

BLACK DIAMOND CITY COUNCIL MINUTES
Council Special Meeting of December 4, 2023
Hybrid Meeting Via Zoom and In-Person
Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER:

Mayor Benson called the special meeting to order at 7:00 p.m. and led us in the flag salute.

ROLL CALL:

PRESENT: Councilmembers Deady, Douglass (Zoom), Smith, Mulvihill, de Leon, Jones, Page

ABSENT: None

Staff present: Andrew Williamson, MDRT/Ec Dev Director; Mona Davis, Community Development Director; Scott Hanis, Public Works Director; Jamey Kiblinger, Police Chief; Xavier Mason, Finance Director; David Linehan, City Attorney; Brenda L. Martinez, City Clerk/HR Manager.

READING OF GUIDING PRINCIPLES:

AGENDA REVIEW AND APPROVAL:

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

Councilmember Douglass announced that he will be recusing himself for the vote on item 14 and will not be participating in the conversation and turning his camera and sound off.

PUBLIC COMMENTS

Suzi Dal Santo, Black Diamond spoke to Council.

Dan Dal Santo, Black Diamond spoke to Council.

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS:

Oath of Offices – Mayor Benson

Mayor Benson administered the Oath of Offices to Nathan Jones and Brad Douglass.

Dedication of Community Gym and Police/Court Building – Mayor Benson

Mayor Benson read the dedications for the Community Gym and the Police Court Building.

Councilmember Deady noted that a ribbon cutting ceremony will take place sometime in January and invited folks to come out and honor them.

- 1) **AB23-076** – Re-Appointment of Steve Jensen to the Black Diamond Planning Commission Position #2

Councilmember de Leon **moved** to confirm the Mayor’s reappointment of Steve Jensen to Position #2 of the Black Diamond Planning Commission; term ending on December 31, 2027; **second** Council member Page. Motion **passed** with all voting in favor (7-0).

CONSENT AGENDA:

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

- 2) **Minutes** - Council Minutes of November 16, 2023
- 3) **AB23-077** - Resolution Regarding The Villages MPD, Ten Trails Plat 2D Division 4 Final Plat
- 4) **AB23-078** - Resolution Regarding The Villages MPD, Ten Trails Division 1-3 and 7-9 Commercial Final Plat
- 5) **AB23-079** - Resolution Adopting a Revised School Impact Fee Schedule
- 6) **AB23-080** - Resolution to Adjust the City’s Adopted Fire Impact Fees to Reflect the Cumulative Increase in the Construction Cost Index
- 7) **AB23-081** - Resolution Authorizing Addendum with Williams Scotsman, Inc. for Relocation of Double-Wide Modular from its City Hall Location to the Public Works Shop.
- 8) **AB23-082** - Resolution Approving Addendum 1 to the Interlocal Agreement with the City of Sunnyside for Inmate Housing

PUBLIC HEARINGS:

- 9) **AB23-083** - Final Public Hearing for the 2024 Budget

Finance Director Mason reported on this item.

Mayor Benson opened the public hearing at 7:28 p.m.

No public comments were heard, and Mayor Benson closed the public hearing at 7:28 p.m.

UNFINISHED BUSINESS:

10) AB23-052A - Adopting the 2024 Legislative Agenda

Councilmember Deady **moved** to adopt the City's 2024 Legislative Agenda; **second** Councilmember Page. Motion **passed** with all voting in favor (7-0).

NEW BUSINESS:

11) AB23-084 - Resolution Amending the City Fee Schedule and New Utility Rate Schedule

Community Development Director Davis briefed Council on this agenda item.

Councilmember Deady **moved** to approve Resolution No. 23-1591 adopting the City's Fee Schedule and to include the new 2024 Utility Rate Schedule. **second** Councilmember de Leon. Motion **passed** with all voting in favor (7-0).

12) AB23-085 - Ordinance Amending the 2023 Budget

Finance Director Mason discussed this item.

Councilmember de Leon **moved** to approve Ordinance No. 23-1196, amending the 2023 budget; **second** Councilmember Deady. Motion **passed** with all voting in favor (7-0).

13) AB23-086 - Ordinance Adopting the 2024 Budget

Finance Director Mason briefed Council on this agenda item.

Councilmember Mulvihill **moved** to approve Ordinance No. 23-1197 adopting the 2024 Budget; **second** Councilmember de Leon.

Councilmember Jones noted that in the Ordinance the December 2 public hearing date needs to be changed to December 4.

Vote: Motion **passed** with all voting in favor (7-0).

14) AB23-087 – Ordinance Repealing BDMC Chapters 20.04 and 20.08 Regarding Prohibition of Medical and Recreational Marijuana

City Attorney Linehan addressed this item and gave background information.

Mayor Benson reminded everyone that Councilmember Douglass has turned off his camera and audio and will not be participating in the conversation and abstaining from the vote.

Councilmember Page **moved** to adopt Ordinance No. 23-1198, repealing Chapters 20.04 and 20.08 of the Black Diamond Municipal Code regarding prohibition of medical and recreational marijuana; providing for severability; and establishing an effective date; **second** Councilmember de Leon. Councilmember Page **withdrew** this motion.

Councilmember Page **moved** to amend section 3 of proposed ordinance to say the City Council hereby declares its intent that a portion of any tax revenues derived by the city from businesses or transactions regulated by the Liquor and Cannabis Board shall be appropriated to support drug education and addiction-prevention programs, in local schools and/or other local or regional organizations promoting awareness, education, and addiction-prevention, rehabilitation, and recovery efforts; **second** Councilmember de Leon.

Roll Call Vote: Deady, **no**; Douglass, **abstained**; Smith, **yes**; Mulvihill, **no**, de Leon, **yes**, Jones, **yes**, Page, **yes**, Motion **passed** (4-2-1 (Deady and Mulvihill no, abstention Douglass)).

15) AB23-088 – Ordinance Amending Ordinance No. 23-1194 to Increase the Estimated Assessed Valuation and Maximum Total Property Tax Dollar Amount for 2024

Finance Director Mason reported on this item and explained the need for amending the recently adopted ordinance.

Councilmember de Leon **moved** to amend Ordinance No. 23-1194, increasing the estimated assessed valuation and maximum Property Tax dollar amount for 2024 to be used for Public Safety, including Police, Fire and Emergency Services; **second** Councilmember Mulvihill. Motion **passed** with all voting in favor (7-0).

DEPATMENT REPORTS:

Public Works – Brock Deady gave an update on the recent gym enhancements for safety and shared that the heat was fixed today.

MAYOR’S REPORT:

COUNCIL REPORTS:

Councilmember Mulvihill – no report

Councilmember de Leon - no report

Councilmember Jones – no report

Councilmember Page – no report

Councilmember Deady thanked May Miller for all her time here at the city.

Councilmember Douglass – thanked May

Councilmember Smith – expressed being sorry for the incident with the sewage spill the Dal Santos’s are dealing with.

ATTORNEY REPORT:

Thanked the city for May’s retirement party.

PUBLIC COMMENTS:

EXECUTIVE SESSION:

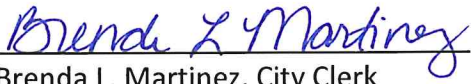
ADJOURNMENT:

Councilmember de Leon **moved** to adjourn the meeting; **second** Councilmember Smith. Motion **passed** with all voting in favor (7-0). The meeting ended at 8:10 p.m.

ATTEST:



Carol Benson, Mayor



Brenda L. Martinez, City Clerk