**BINGEN CITY COUNCIL MINUTES**

**February 7, 2023**

**Meeting Via Teleconference and In-Person**

The meeting was called to order by Mayor Pro Tempore Joe O’Sullivan at 7:00 p.m.

Council members present: Phil Jones, Ryan O’Connor, Joe O’Sullivan, Izzy Schroder, and Brittany Spratt. Staff present: City Administrator Krista Loney, City Attorney Christopher R Lanz.

Audience Present: Jacob Bertram, Fire Chief Carl Spratt

Administrator Loney requested to add two items to the agenda: Rate Study and Surplus Sale

**Public Comment**

Carl Warren submitted a public comment online.

*“Happy New Year! Concerns with addressing leakage over at the skate park. Hoping we can move forward on getting some idea of cost. Wondering about donations? For that repair. Thank you. Carl Warren.”*

**Meeting Minutes – 1/17/2023**

Councilor Jones made a motion to approve the January 17, 2023 meeting minutes. Councilor Schroder provided the second and the motion carried. Council O’Connor was not present at the meeting and abstained.

**Fire Update**

Fire Chief Spratt attended the meeting but had to respond to a call. Bingen Fire responded to 24 incidents in January: 1 in Bingen and 23 mutual aid. Training and drills were on truck familiarization, high voltage vehicle fire, and engineer training. Several members of the BFD are taking an EMT training course.

**Police Update**

Police Chief Hepner is out of office and could not attend Council tonight so he sent a report. There were 42 calls for service in January: 31 from White Salmon and 11 from Bingen. Two arrests were made in White Salmon and two motor vehicle crashes occurred resulting in DUI arrests. Officer Gunnyon has resigned. Chief Hepner and Officer Rooks responded to the shots fired call in Hood River on February 2.

**Animal Officer Update**

Animal Officer Mike Solomon stated that he is currently working on license enforcement. He placed door hangers today and knows that several people will need active follow-up to ensure compliance. He issued a citation for habitual animals at large in January. He stated that enforcement can be tricky with short-term rentals and people having pets with them while they are visiting from out of area.

**Moving July 4th Meeting to July 5th**

The 4th of July is a Tuesday this year. Council agreed to move the meeting to July 5th. Councilor Schroder stated she will not be at the meeting. Administrator Loney was asked to remind council as the meeting approaches.

**Salary Survey Revision and Approval**

Administrator Loney presented a memo, the salary survey document, and an explanatory excel sheet to council. Two recommendations are made in the salary survey:

1. Shift the City of Bingen employee salary steps such that steps 1-3 are removed and step 4 becomes the new step 1, step 5 becomes the new step 2, step 6 becomes the new step 3, etc.
2. Expand the step ranges for 3 positions:
   1. Public Works superintendent expands from steps 17-28 to steps 17-35
   2. Wastewater Treatment Plant Operator expands from steps 12-25 to 12-26
   3. Wastewater Treatment Plant Manager expands from steps 17-28 to steps 17-35

Councilor Schroder stated that this is logical. Councilor O’Sullivan stated that we want to keep good people and get good people. Councilor O’Connor inquired about the impetus for the expansion of the range and how COLA is handled with this range. Administrator Loney explained that COLA is separate from this step range. Councilor Schroder asked about the shifting steps and how the staff would feel about that. Administrator Loney explained that she did an informal poll of the staff and that the staff didn’t care as long as their title doesn’t change and their current salary doesn’t change. Councilor Schroder asked if the new step 1 is the lowest that the City would pay someone. Administrator Loney explained that her understanding is correct, outside of a contract relationship such as going to bid for a cleaning company for the city, in which case the salary would be determined by the third part.

Councilor Jones made a motion to approve the proposed new salary steps with the correction made to the step range sheet with the range for “Department Supervisor” being updated on the sheet from steps 17-32 to steps 17-35. Councilor O’Connor provided the second, and the motion carried.

**Ordinance 2023-02-735 Amending the 2023 Budget**

Administrator Loney presented a memo, draft budget, and ordinance 2023-02-735 to council. This budget amendment corrects the 2023 beginning balances to the 2022 ending balances, updates the planned 2023 ending balances accordingly, corrects the lodging tax grants from the $35,000 that was budgeted to the $42,500 that was awarded, and adds $400 into the uniforms budget for the treatment plant. Council walked through this amendment and the associated ordinance.

Councilor Jones made a motion to adopt Ordinance 2023-02-735 Amending the 2023 Budget. Councilor Schroder provided the second and the motion carried.

**Rate Study**

Administrator Loney provided a memo to council regarding conducting a Water and Sewer rate study in 2023. In the visioning session that council held on January 24, 2023, a rate study was rated fifth of five short-term priorities. Gray and Osborne recommended FCS Group for a rate study back in the fall, and Administrator Loney had an informal quote from them that the cost is between $15,000 and $25,000 per utility, so $30,000-$50,000 for water and sewer. The sewer fund has a healthy balance and can easily absorb the cost. The water fund has a tighter budget due to the Oak Street Reservoir being replaced. Loney explained that Mayor Kiewit asked for this project to go to bid if council approves. Bingen can do this using a small works roster process, though projects of this type are typically bid on expertise and not on cost.

When Budget Committee met on January 31, 2023, Mayor Kiewit pointed out that there is $21,000 being set aside to make loan repayments for the Oak Street Reservoir beginning in October of 2023. Since the reservoir is delayed, these funds could be redirected to cover the majority of the costs of the water portion of the rate study. If the City waits until 2024, those funds are inaccessible and the water fund will not cash flow.

Councilor Schroder asked if both utilities had to be done at the same time. Loney clarified that it makes the most sense to do them together. Councilor O’Connor asked when the last rate study was. ???

Councilor Schroder asked what the best time of year is to do a rate study. ?????

Councilor Schroder made a motion to pursue the rate study for 2023 utilizing the $21,000 set aside for loan payments to be directed to the water position of the rate study, for the sewer portion of the study to be paid out of the sewer fund, and to proceed with obtaining bids via a small works roster. Councilor Jones provided the second and the motion carried.

**Surplus Sale**

Administrator Loney provided a memo and Resolution 2023-002 Authorizing a Surplus sale. Public Works has 5 items to sell. Councilor Schroder asked what the process is for a surplus sale. Administrator Loney stated that the Resolution authorizing the sale is the first step, followed by an announcement of the sale, invitation to bid, bid acceptance, and bid award.

Councilor O’Connor made a motion to approve Resolution 2023-002 Authorizing a Surplus Sale. Councilor Schroder provided the second and it passed unanimously.

**Staff Reports**

Administrator Loney presented the following updates:

* Bingen did not receive the Parks and Rec planning grant from Washington State RCO
* Bingen Fire applied for a $100,000 grant from DNR under HB 1168. Awards will be made March 1, 2023.
* Bingen Fire applied for a FEMA assistance to fire fighters grant for $158,000 for new SCBAs. Award are expected all year and we should know about funding no later than October.
* Bingen has an opportunity to apply for funding through the Transportation Alternatives Program (TAP) for design funds for the Bingen-White Salmon Shared-Use Path up 141. This is being considered in partnership with WSDOT. Klickitat County hasn’t gotten money from this pot since 2013. Match is 13.5%.
* Loney has reached out to Wildwood Playgrounds and to Game Time to get them to refresh their quotes with current pricing. The price on Game Time went up $8000. Wildwood hasn’t sent their pricing yet.
* The Lodging Tax award contract was sent to Mt. Adams Chamber of Commerce. This is for the electrical improvements in Daubenspeck. They are going to get at least one other quote to get the work done.
* Bingen received initial approval from the Department of Ecology for the Shoreline Master Program updates. We will have a presentation at the next council meeting from The Watershed Group and will adopt a resolution at that time.
* Bingen received a letter from Department of Ecology regarding some inconsistencies in the Water System Plan. These are being addressed by Gray and Osborne. In the same letter we were informed that the Water Right Permit G4-33106 is out of compliance and has been since December 31, 2019. Loney is working diligently to get this issue sorted.
* As Loney was working on the Salary Survey for city employees, Mayor Kiewit asked her to explore mayor, council, fire chief, and assistant fire chief salaries. She hopes to have this information collated and ready for council at one of the March 2023 council meetings.
* Marlon and Arnold from Skamania County Building visited restaurants in Bingen on January 26 to do inspection and education of grease traps. Their report is forthcoming. This is a community-wide effort to educate everyone about not putting fats, oils, and grease down the drain.
* Information collection for short-term rentals in other municipalities is coming along nicely. Administrator Loney has comparison data from 1 Idaho city, 3 Oregon cities, and 9 Washington cities. Many cities and towns that are Bingen’s size or smaller do not have STR policies (Black Diamond, Brewster, Concrete, Kettle Falls).
* Loney plans to have the annual report for the State Auditor’s Office complete by the end of February and ready for Budget Committee review in March.
* Administrator Loney meets with Frank Sinclair at the Bingen WWTP every other week to check in about how things are going. Tom Hons is officially retired and off on his next adventure, we are very grateful for his contributions. There is much work to be done at the WWTP from a Quality Assurance/Quality Control program to a safety program to replacement of a good deal of laboratory equipment.
* The Treatment Plant will have a short-term, part-time (24 hrs/week, 4 months max) position open shortly to help with plant cleanup.
* Council has two outside-meeting tasks. The 2/21 meeting will begin at 6 p.m. with a CPAT presentation, please review the CPAT report and have questions ready. While Administrator Loney was reviewing the STR permit fees in other cities, she noticed that their CUP and Variance costs were much higher than Bingens. Loney provided a memo from outlining the amount that Bingen took in for variance and CUP application fees in 2022, the amount that was spent (4.5x what was collected), what other municipalities charge, etc. She requested that council review the documents provided, come up with a figure for each that you think is fair, and be ready to discuss it at the March 7 meeting.

**Mayor’s Update**

None as Mayor Kiewit is out of the office.

**Council Comments**

Councilor Schroder asked if anyone from Bingen is attending the Gorgeous Night Out event in Olympia on February 8. Nobody is going. Councilor Schroder asked if White Salmon has an interest in sharing an animal control officer. Administrator Loney indicated that Mayor Keethler expressed general interest some time ago but that recent follow-up with Troy Raeburn, White Salmon City Administrator, stated that there isn’t interest or budget for this year.

**Voucher Approval**

Claims Checks 23555-23560 (Dated 1/20/2023) totaling $1,868.20; General Fund - $600.35, Street Fund - $238.54, Water Fund - $238.53, Sewer Fund - $66.62, and Treatment Plant Fund - $724.16

Councilor Schroder made a motion to approve the Claims dated January 20, 2023. Councilor Jones provided the second and it passed unanimously.

Payroll Checks 23561-23563 (Dated 1/31/2023) and Payroll EFT (Dated 1/31/2023) totaling $33,630.71; General Fund - $11,980.70, Street Fund - $5,893.61, Water Fund - $3,468.34, Sewer Fund - $1,117.94, and Treatment Plant Fund - $11,170.12.

Councilor Jones made a motion to approve the Payroll dated January 31, 2023. Councilor O’Connor seconded the motion, and it passed unanimously.

Claims Checks 23564-53594 (Dated 2/7/2023) totaling $184c,529.14; General Fund - $100,275.22, Street Fund - $21,222.61, General Equipment Fund - $5,964.21, Water Fund - $25,567.82, Sewer Fund - $14,973.84, Treatment Plant Fund - $10,224.32, Water Short-Lived Assets Reserve - $2,396.30, and Water Capital Reserve Fund - $3,904.82.

Councilor Spratt made a motion to approve the Claims dated February 7, 2023. Councilor Schroder provided the second and it passed unanimously.

**Project Status Reports**

Administrator Loney presented the project status reports. The ZAP Electric Vehicle program next step is approval of the site host agreement, which should be ready before the February 21 council meeting. The Crack Sealing through TIB is scheduled for May 1-5, 2023. Patching is scheduled for June 12, 2023 and the Willow Street Overlay is scheduled for June 13, 2023.

The Oak Street Reservoir project has gone completely off track. Gray and Osborne notified Administrator Loney on February 7, 2023 that CST (tank manufacturer) and Shearer (only licensed tank installer in WA) are fighting with AES (contractor) over the tank, wanting concessions and possibly more money for the tank. Jamin reached out to USDA Rural Development to get their input before presenting to the City of Bingen. There were 4 options posed by Jamin in his message.

1. Further pressure Shearer directly to not enforce these terms and hope that they will back down and move forward with the contract as written.

Pros: Does not require a change order

Cons: Small chance of success based on conversations to-date, will delay project further

1. Require AES to work out their contact issue with Shearer and honor the current contract pricing and provisions.

Pros: Does not require a change order

Cons: May delay the project further, could increase cost (if AES loses money on the tank, they will look to recoup it elsewhere on the project), may impact work quality due to adversarial situation, may lead to AES attempting to terminate the contract (which would force a rebid)

1. Accept the terms that the subcontractor is dictating and add them to the City’s contract with AES via change order. Given the terms of our current EJCDC contract, I do not think that there is likely provision for this and a change order will be required.

Pros: Allows the project to move forward

Cons: Sets a bad precedent, likely will increase cost, would allow the schedule to change beyond the City’s control, City would not know cost of the tank until after it ships from the manufacturer

1. Convert the reservoir to be a welded-steel tank, in lieu of the current bolted-steel tank. This could be done via change order with AES or by terminating the agreement with AES and rebidding the project. The former would likely be less expensive than the latter.

Pros: Would likely reduce cost of the tank, would likely accelerate schedule, could be completed without extensive redesign, allows the project to move forward

Cons: Not the City’s preferred tank material, some redesign costs

Councilor O’Connor asked why there was a preference for the bolted tank versus the welded tank and also how much lower the cost of a welded tank is. Administrator Loney will collect this information and get it out to council as quickly as possible.

**Adjournment**

Mayor Pro Tempore O’Sullivan closed the meeting at 8:15 p.m.