

BLACK DIAMOND CITY COUNCIL MINUTES
Council Meeting of June 2, 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 (Zoom), Mulvihill, de Leon, O'Donnell, and Page

ABSENT: Councilmember Smith (excused).

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

Mayor Pro-Tem Deady administered the Oath of Office to Lacey Del Valle who on June 1 was promoted to Sergeant.

AGENDA REVIEW AND APPROVAL:

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

PUBLIC COMMENTS:

Jamie Huffman, Black Diamond spoke to Council.

Kristen Bryant, Bellevue spoke to Council.

Geoff Bowie, Black Diamond spoke to Council.

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS:

Presentation - Findings and Next Steps Regarding City Campus Options – Cynthia Berne, Long Bay Enterprises, Inc.

Ms. Berne reported to Council on the findings and next steps she was charged with regarding location options for a city hall campus.

1) AB22-038 – Confirming the Mayor’s Appointment of Janie Edelman to the Civil Service Commission

Councilmember Mulvihill **moved** to confirm the Mayor’s appointment of Janie Edelman to the City’s Civil Service Commission to fill an unexpired term for Position #1; said term to expire on December 31, 2022; **second** Councilmember Page.

There was Council discussion regarding having a work session before a Council meeting to discuss the code and the date and time and to also change the application process for what the qualifications are.

Vote – Tie vote (3-3 – Stallard, de Leon, O’Donnell); motion failed.

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:

- 2) Claim Checks – June 2, 2022, Check No. 51502 through 51550 (voids 51431,46542,51486,48120,47753) in the amount of \$546,019.60**
- 3) Minutes – Tri-City Meeting of May 4, 2022, Council Meeting of May 5, 2022, and Work Session of May 12, 2022**

PUBLIC HEARINGS:

- 4) AB22-039 – Proposed 2023-2028 Six Year Transportation Improvement Program (TIP)**

Public Works Director Hanis reviewed with Council the projects that have been placed on the draft TIP.

There was back and forth discussion between Council and staff.

Mayor Pro-Tem Deady opened the public hearing at 8:41 p.m.

Kristen Bryant, Bellevue gave comments on behalf of Friends of Black Diamond. She stated that last year the Council took action in response to public concerns for safety and walkability and prioritized a sidewalk near Sawyer Woods Elementary and thanked Council. She commented, as a member of Friends of Black Diamond and someone who grew up here and walks and drives the area frequently and asked for Council to please prioritize pedestrian safety and walkability especially as traffic and development increases and gave the example of SR 169. She presented Council with a copy of the petition on road and walking safety with signories and noted this is a good reminder to prioritize road safety in Black Diamond and protect bikes and pedestrians. She gave background information on Friends of Black Diamond starting this petition and commented that regulations on the books are not enough. Funding and changes to roadways are needed to prevent collisions, save lives and increase the health of our community. She stated that making roads safe

and attractive for walking and biking contributes to our small-town character. She shared with Council statistics from the Dangerous by Design national report. She spoke on SR 169 roundabouts at Ravensdale Road and Roberts Drive and asked Council to please amend the TIP to clarify that City standards are to be followed and require crosswalks at all legs of roundabouts and to explore actions to enforce the development agreement requirement that these roundabouts be constructed before further development, in the interest of public safety. She touched on the schedule on page 11 and 12 of her comments and the developer and not meeting it. She commented on running out of time and then asked for additional time after everyone has spoke to complete their comments.

Kelley Sauskojus, Black Diamond noted being a member of Friends of Black Diamond and discussed a streetlight being out right in front of her house for the last nine months. She discussed of the 31 scheduled projects there is one for \$35,000 for general fixes, a pothole here and there and if there's \$35,000 in a general let's fix stuff that's wrong with our streets, why would we not replace half of the intersection lights, where there are already current crosswalks. She talked about the crosswalk at Railroad Avenue and Roberts Drive and the lighting being inadequate, and it needs to be fixed as this crosswalk is not safe and the streetlight needs to be replaced. She asked about the projects due to flooding on Roberts Drive being pushed out for years and asked why? She doesn't understand the priority that are assigned to these and stressed that pedestrian safety needs to be a top priority. She added that we really need to look at our building standards and make sure that developers follow them and that they stay on time and that we do the maintenance on things like our streetlights that burnout.

Geoff Bowie, Black Diamond spoke on item 5 on the TIP and noted there was a discussion years ago about an incubator building that was owned by possibly the city for small businesses to get in to, to start up and grow so they could grow out to something somewhere. He showed property the city owns and the two odd shape parcels and the possibility of the city partnering with the other property owners.

Kristen Bryant, Bellevue continued with her comments. She spoke on Project 5 – Downtown Public Parking and how it will be an environmentally difficult to accommodate stormwater and more pavement. She noted that amenities like trails and crosswalks elsewhere in the city would provide more benefit. She stated this parking project should be removed; it unfairly subsidizes a few businesses but leaves out others in other parts of the cit. She added there is street parking nearby, and signage could help drivers find that parking so they are not totally stuck. She suggested the long-delayed Downtown Pedestrian and Bicycle Link Study from James St to Jones Lake Road would bet a better priority and would support downtown businesses and residents. Another use for this money with more of a priority for many people would be to put it into the parks budget for the skate park. She then commented on the Pipeline Road project and wondered where it is on the list? In closing she commented on Project – 169 and Park Street Crossing, and stated this new project makes a lot of sense given the location, and asked Council to please not remove the James Street crosswalk that was on the TIP for many years prior.

Mayor Pro-Tem Deady closed the public hearing at 8:56 p.m.

UNFINISHED BUSINESS: None

NEW BUSINESS:

5) AB22-040 – Discussion Regarding Fireworks within the City of Black Diamond

Mayor Pro-Tem Deady led this discussion with each Councilmember sharing their view on this topic. In closing, the Public Safety Committee will be looking at this and suggested a future work session on it.

At 9:27 p.m. Councilmember Stallard left the meeting.

6) AB22-041 –Discussion Regarding Draft Parks, Recreation, and Open Space Plan

Community Development Director Davis reviewed this item with Council. She noted there will be a public hearing at the next Council meeting. She introduced Planning Commission Chair John Olson who reported on the process that has taken place by the Planning Commission on this agenda item.

Director Davis noted that it is the intent to pass this plan at the next meeting as there is a June 30th deadline.

Eric Jensen, from Blueline reviewed with Council a PowerPoint presentation on the PROS Plan process, background and what's next.

Director Davis noted that a DNS has been issued on this and there is a comment period associated with it.

There were Council comments and questions.

DEPARTMENT REPORTS:

MDRT – Director Williamson updated Council on information he's heard from the public with facts on the new fire station. He also updated Council on Lake Sawyer Road, he talked about the Baker - Lawson intersection, he discussed the roundabouts and the Hearing Examiners decision.

Police -Chief Kiblinger shared with Council her monthly report.

Fire – Chief Smith recapped his report he sent to Council. He noted the district is going out for a lid lift in August and is the first time in 15 years. He enjoyed the helmet event that happened today and expressed it being a success.

IT – Rob Reed, IS Manager updated the Council on the website.

MAYOR'S REPORT: None

COUNCIL REPORTS:

Councilmember Mulvihill - no report.

Councilmember de Leon spoke to the sadness in Buffalo. She reported being able to attend a Regional Law, Safety and Justice meeting where the topic was about gun safety and what we're doing as a county, and she noted she doesn't have the answers and it's tough to make a decision when you feel you are up against an unsurmountable challenge. She noted being saddened that people are losing their lives and is this who we are. She is acknowledging that tragedy and is saddened. She also discussed the school shooting and hopes we can find some answers and solutions. She shared that she was able to attend the Memorial Day Ceremony at the Tahoma National Cemetery and attended her committee meetings. She commented on work sessions and the need to build out more sessions to hone in on our work and supports having more meetings so Council has the time and due diligence to work on our values as a city and city leadership and what that means for policy. Lastly, she noted having the opportunity to work with community members and her colleagues on some upcoming proclamations and to recognize Pride month and Juneteenth with more to come at the next Council meeting. She also discussed the opportunity to have a donation of a Pride Flag to waive at City Hall.

Councilmember de Leon **moved** for the City of Black Diamond to accept the donation of a Pride Flag; **second** Councilmember O'Donnell. Motion **passed** with all Council voting in favor (5-0).

Councilmember O'Donnell asked Mr. Hanis to figure out how to change the streetlight that it not working.

Councilmember Page welcomed everyone to Pride Month and thanked Chief Kiblinger and Chief Smith for their updates. She thanked everyone who came out and participated in the helmet event and reported that 100 helmets were given out and over 200 hotdogs were served. She recently spoke with Black Diamond Community Center Director Cheryl Hanson who expressed how much they appreciated the ARPA funds that Council designated to help folks with rent and utility assistance. She shared about changing the speed limit on Roberts Drive from 35 to 25 and the Public Safety Committee is looking at this.

Councilmember Deady reported that King County Councilmember Dunn donated a van to the Community Center. She spoke to him about additional funding for the Skateboard Park. She attended the Memorial Day service at the Black Diamond Cemetery and all her committee meetings. She shared that the City did make a statement on the shootings in Texas. She discussed being for proclamations and believes it's the body of the council and it would be nice to have work sessions so all Councilmembers can contribute, and, in the future, we look forward yearly to see when these are needed. She announced that on Saturday June 18 Mayor Benson is unable to attend the Tomb of the Unknown Soldier, and she will be attending on behalf of the city and encouraged residents to attend.

ATTORNEY REPORT:

City Attorney Linehan asked Council for an executive session pursuant to RCW 42.30.110(1)(i) to discuss a potential enforcement action and litigation risks associated with some decisions that city needs to make. It will be for 15 minutes with no action to follow.

PUBLIC COMMENTS: None

EXECUTIVE SESSION:

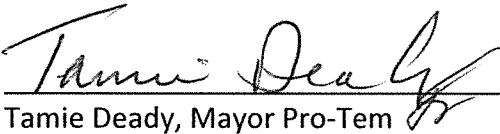
At 10:57 p.m. Council recessed into an executive session pursuant to RCW 42.30.110(1)(i) to discuss with legal counsel a potential enforcement action and litigation risks associated with some decisions the city needs to make. The executive session was anticipated to last 15 minutes with no action to follow.

The meeting was called back to order at 11:12 p.m.

ADJOURNMENT:

Councilmember de Leon **moved** to adjourn the meeting; **second** Councilmember Mulvihill. Motion **passed** with all voting in favor (5-0). The meeting ended at 11:12 p.m.

ATTEST:



Tamie Deady, Mayor Pro-Tem



Brenda L. Martinez, City Clerk