in mind. He explained that the Council doesn't always agree, and it was a good discussion that shows our residents we listened, care and are trying to figure out to get through this difficult funding. He stated we are not a little city, and we are not quite a big city yet, however commercial is needed to help fund what we want to do in the city. He further discussed challenges to fund fire, other upgrades, and parks. He thanked everyone who commented tonight and the staff.

Councilmember Mulvihill noted loving the passion that is involved and the comments and suggestions received from the citizens. She commented on fiscal responsibility and does not feel we let our citizens down – we have allowed staff to get something done correctly and looks forward to working through the process. She shared that the bike rodeo meeting went well, however there isn't enough time to plan one for June. She shared that Councilmember Oglesbee came up with a great idea to have it during the Labor Days event and noted having a sponsor for the helmets. She reported meeting with the retreat facilitator, attending the tri city meeting and her committee meetings. She thanked staff

for doing the amazing job they are doing and believe that way finding sign in the historical district is a good idea.

Councilmember de Leon expressed not making the vote lightly and she cares that people took the time to call, email and do petitions. She stated that she is happy to explain her vote and on June 9 she is having her zoom meeting and the link is on her Council Facebook page. She touched on the need for additional staff and partnering with other agencies. She is concerned with the domino affect how other important things won't get done and gave examples. She urged citizens to hold the Council accountable and to keep things on the front burner. She touched on private property issues for sidewalks that need to be considered. She fully agrees we need to work on safety on the roads and really appreciated the comments and will continue to listen. She reported attending the Finance Committee meeting, tri city meeting and announced that on June 12 there will be another community service project for Lake Sawyer. She also announced that June is pride month and extended her well wishes and is excited to find ways to celebrate.

ATTORNEY REPORT: None

EXECUTIVE SESSION: None

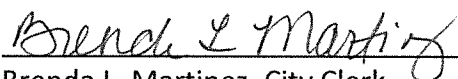
ADJOURNMENT:

Councilmember Deady **moved** to adjourn the meeting; **second** Councilmember Oglesbee. Motion **passed** with all voting in favor (7-0). The meeting ended at 9:46 p.m.

ATTEST:



Carol Benson, Mayor



Brenda L. Martinez, City Clerk