

BLACK DIAMOND CITY COUNCIL MINUTES
Council Meeting of May 5, 2022
Hybrid Meeting Via Zoom and In-Person
Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE:

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

ROLL CALL:

PRESENT: Councilmembers Deady, Stallard, Smith, de Leon, O'Donnell, and Page

ABSENT: Councilmember Mulvihill (excused)

Staff present: Mona Davis, Community Development Director; Scott Hanis, Public Works Director; David Linehan, City Attorney; Rob Reed and Tristen Bennett, IS Department, Jamey Kiblinger, Police Chief.

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS:

Mayor Pro-Tem Deady read the following proclamations into the record.

- 1) **Proclamation** – 53rd Annual Professional Municipal Clerks Week – May 1 -May 7, 2022
- 2) **Proclamation** – Mental Health Awareness Month

CONSENT AGENDA:

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

- 3) **Claim Checks** – May 5, 2022, Check No. 51382 through 51427 in the amount of \$235,797.79
- 4) **Minutes** – Council Meeting of April 21, 2022

PUBLIC COMMENTS:

Kristen Bryant, Bellevue spoke to Council.
Brock Deady, Black Diamond spoke to Council.
Geoff Bowie, Black Diamond spoke to Council.

AGENDA REVIEW AND APPROVAL:

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

PUBLIC HEARINGS: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

- 5) **AB22-032** – Authorizing the Pursuit of Grant Funding from Senator Murray – CDS Request FY 23 for the Black Diamond Community Gymnasium Historic Renovation Project

Councilmember O'Donnell addressed this item.

There was Council discussion on this.

Councilmember de Leon **moved** to authorize the pursuit of grant funding from Senator Murray – CDS Request FY 23 for the Black Diamond Community Gymnasium Historic Renovation Project; **second** Councilmember Smith. Motion **passed** with all voting in favor (6-0).

- 6) **AB22-033** – Authorizing the Pursuit of Grant Funding from Senator Murray – CDS FY 23 City of Black Diamond Public Safety Facilities - USDA Rural Facilities Grant

Councilmember O'Donnell reported on this agenda item.

There was Council discussion.

Councilmember Smith **moved** to authorize the pursuit of grant funding from Senator Murray – CDS FY 23 City of Black Diamond Public Safety Facilities – USDA Rural Facilities Grant; **second** Councilmember de Leon. Motion **passed** with all voting in favor (6-0).

DEPARTMENT REPORTS:

Fire – Chief Smith reported having a residential fire in the City and noted this being the second one within a year and shared there were no injuries. He announced the new aid car is in service and reported on the “push in” ceremony. He touched on staffing levels increasing in the future and noted they are working on their strategic plan and advised that plan should also include Black Diamond.

Police – Commander Martinez reviewed with Council a PowerPoint presentation on the 2021 Annual Report for the department.

MAYOR'S REPORT: None

COUNCIL REPORTS:

Councilmember Stallard wanted to be transparent about losing some staff due to pay and the Council does need to address this to make sure we are being fair to employees at the city. She shared loving the Council retreat and noted they talked about guiding principles for their work and is eager to have them be a focus at each Council meeting, so people know what their guiding principles are. She announced that this month is Asian American and Pacific Islander Heritage month and asked that people do a Google search to find out more about their history.

Councilmember Smith announced that this week Teacher Appreciation Week and shared his family being all in, in serving this community. He reported attending the Finance Committee meeting and his first Tri-City meeting and shared his takeaways regarding concerns surrounding County signing bonuses and ways Black Diamond can compete and affordable housing

Councilmember de Leon commented on Teacher Appreciation week and public service. She voiced concern on hiring and retention being tough and noted that a little bit of appreciation can go a long way and touched on Asian American and Pacific Islander month. She expressed enjoying the Tri City meeting and needing to join via zoom and was happy the hybrid option was there. She echoed the huge concerns around housing affordability and continues to press lawmakers on and stressed time is running out. She expressed being concerned about the bidding wars going on with employers and the possibility of losing employees. She noted that in reference to the Mental Health Proclamation tonight she asked how is the City going to invest in mental health moving forward. She is hoping that Council can also look at the reorganization request of the Court and will flag that for the Mayor and City Clerk. She reported attending her committee meetings and will follow up on the bambi buckets Chief Smith touched on.

Councilmember O'Donnell followed up on the Court and reorg and explained that our Judge has reached out on a reorg and he shared that in the public safety meeting there was general consensus to have the Mayor and HR explore that and get back to Council and the Judge on how that would work. He discussed retention concerns of employees at all department levels. He also touched on the Tri City meeting and shared his takeaways and one of the many examples he shared was design standards and the need to take a harder look at them.

Councilmember Page echoed what was said by Councilmembers O'Donnell and de Leon regarding the Court and looks forward to further updates and discussion and reiterated that the committee supported that conversation and letting it evolve to the rest of the Council in the coming weeks. She touched on the public comments portion of the meeting and how it is not designed for a back and forth and stressed to the public that they are being heard and noted that sometimes the outcomes don't match up and she looks at issues from the bigger picture to make a decision that supports the greatest good of the community. She noted being committed to listening and hearing what the public brings to the Council's attention and using it and other resources to make decisions for our

community. She mentioned that in a recent council meeting there was a conversation on school impact fees and during the public hearing she noted hearing from the speakers they want Council to raise or consider raising the city's school impact fees. She shared that Black Diamond is served by four school districts and the need for them to be mindful of that as they move forward in the process and gave examples. She reported back to the community on a comment heard at a meeting regarding our new aid car. She stated that Chief Smith reported back to Council and shared his response. She reported participating in the Council retreat, the Lake Wilderness Arboretum plant sale, and reminded the community that the Friends of Black Diamond Library plant and book sale kicks off this Sunday at the Black Diamond Library at 11 a.m. She also announced attending the third meeting of the Black Diamond Business Coalition. She attended her Public Safety Committee meeting where one of the topics was hiring and retention in public safety and noted it not being unique to Black Diamond, it is an issue across the state. She also attended the Tri City Council meeting and touched on the importance of these relationships as we grow.

Councilmember Deady reported attending the Council Retreat, Tri City Council meeting and the need to have all departments contribute to the City update next year and to also have this be presented at Council meeting so all citizens can hear it. She noted that from the report there are just over 700 homes occupied in Ten Trails, 76 units within the apartments are rented, and she believes it's under 50 rental homes that are occupied. She announced that the City has hired a Utility Worker, Assistant Planner, and are actively recruiting for a Capital Project/Program Manager. She touched on mental health and how reading the proclamation meant a lot to her as she recently lost a friend to suicide and for everyone to pay attention a little more and hug your family and friends a little tighter and be mindful of what is happening today.

ATTORNEY REPORT:

City Attorney Linehan reported that it was clear after the last Council meeting regarding the discussion on school impact fees that Council wanted more information to explore what's possible and feasible. He shared that he has invited Denise Stiffarm who is the outside Counsel for the Enumclaw School District, Auburn School District, and Tahoma School District to come to the May 19th meeting to discuss school impact fees and answer Council questions from the School District's perspective. He believes she will also be prepared to discuss the local share. He noted the Impact Fee resolution will be on the next meeting agenda. He brought another item to their attention that Governor Inslee repealed one of his declarations that dealt with the Open Public Meetings Act waivers on certain provisions and it brings cities, towns and counties around the state back to the prior OPMA status. He noted the City is already in compliance as they have been holding hybrid meetings. Lastly, he suggested they move into an executive session under RCW 42.30.110(1)(i) to discuss litigation with possible action to follow.

PUBLIC COMMENTS:

Kristen Bryant, Bellevue spoke to Council.

Geoff Bowie, Black Diamond spoke to Council.

EXECUTIVE SESSION:

At 9:50 p.m. Mayor Pro-Tem Deady announced the Council would be going into executive session pursuant to RCW 42.30.110(1)(i) to discuss pending litigation with the City Attorney. The executive session was anticipated to last 20 minutes with possible action to follow.

At 10:10 p.m. an additional 15 minutes was announced.

The meeting was called back to order at 10:25 p.m.

Councilmember Deady **moved** for Council to authorize the Mayor to execute the settlement agreement with Talmadge Fitzpatrick on the negotiated terms; **second** Councilmember O'Donnell. Motion **passed** with all voting in favor (6-0).

ADJOURNMENT:

Councilmember Smith **moved** to adjourn the meeting; **second** Councilmember Page. Motion **passed** with all voting in favor (6-0). The meeting ended at approximately 10:30 p.m.

ATTEST:



Carol Benson, Mayor



Brenda L. Martinez, City Clerk