

BLACK DIAMOND CITY COUNCIL MINUTES
Council Meeting of April 21, 2022
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 Stallard, Smith (Zoom), Mulvihill, de Leon, O'Donnell, and Page

ABSENT: Councilmember Deady (excused)

Staff present: Mona Davis, Community Development Director; Scott Hanis, Public Works Director; Andrew Williamson; Ec Dev/MDRT Director; David Linehan, City Attorney (Zoom); Rob Reed and Tristen Bennett, IS Department, Jamey Kiblinger, Police Chief; and Brenda L. Martinez, City Clerk/HR Manager.

AGENDA REVIEW AND APPROVAL:

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

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS:

CONSENT AGENDA:

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

- 1) **Claim Checks** – April 21, 2022, Check No. 51315 through 51381 (void 51259, 51314, 51282, 51313, 51278) and EFTS in the amount of \$376,748.98
- 2) **Payroll** – March 2022, Check No. 20169 through 20175 and ACHs in the amount of \$542,461.24
- 3) **Minutes** – Council Meeting of March 17, 2022, and Council Meeting of April 7, 2022
- 4) **AB22-029** – Resolution Authorizing Truck Purchase for Public Works
- 5) **AB22-030** – Motion to Approve Final Decision and Order Denying Variance from Noise Ordinance City File No. PLN22-0003

PUBLIC COMMENTS:

Henry Knies, Black Diamond spoke to Council.

Kristen Bryant, Bellevue spoke to Council.

Geoff Bowie, Black Diamond spoke to Council.

PUBLIC HEARINGS:

6) AB22-031 – Emergency Ordinance Regarding School Impact Fees (First Reading)

Community Development Director Davis reported on this agenda item.

Mayor Benson opened the public hearing at 7:17 p.m.

Henry Knies, Black Diamond asked how much lost revenue there was in the four months the increase was not assessed. He noted that informed decisions are what Council is here to do and to look out for the citizens interests and was surprised no one asked that question. He stated that Council needs to challenge the staff to bring the information they need as decision makers – you are the legislative body for this city and you're not here just to show up and nod and then go away.

Kristen Bryant, Bellevue noted attending Enumclaw School District and graduating there. She commented that the impact of school costs it certainly a concern and is a concern of many. She discussed the comments heard at the Planning Commission and asked who decides the amount of the developer school impact fee. She noted the school calculates the amount base on a formula which she outlined and the process moving forward. She noted a lot of jurisdictions do recommend at 50% amount of the impact fee to be collected from developers. She noted in the Enumclaw School District plan it is \$25,000 and they are asking Black Diamond to adopt \$12,500 and that means the other half falls on the taxpayers – everyone else makes up the shortfall and the developer keeps the profit. She discussed that the district makes a recommendation, but it's the City Council that adopts the fee. She referred to the RCW on impact fees and read excerpts from it. She noted at closing the developer does pay this fee and it is the best time to collect them. Lastly, she expressed that it is tricky to the school community and the students to leave funds that could be collected from developers to be picked up later by the taxpayers, because you may not have enough.

Geoff Bowie, Black Diamond presented Council with a spreadsheet from King County that he noted seems to be the industry standard. He stated the excel spreadsheet clearly shows that growth does not pay for growth, and it will cost taxpayers in that area. He further added that if growth is going to pay for growth, then let it do that, otherwise get rid of it. He noted the current elementary school is full and students in Ten Trails will be bused to Westwood and the taxpayers will be asked to finance the \$24 million, which doesn't include any cost overruns. He talked about permits that have been submitted and the amount that could have been collected at the new rate. He noted in his letter the shortage

for all the schools needed being short approximately 150 - 160 million dollars. He shared that in the Planning Commission meeting the City Attorney stated the Tri Party agreement provides sites for the schools. He talked about that agreement outlining how this process works. He also mentioned the cities of Duvall and Carnation not allowing the 50% discount and adopting the 25% discount and having the developer pay more.

Renee Mix, Black Diamond spoke in support of Friends of Black Diamond and read their letter into the record (attached).

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

UNFINISHED BUSINESS: None

NEW BUSINESS: None

DEPARTMENT REPORTS:

Fire – Chief Smith shared they will be holding a “push in” ceremony for the new aid car soon. He talked about the wrap on the aid car being reflective. He discussed the problems they are experiencing with transports and noted it is time to consider providing this service. He mentioned that there are seven in the volunteer academy and noted that volunteers are hard to find. There are four in the career academy, and they have sent out five new conditional offers for employment and their academy would start in August. He announced that another new fire engine will be arriving soon, and pictures will be forthcoming. He noted they have had a multitude of car accidents in the last five days, but none in Black Diamond.

Police - Chief Kiblinger presented Council with her report and stats for March. She noted they are in active backgrounds and hiring. She discussed the city gym project being almost complete and it will be open on May 10th for employees. She discussed the two Marine boating classes they will be hosting in March. She announced that in person traffic school will start in May and DARE is in full swing Black Diamond Elementary School. She shared the bicycle helmet distribution program will be held on June 2nd from 4 – 7 p.m. at the gym/bike track and invited those that need helmets to please attend as they will have all sizes. She reported on the types of calls they are responding to and noted that vehicle thefts are on the rise.

MAYOR’S REPORT:

Mayor Benson reported attending the SCATBd meeting and the items discussed were Rapid Ride and Orca updates. She informed Council that PSRC’s final transportation projects did not include any of the two projects Maple Valley applied for. She commented that during the strong mayor’s meeting Columbia Bank did a presentation on interest rates and how they affect homebuyers. She reminded everyone that the Black Diamond Labor Day Committee is looking for a parade coordinator and shared that Ten Trails has offered to hold move night on Saturday.

COUNCIL REPORTS:

Councilmember Stallard noted appreciating the Fire and Police monthly reports. She throughout a statistic on treating officers to jujitsu and is interested to see what we could do for our officers in defensive tactics. She reported attending the Planning Committee meeting and having questions on the developer having a large discount on school impact fees and would like to hear more on that before voting.

Councilmember Mulvihill reported working on the forms for the Black Diamond Labor Days. She also shared being the editor for the Black Diamond Historical Society Newsletter and encouraged people to turn in articles or pictures of family members who grew up in Black Diamond. She wished Chief Kiblinger a happy birthday.

Councilmember de Leon is looking forward to seeing everyone at the retreat on Saturday and noted they have a hefty agenda to get through. She mentioned the Earth Day celebration and clean-up event with the Lake Sawyer Park Foundation happening at the Lake Sawyer Regional Park. She announced that some folks in Black Diamond are planning a Pride event. She thanked Councilmember O'Donnell for sitting in for her at the Finance Committee meeting. She also thanked the everyone for their public comments tonight as she does appreciate their thoughts and feedback.

Councilmember O'Donnell thanked those for speaking tonight as they need public comments and the more engagement, they can get is great. He stressed that he does do his homework and comes prepared to meetings. He welcomed anyone to email or get a hold of him and conversations with anything that deals with bettering this community. He noted looking forward to the new comp plan and would rather have staff focus on the new plan. He talked about good news of applying for two grants – 6 million dollars for a public safety and justice center grant through Senator Murrey and another 2.1-million-dollar grant for the Community Gymnasium to preserve the historic character of that one building that we have that's historic. He shared that earlier this week he had the privilege of sitting in as a spectator on the Court system and noted being impressed by the Judge and how wonderful our Court is. He also had a tour of the court working conditions for staff and noted them not being good. He stated we need to see how we can get a justice center. His last topic was looking at what his business is and having project managers that manage projects and noted that people are moving to where the stronger market areas are and in his opinion our public aren't paid enough. He discussed city employees' salaries being 20% below market and expressed it's no wonder we are losing police officers - 71% who are at the top are still below \$100,000. He hopes we can treat this as serious as it needs to be and suggested giving everyone a 10% raise.

Councilmember Page reported attending her committee meetings and as councilmembers that the public know we are participating in our responsibility and bringing forward to the public things they are working on in committee. She is looking forward to the retreat and the lively conversations and will be moving forward on an initiative of the acquisition of placing a city administrator this year. She gave a Labor Days update regarding the button

design contest for this year. She thanked Councilmember O'Donnell for his time on pursuing grants.

ATTORNEY REPORT:

City Attorney Linehan wished Council good luck on their retreat. He commented that on the topic of school capital facilities plan and changes on school impact fees, he noted having ideas to share with council in a privileged discussion.

PUBLIC COMMENTS:

Henry Knies, Black Diamond spoke to Council.

Kristen Bryant, Bellevue spoke to Council.

Geoff Bowie, Black Diamond spoke to Council.

EXECUTIVE SESSION: None

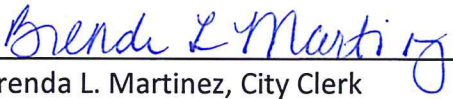
ADJOURNMENT:

Councilmember Mulvihill **moved** to adjourn the meeting; **second** Councilmember Page. Motion **passed** with all voting in favor (6-0). The meeting ended at 8:22 p.m.

ATTEST:



Carol Benson, Mayor



Brenda L. Martinez, City Clerk