

BLACK DIAMOND CITY COUNCIL MINUTES
Council Meeting of May 19, 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 Deady, Stallard, Smith (Zoom), Mulvihill (Zoom), de Leon, O'Donnell (Zoom), and Page

ABSENT: None

Staff present: Mona Davis, Community Development Director; Scott Hanis, Public Works 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 Deady. Motion **passed** with all voting in favor (7-0).

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS:

1) Proclamation – National Police Week and Peace Officer Memorial Day

Mayor Benson recognized Medical Service Week and thanked all first responders

CONSENT AGENDA:

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

- 2) Claim Checks –** May 19, 2022, Check No. 51430 through 51501 (void 51428, 51429, 51433) and EFTs in the amount of \$1,402,290.98
- 3) Payroll –** April 2022, Check No. 20176 through 20182 and ACHs in the amount of \$455,478.03
- 4) Minutes –** Special Meeting (Retreat) of April 23, 2022
- 5) AB22-034 –** Resolution Amending Council Rules of Procedure

PUBLIC COMMENTS:

Patrick Nelson, Texas spoke to Council.
Geoff Bowie, Black Diamond spoke to Council
Henry Knies, Black Diamond spoke to Council.
Cindy Proctor, Enumclaw spoke to Council.
Kristen Bryant, Black Diamond spoke to Council.

PUBLIC HEARINGS: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

6) AB22-035 – Ordinance Amending Section 1.24.010 Regarding Posting Places

City Clerk Martinez reported on this item.

Councilmember Page **moved** to approve Ordinance No. 22-1174, amending the Black Diamond Municipal Code section 1.24.010, changing the city's official posting place; providing for severability; and establishing an effective date; **second** Councilmember de Leon. Motion **passed** with all voting in favor (7-0).

7) AB22-036 – Ordinance Amending Section 2.12.040 Regarding Filing of Claims Against the City

City Clerk Martinez briefed Council on this agenda item.

Councilmember de Leon **moved** to approve Ordinance No. 22-1175, amending the Black Diamond Municipal Code section 2.12.040, designating the place where the City Clerk receives claims and lawsuits; providing for severability; and establishing an effective date; **second** Councilmember Deady. Motion **passed** with all voting in favor (7-0).

8) AB22-037 – Ordinance Amending Section 19.04.260 of the Black Diamond Municipal Code Related to SEPA Appeals

Community Development Director Davis reviewed this item with Council.

Councilmember Deady **moved** to approve Ordinance No. 22-1176, amending section 19.04.260 of the Black Diamond Municipal Code related to SEPA appeals; providing for severability; and establishing an effective date; **second** Councilmember de Leon. Motion **passed** (6-1 (O'Donnell)).

DEPARTMENT REPORTS:

Fire – Commissioner Ferrell discussed the Chief's report that was sent earlier to Council. He touched on the call volume they are experiencing and referred to the section of the contract to hold a meeting and proposed a meeting on July 14 in a neutral area.

Community Development – Director Davis addressed citizen concerns and comments heard regarding tree permits and outlined the process for city staff.

MAYOR’S REPORT:

Mayor Benson reported attending the Chamber Luncheon where she gave the State of City report. She noted it will be posted to the city’s website.

COUNCIL REPORTS:

Councilmember Smith reported working with folks at King County around public safety and their signing bonuses. He is looking at ways the County can step in to help retain officers. He attended an Enumclaw School District Board meeting and expressed his gratitude to the board for their support of these meetings. He also has a meeting with folks at Oakpointe to see where they are at with their commercial development and to hear what their roadblocks are with the state.

Councilmember Mulvihill reported attending all her committee meetings. She noted working on the Miners Day and Labor Day programs. She also noted she is working on the newsletter for the Black Diamond Historical Society too. She announced that the Museum recently had Italian Heritage week and shared it was a lot of fun. She expressed that each Councilmember is here because they care about the community we live in and a lot of research is done before decisions are made.

Councilmember de Leon also reported that she was also able to attend the Enumclaw School District Board meeting and echoed what Councilmember Smith said. She discussed how a recognition of pride could look like in our community. She reported attending the work session and her committee meetings. She is curious to hear more about conversations with Councilmember Dunn. She touched on learning more about projects and what’s happening in the city for developments and how we can revisit city code to allow for the bigger the project the more it is incumbent to whoever is doing that (to the legal extent) let us know what is going on. She also mentioned she was able to attend the Lake Sawyer’s Park Foundation Earth Day Park clean-up.

Councilmember O’Donnell noted that he is frustrated as a Councilmember and can show his frustration when he shouldn’t. He expressed that the perception in the community is that they feel they’re not being heard. He added that we don’t need to rush decisions on things and we need to have it go through multiple sessions. He discussed items that he’s expressed interest on since being on Council and stated nothing has been done on them.

Councilmember Page discussed the reason for the school impact fee not being on the agenda; it was due to the school attorney not being able to attend tonight and will see it on an upcoming agenda. She reported attending the Friends of Black Diamond Library plant and book sale and meeting. She also attended her committee meeting and the 4th Black Diamond Business Coalition meeting and noted it being exciting to see the business owners come together to see how they can support each other. She announced on May

26th the city is having an open house on the Stormwater Plan; June 2 from 4-7 p.m. the Black Diamond Police Department is hosting a helmet give away and there will be grilled meat and chips; June 6 the Public Safety Committee will be meeting with Fire Chief Smith around level of service as this new fire station is built. She asked Councilmembers to find time in their calendars to coordinate with the Mayor to dedicate a work session to develop action steps from the retreat. She noted working diligently and committed to the eight guiding principles that were agreed to at the retreat. She then shared those guiding principles.

Councilmember Deady reported on her discussion in the community development meeting is Oakpointe is having a 4th of July celebration on July 2. She referred to last years discussion on whether or not to allow fireworks and asked that Council put this on the next agenda for discussion. She noted if a decision is made to not allow fireworks in 2023 that decision needs to be made by June 29th. She also expressed having survey go out to citizens to see what they want. She reported attending all her regional meetings and her Public Works and Community Development meetings. She thanked Kevin and the Public Works crew for getting flags out on the crosswalk at Lawson and 169. She noted there was an event at the school tonight and parking was every where and there was no where for citizens to park at the Post Office to get their mail. She expressed that citizens could do better and as a community we need to not park in front of the post office and take those spots. She discussed receiving an email from Oakpointe and asked them that before a regular meeting if they would come and have a Q&A session, she noted she hasn't heard back from them yet on that. She shared that at the Public Works Committee meeting they did discuss the City Hall process and how the costs have risen. She reported that the movement now is to upgrade what they can, keep the two portables and upgrade those as well. She also mentioned that Public Works has been making new coal carts and these coal carts will be placed at city limit entrances in Black Diamond soon. She commented that the Skateboard Park is moving forward, and grants are being applied for. She expressed wanting to still have the school zone sign moved down to Park Street. She also mentioned doing a walk through with Chief Smith at the gymnasium for safety and he will get a report back soon. She added that Chief Smith explained that yearly the Fire Marshall could do a walk through of all businesses and believes this would be good idea.

Councilmember Stallard noted being a big picture thinker and discussed our youth and the skatepark being a big deal, it gives them something to do and we need to support our youth better. She discussed the tragedy that happened in Buffalo and noted this being a lost youth, who was lost in hatred taught to him by someone and it wasn't untaught to him by anyone. She noted we to really take a stand and mean our inclusivity proclamation and support our youth and constantly send the message that all are welcome and invited and that we don't tolerate people who do not welcome all. She shared theatre events that students are participating in around this area.

Brock Deady gave a report on the gym.

ATTORNEY REPORT:

City Attorney Linehan discussed the school impact fees ordinance and noted he reached out to Denise Stiffarm, and she was unable to get permission to attend the Council meeting. She will continue to try to get approval and hopes that will happen soon.

PUBLIC COMMENTS:

Kristen Bryant, Bellevue spoke to Council.

Henry Knies, Black Diamond spoke to Council.

Geoff Bowie, Black Diamond spoke to Council.

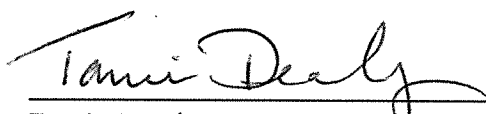
Angela Fetting, Black Diamond spoke to Council.

EXECUTIVE SESSION: None

ADJOURNMENT:

Councilmember de Leon **moved** to adjourn the meeting; **second** Councilmember Page. Motion **passed** with all voting in favor (7-0). The meeting ended at 9:39 p.m.

ATTEST:



Tamie Deady, Mayor Pro-Tem



Brenda L. Martinez, City Clerk

**FOLLOWING ADJOURNMENT OF THE MEETING WILL BE A CLOSED SESSION
TO DISCUSS COLLECTIVE BARGAINING PURSUANT TO RCW 42.30.140(4)**