

BLACK DIAMOND CITY COUNCIL MINUTES
Council Meeting of June 16, 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, Mulvihill (Zoom), de Leon, O'Donnell, Page

ABSENT: None

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

AGENDA REVIEW AND APPROVAL:

Mayor Pro-Tem Deady reported that Chief Smith has asked to give his department report at the beginning of the meeting as he must leave shortly.

Councilmember de Leon **moved** to approve the agenda as amended; **second** Councilmember Stallard. Motion **passed** with all voting in favor (7-0).

Fire – Chief Smith reviewed with Council call volumes and shared what can drive those volumes up. He noted that 75% of their calls are EMS.

PUBLIC COMMENTS:

Johna Thomson, Black Diamond spoke to Council.

Daniel Magpali, Black Diamond spoke to Council.

Henry Knies, Black Diamond spoke to Council.

Kristen Bryant, Bellevue spoke to Council.

Geoff Bowie, Black Diamond spoke to Council.

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS:

Presentation – School Impact Fees – Denise Stiffarm

Ms. Stiffarm, Legal Counsel for some of the school districts within the City limits shared with Council a PowerPoint presentation that touched on the following: What is a Growth Management Act Impact Fee?, School Impact Fees – Rules, Ten Trails/Lawson Hills “Mitigation Fees” vs. “Impact Fees”.

Following the presentation there was back and forth discussion with Ms. Stiffarm.

Presentation -King County Housing Authority – Tim Walter

Mr. Walter shared a PowerPoint presentation regarding changes to the Rainier View Manufactured Housing Community Park for Low-Income Seniors. He discussed with Council the opportunity to add 14 new affordable homes and noted the infill sites would be added along First Avenue. He discussed needing a waiver to the 10-acre minimum and asked that the City authorize a resolution entering a Housing Cooperation Agreement with the Housing Authority to allow for any waivers necessary for the installation of the 14 new homes in the Rainier View Mobile Home Park.

Following the presentation there was consensus to have the Housing Authority work with City Staff.

CONSENT AGENDA:

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

- 1) **Claim Checks** – June 16, 2022, Check No. 51551 through 51620 (void 48862) in the amount of \$508,432.79
- 2) **Payroll** - May 2022, Check No. 20183 through 20191 and ACHs in the amount of \$458,116.91
- 3) **Minutes** – Council Meeting of May 19, 2022, and Council Meeting of June 2, 2022
- 4) **AB22-042** – Resolution Accepting the North Bank Pump Station Project
- 5) **AB22-043** – Resolution Accepting the Springs Transmission Main Project
- 6) **AB22-044** – Resolution Adopting the 2023 Budget Planning Calendar
- 7) **AB22-045**– Resolution Authorizing Copier Lease Agreement with US Bank

PUBLIC HEARINGS:

- 8) **AB22-046** – Resolution Regarding Proposed Parks, Recreation, and Open Space (PROS) Plan.

Community Development Director Davis briefed Council on this item. She discussed with Council what happened at the last meeting and noted that Ms. Hepworth from Blueline is here to help with questions. She discussed issuing a no project SEPA DNS on June 1st and

there was a 14-day comment period that ran through June 15. She noted receiving two comment letters on the PROS plan with one of those also being included as part of the SEPA comments. She touched on the urgency to adopt this plan.

There was back and forth discussion between Council and staff.

Mayor Pro-Tem Deady opened the public hearing at 8:17 p.m.

Johna Thomson, Black Diamond noted being a member of the Lake Sawyer Regional Park Foundation and will be focusing on that particular item. She discussed how when the land for the Regional Park was acquired there was a lot of community meetings for developing a plan for the park. She shared looking at the plan that was adopted and noted there being a dock in the plan that is still not built. She brought that up to show Council how items in a plan might not get completed for several reasons, however a plan that is adopted is the guideline for what you are saying you want done in the next five to ten years. She does not think the active component part of the park is the priority. Her thought is we need to develop parking, a paved path to the park, and have more disabled parking stalls. More people need to be able to access parks in a variety of ways. She mentioned that as the school district grows what kind of ball fields will they be bringing to the area, and maybe we no longer need these at the park, maybe we need a frisbee golf area in the park. In closing she noted the thought was the plan would grow and evolve, and it certainly is not something that has been looked at in a long time.

Brandon Bradshaw, Maple Valley, and President of Northwest Disc Golf Association shared what disc golf is and how they are interested in putting these types of amenities in the area. He discussed the benefits of disk golf and noted anyone can play. It also helps serve some under served communities and it's a great opportunity. He shared statistics of use in surrounding courses. He likes to work with communities to help pay for the costs to build these courses and gave examples of how that could be accomplished with very little maintenance commitment from the City. In closing, he asked Council to consider a disk golf course in this park.

Rob Reid, Covington spoke in favor of a disc golf course and noted them being popular and a lot of fun for all ages.

Kristen Bryant, Bellevue noted the parks plan being important. One she hopes everyone got the comment letter from Friends of Black Diamond and spoke on a few things in the document. She touched on Eagle Creek Park and shared that when she visited it with her little girl after it was first built and it being not as cool as she initially thought as there's not much there. She discussed the process that has taken place on the document and touched on the Planning Commission process and the citizens providing feedback. She noted the Planning Commission was told in February there was an urgency to approve the plan that month and get it to the City Council so it could be finished by the end of the month, or the city risk missing out on grant funding and application deadlines. Now this is the final scheduled meeting in June and this needs to be done and the Council needs to see if the plan is what they want. She stated people gave thoughtful feedback in the Planning Commission process and noted at the last meeting being disappointed to hear that the

Consultant repeat points that the public had seriously questioned or recommended by changed, for good reason. For example, she noted the plan says the city has a large amount of open space and doesn't need more space and the public requested to know how much of that was wetland or protective buffer, because a lot of it is. She shared the skate park need and hopes Council takes the time to consider it, if it needs it.

Mayor Pro-Tem Deady closed the public hearing at 8:33 p.m.

There was back and forth discussion between Council and staff with the focus on procedural questions and the example of prioritization and can Council make any changes tonight, Lake Sawyer Regional Park being an asset to the City and the need for a focused work session on the park.

Councilmember Mulvihill **moved** to adopt Resolution No. 22-1488 adopting the 2021 Parks, Recreation, and Open Space Plan for the City of Black Diamond with moving the Lake Sawyer Dock item 8 and Lake Sawyer Park item 7 up to items 2 and 3 consecutively; **second** Councilmember de Leon.

There was Council discussion.

Councilmember de Leon **amended** the motion to add bathrooms and parking as a priority to the Lake Sawyer Regional Park; **second** Councilmember Stallard.

There was a suggestion by Ms. Davis to change the wording on Lake Sawyer Park Improvement and remove soccer fields.

Councilmembers Mulvihill and de Leon withdrew their motions.

Councilmember de Leon **moved** to adopt the plan as presented and asked to modify Lake Sawyer Parks (item 7) to be General Park Improvements; **second** Councilmember Deady. Motion **passed** with all voting in favor (7-0).

UNFINISHED BUSINESS:

9) AB22-031A – Emergency Ordinance Amending the City's 2015-2035 Comprehensive Plan to Incorporate Updated School District Capital Facilities Plans

Community Development Director Davis reported to Council on this agenda item and explained the need for this emergency ordinance.

Councilmember Page **moved** to adopt Ordinance No. 22-1177, amending the City's 2015-2023 Comprehensive Plan to incorporate updated School District Capital Facilities Plans, providing for severability, and establishing an effective date; **second** Councilmember de Leon. Motion **passed** with all voting in favor (7-0).

NEW BUSINESS:

10) AB22-047 – Resolution Adopting the 2023-2028 Transportation Improvement Plan

Public Works Director Hanis explained that this is requirement we do every year and the requirement it be adopted by July 1st. He reviewed the changes to the document based on public comments received at the public hearing.

Councilmember de Leon **moved** to approve Resolution No. 22-1489, adopting the 2023-2028 Six Year Transportation Improvement Program; **second** Councilmember Smith. Motion **passed** with all voting in favor (7-0).

11) AB22-048 –Resolution Authorizing a Work Proposal from Secure Pacific Corporation for Installation of Security Systems at the City Hall Campus

Public Works Director Hanis and IS Manger Reid briefed Council on this item and explained that due to the City Hall campus improvements there was a need to have uniform security for all buildings.

Councilmember Page **moved** to approve Resolution No. 22-1490 authorizing the Mayor to approve the work proposal from Secure Pacific Corporation for the installation of security systems at the City Hall campus; **second** Councilmember O'Donnell. Motion **passed** with all voting in favor (7-0).

12) AB22-049 – Motion Approving Proclamation of Black Diamond Pride Month 2022

Councilmember de Leon spoke on this item and read the proclamation.

Councilmember Smith **moved** to approve the City Council Proclamation that June 2022 is Pride Month in Black Diamond and to amend the Pride Flag flown at Council Chambers is the entire month of June and not limited to the week of June 21-27; **second** Councilmember Deady. Motion **passed** with all voting in favor (7-0).

Councilmember O'Donnell read a prepared statement that discussed two items he would like the Council to commit to at an upcoming meeting.

13) AB22-050 – Motion Approving Proclamation of Juneteenth

Councilmember de Leon discussed this item and Councilmember Smith read the proclamation.

Councilmember Deady **moved** to approve a City Council Proclamation the day of June 19 as the first official Juneteenth of the City of Black Diamond; **second** Councilmember Page. Motion **passed** with all voting in favor (7-0).

DEPARTMENT REPORTS:

MDRT – Ec Dev/MDRT Director Williamson shared being invited to attend the City of Covington Planning Commission meeting tonight to discuss his experience with our

development agreements. He also commented on the document a citizen shared earlier during public comments regarding the executive branch of the city watering down or ignoring vital MPD obligations.

Finance – Finance Director Miller reviewed with Council the 2022 1st Quarter Financial Report and highlighted certain areas and trends. In closing she reviewed the 1st Q 2022 Cash & Investment Balance report and also highlighted current trends.

MAYOR'S REPORT: None

COUNCIL REPORTS:

Councilmember Mulvihill left the meeting at 10:39 p.m.

Councilmember de Leon offered an apology thank you to staff for going through the amendments earlier. She expressed being excited they are recognizing Pride Month and Juneteenth and hopes the word gets out on social media. She noted that it was brought to her attention that it is Picard Day. She reported attending the Enumclaw City Council meeting and the need to look into the amount we donate to Rainier Foothills Health Foundation. She also attended the Kent School District's Board meeting, a webinar suggested by Director Davis at the last meeting on Comp Plans. She attended her Finance Committee and Public Safety Committee meetings and hopes not behind the eight ball on fireworks. Happy Pride and excited to be commemorating Juneteenth

Councilmember O'Donnell noted being concerned we are not ordering a fire truck or an aid car and expressed this needs to get figured out so it is a priority. He stated there are a lot of grants out there and hopes we all have access to that and taking advantage of the dollars available. He gave the example of a parks and recs program and a Parks Director paying for themselves and the program through grants dollars acquired - there are so many grants out there and we need to take care of the assets we have.

Councilmember Page wanted to make sure that everyone at home and here marks their calendars for June 21, at noon here will be the Pride Flag raising ceremony. She commented on grant money available and the amount of work it takes to administer them. She asked that as a city we do more to support our staff and think outside the box and not just defaulting, and work be done soon with Directors to identify solutions. She noted Council is in support of hiring to help grow our city. She reported attending her committee meeting, a shovel ceremony in the Ten Trails development, and the Black Diamond Business Coalition meeting. She reported on the guiding principles from the retreat and shared that Councilmember Mulvihill made cards of them and starting in July, Council would read these at the beginning of the meeting.

Councilmember Deady reported attending the Enumclaw High School graduation ceremony and wished the Senior's all the best as they move forward and the kiddos at Tahoma and Kent too. She announced the Daughters of the American Revolution will be dedicating their garden at a ceremony in the cemetery at 2 p.m. on Saturday. She reminded everyone of Miners Day coming up on July 16th.

Councilmember Stallard congratulated the graduates from all the high schools over the last week and shared her oldest child graduated this year. She noticed in the budget there is money for a City Administrator and echoed Councilmember Page's comments on their Planning Committee meeting and the topic of employee retention and wants to see our comparisons be raised cities above 10,000 and do more for our city employees. She discussed bullying going on in the Enumclaw School District. She also shared why she voted no earlier this month on a community volunteer, and it was mainly because we are not inclusive enough in our city code to allow more people to participate. She also discussed the placement of proclamations on the agenda, the length of the agendas and the need to look at this.

Councilmember Smith reported attending the Finance Committee meeting and is stoked about the proclamations as they are a step in the right direction. He noted getting strong armed in a video for people to come work at our city. He mentioned trying twice to increase our budget for Rainier Foothills and this is a need for our children and needs to be expanded into the elementary schools and looks forward to bringing a budget amendment to address this. He shared that there is community input for a thought exchange for those in the Enumclaw School District and asked everyone to leave their comments and expressed appreciating everyone's words tonight.

ATTORNEY REPORT:

City Attorney Linehan noted that based on the discussion earlier with Ms. Stiffarm he believes he needs to bring back a resolution adopting current capital facility fees for the next meeting. There was consensus for him to prepare one.

PUBLIC COMMENTS:

Johna Thomson, Black Diamond spoke to Council.

EXECUTIVE SESSION: None

ADJOURNMENT:

Councilmember Smith **moved** to adjourn the meeting; **second** Councilmember Page. Motion **passed** with all voting in favor (6-0). The meeting ended at 11:08 p.m.

ATTEST:



Carol Benson, Mayor



Brenda L. Martinez, City Clerk