

BLACK DIAMOND CITY COUNCIL MINUTES
Council Meeting of August 19, 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, de Leon, O'Donnell, and Page. (Councilmember Mulvihill was not present during roll call and joined the meeting at 7:04 p.m.)

ABSENT:

Staff present: Mona Davis, Community Development Director; Seth Boettcher, Public Works Director; Jamey Kiblinger, Police Chief; Brian Martinez, Commander; Eileen Keiffer, City Attorney; and Brenda L. Martinez, City Clerk/HR Manager.

Mayor Benson announced that our first skatepark community meeting will be next Wednesday in the Council Chambers from 6:30 p.m. – 8:00 p.m. and there will be a presentation by Grindline. She noted the announcement will be shared on our social media sites and on the website too. She asked that if Councilmembers would like to attend to please notify the Clerk who may need to make it a special meeting if a quorum of the Council attends.

AGENDA REVIEW AND APPROVAL:

Councilmember de Leon **moved** to approve the agenda; **second** Councilmember Oglesbee. Motion **passed** with all voting in favor (6-0).

CONSENT AGENDA:

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

- 1) **Claim Checks** – August 19, 2021, Check No 50294 through 50352 and EFTs in the amount of \$608,211.25
- 2) **Payroll** – July 2021, Check No. 20103 through 20109 and ACHs in the amount of \$422,435.45
- 3) **Minutes** – Council Meeting of August 5, 2021
- 4) **AB21-049** – Resolution Authorizing Contract Amendment #7 with RH2 Engineering for WSFFA
- 5) **AB21-050** – Resolution Authorizing Contract with Architects Rasmussen Triebelhorn

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS:

- 1) **AB21-048** – Confirmation of Mayor’s Appointment of Knut Syversen to the Planning Commission

Mayor Benson reported on this item.

Councilmember Deady **moved** to approve Mr. Syversen to the Planning Commission; **second** Councilmember Page. Motion **passed** with all voting in favor (6-0)

Councilmember Mulvihill joined the meeting at 7:04 p.m.

PUBLIC COMMENTS: None

PUBLIC HEARINGS:

- 2) **AB21-051** – Proposed New BDMC Chapter 3.80, Transportation Impact Fee and Proposed Transportation Impact Fee Rate Study

Public Works Director Boettcher and Kai Tohinaka from Parametrix briefed Council on this item.

Mayor Benson opened the public hearing at 7:14 p.m.

Kristen Bryant, Bellevue noted sending detailed analysis from herself, her dad, and Friends of Black Diamond. She noted there being concerns about which trip generation factors were used and about not including pedestrian projects. She commented that people have asked over and over to not let the city small town feel be overrun by big development and in particular pedestrian safety and traffic. This is really an important issue and stated that one of the issues is to spend extra time and compare this fee to other cities and turn over every leaf on how this was put together. She noted the contract with Parametrix was signed during the pandemic and wondered how the traffic during 2020 was counted during the pandemic. She noted she found out that Parametrix was able to use traffic counts submitted by developers from 2019, which was good. Another issue that came up with the fee is it’s hard to put in pedestrian projects. She explained that some cities do and gave examples of how to determine putting forth pedestrian projects. She then discussed how OakPointe’s development agreement and SEPA transportation projects were not factored in. She stressed that this impact fee will limit collection, and some will not be paying their share. She stated that people want growth to pay for growth and if the fee is low, it won’t be doing that.

Mayor Benson closed the public hearing at 7:19 p.m.

Mr. Boettcher noted there being written comments and they will be reviewed with Parametrix and our legal team and will be addressed at the next meeting on September 2. He thanked everyone for participating in this policy making process.

UNFINISHED BUSINESS: None

NEW BUSINESS:

3) AB21-052 – Resolution Regarding Copier Lease for Police Department

Chief Kiblinger discussed this item with Council.

Councilmember Oglesbee **moved** to adopt Resolution No. 21-1437 authorizing the Mayor to execute a 60-month maintenance and supplies agreement with the WITT Company and associated 60-month billing lease agreement through US Bank for a Kyocera photocopier; **second** Councilmember Wisnoski. Motion **passed** with all voting in favor (7-0).

4) AB21-053 – Resolution Authorizing Contract with Axon Enterprise to Provide Body-Worn Cameras for all Sworn Police Officers and Providing Storage and Access to Evidence.com for Associated Digital Files

Chief Kiblinger along with Commander Martinez reported on this item.

There was discussion between Councilmembers and staff.

Councilmember Mulvihill **moved** to adopt Resolution No. 21-1438 authorizing the Mayor to sign a five-year contract with Axon for Police Body Camera Services; **second** Councilmember Oglesbee.

There was continued discussion.

Vote: Motion **passed** with all voting in favor (7-0).

DEPARTMENT REPORTS:

Fire - Chief Smith reported they are starting to see one call per week in the Ten Trail area. Currently 8.5 miles of hose testing is being done. He shared that we are in a Phase 2 burn ban and noted there are no recreation burns allowed. He touched on COVID and the numbers going up, however one good thing is the death rate is not going up. He stressed that everyone needs to know it is back out there and for everyone to get informed so they can make their own decisions.

MAYOR'S REPORT:

Mayor Benson reported meeting with King County Health and said they were suggesting people wear masks in indoor venues. At the meeting it was shared that 90% of people getting the delta virus in King County are not vaccinated and the 10% that are getting it are vaccinated and are having mild or no symptoms. She also reported attending the Flood Control District meeting.

COUNCIL REPORTS:

Councilmember Wisnoski reported being excited to hear the feedback from the Skatepark meeting next week. He commented that it was good to hear about the burn ban and thanked the Chief.

Councilmember Mulvihill mentioned the Labor Day program is completed and printed and will be coming soon to local merchants and is looking forward to a great event. She shared that a few weeks ago it was discussed that there would be a thermostat for the Skatepark for a fundraiser and Kevin is working on it so it will be moveable and can be placed in other areas. She reported attending all her meetings. She walked the bike rodeo course and announced they have 10 volunteers to help with this event. She will be out of town and Councilmember Page will be taking the lead on this event and is working feverishly to complete all her work before she leaves. She thanked Kristen for her comments during the public hearing and thanked staff who work hard to bring the information to Council and will see everyone in October.

Councilmember de Leon noted looking forward to Labor Days and being a volunteer and thanked everyone who has been a part of it. She reported attending all her committee meetings and the work session. She announced that she plans to attend the event on the 25th. She also reported attending the WRIA 9 meeting and gave an update on issues discussed. She shared participating in a training opportunity with the police department. She noted being mindful of back to school and mask requirements and the difficulty for educators and staff and how we need to be supportive of the youth and educators. She reminded everyone that the Black Diamond Community Center is having a back-to-school drive and the need will continue throughout the year.

Councilmember O'Donnell reported the transportation impact fee presentation was good and learning a lot from it. He thanked Kristen and the others for their input and encouraged people to keep up with public input. He noted there being a complete streets ordinance that was adopted in 2018 and described what it addresses. He thanked Knut for joining the Planning Commission. He is looking forward to Labor Days and commented that some work needs to be done to the City's website.

Councilmember Page noted also attending the committee meetings and work session this month and is excited about the meeting on the 25th and noted this meeting being for the community and asked people to please show up to provide input. She noted that Councilmember Oglesbee at the last meeting shared a post about KJ who was responsible for getting the first skatepark in our community and noted there being a movement a foot to get some naming rights and hopes for Council to come to the Mayor, at some time with a proclamation regarding this. She reported attending a Municipal Budget and Fiscal Management Workshop put on by AWC and shared her takeaway. She commented that Labor Days is almost upon us and for citizens to remember the bike rodeo on Saturday the 4th, parade is on Monday and not to forget the activities that will take place on the field. She announced that a painting party will take place for the Green River Queen to get it

ready for the parade and anyone interested can contact her for more information. She announced that back to school is approaching and the first district in our community to start is the Kent School District.

Councilmember Deady gave kudos to Kevin Esping for getting another city truck at a great deal. She thanked the public works crew and noted having two seasonal workers who can do the mowing and trimming so the others on the crew can attend to more complex issues. She reminded everyone that motorized vehicles are not allowed in city parks. She reported attending all her committee meetings and thanked Kristiana for attending the WRIA 9 meeting in her place. She also attended the Maple Valley work session on the Ironman event and shared the route that was discussed. She had a question on returning to a hybrid format in the chambers for council meetings. She commented that it would be nice to bring back the second public comment period on the agenda. She noted that at City of Kent meetings they do all their Mayor, staff and Council reports at the beginning of the meeting. She attended the bike rodeo meeting and is volunteering. She discussed what was raised by the garage sale for the Eagles and noted the city should start looking at with Kevin what shelters are available and how we are going to take care of our citizens during disasters.

Councilmember Oglesbee reported attending all her meetings, the bike rodeo meeting and she commented that the Labor Day celebration will be amazing. She also likes having the second public comment period back on the agenda. She asked to discuss emergency facilities at the next safety meeting.

ATTORNEY REPORT: None

EXECUTIVE SESSION: None

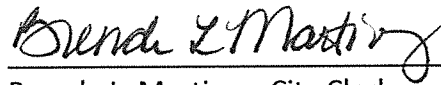
ADJOURNMENT:

Councilmember Mulvihill **moved** to adjourn the meeting; **second** Councilmember Deady. Motion **passed** with all voting in favor (7-0). The meeting ended at 8:33 p.m.

ATTEST:



Carol Benson, Mayor



Brenda L. Martinez, City Clerk