**BINGEN CITY COUNCIL MINUTES**

**April 18, 2023**

**Meeting Via Teleconference and In-Person**

The meeting was called to order by Mayor Catherin Kiewit at 6:15 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: Peter Wright

**Executive Session**

Council went into executive session at 6:15 and came out at 7 p.m. Mayor Kiewit announced that there was consensus to direct the City Attorney to update the settlement agreement and release request. Section 3 will be removed, and the document will be resubmitted.

**Public Comment**

None.

**Meeting Minutes – 4/4/2023**

Councilor Schroder made a motion to approve the April 4, 2023 meeting minutes as written. Councilor O’Connor provided the second and the motion carried.

**Meeting Minutes – 4/11/2023**

Councilor Schroder made a motion to approve the April 11, 2023 meeting minutes as written. Councilor Jones provided the second and the motion carried.

**Isaias Garcia Klickitat County Senior Services Presentation**

Mr. Garcia did not attend the meeting and his presentation will be rescheduled.

**Resolution 2023-004 Adopting the Hood River-White Salmon Bridge Authority Commission Formation Agreement**

This item was moved forward in the agenda while Council awaited the arrival of another presenter. Mayor Kiewit advised Council that the Port of Hood River approved a resolution to wean off the use of bridge tolls for other financial purposes by fiscal year 26, which begins on July 1 of 2025. The resolution that was passed last week by the Port of Hood River was to wean off the use of tolls for other purposes by fiscal year 28. The Port of Hood River was informed that state funding for the bridge would not be available if the weaning process wasn’t complete by fiscal year 26.

Councilor O’Sullivan inquired if there has been any movement or discussion regarding the toll increases. Mayor Kiewit stated that the Port of Hood River has passing a toll increase ordinance resolution on their agenda for today. There needs to be enough toll funds in reserve to be eligible to apply for a loan. The likely amount of the toll increases is $0.75 or $1.

Councilor Schroder inquired how the leadership of this Bridge Authority is decided and was informed that this is covered in section 4 of the Commission Formation Agreement. Councilor Schroder inquired if there has ever been a bi-state committee for this bridge in the past and was informed that it has not. Councilor Schroder asked how the financials are handled for The Dalles bridge or Bridge of the Gods. Mayor Kiewit stated that the Bridge of the Gods is owned by the port and that The Dalles bridge is owned by Oregon.

Councilor O’Sullivan inquired what the tolls from the Bridge of the Gods are used for. Mayor Kiewit stated that these tolls are also used to cover other expenses and that the Bridge of the Gods is also on a weaning plan by 2030.

Councilor O’Connor made a motion to adopt Resolution 2023-004 Adopting the Hood River-White Salmon Bridge Authority Commission Formation Agreement. Councilor O’Sullivan provided the second and the motion carried.

**Peter Wright – Housing in Bingen Presentation**

Peter Wright attended the council meeting to present information that he has gathered regarding zoning, density, and housing in Bingen.

**Klickitat County Sheriff’s Office Interlocal Agreement for Housing of Prisoners**

The agreement was not ready at the time of the meeting. Councilor Schroder made a motion to table this item to a future meeting. Councilor Jones provided the second and the motion carried.

**Public Hearing – Short-Term Rental Moratorium Decision**

Mayor Kiewit opened the public hearing. Nobody from the public attended. Councilor Schroder asked for a status update and Administrator Loney stated that the Short-Term Rental Workgroup met 4/10/2023 in council chambers at 6 p.m. O’Sullivan, Spratt, Loney, Kelsi Stahl, Greg Kish, Peter Wright and Ashlie Laydon attended that meeting. Peter Wright had developed a framework of recommendations and the group adopted it at that meeting. Greg Kish asked council to allow the moratorium to end at that 4/10 meeting. Information was presented on how limits are handled by other municipalities (lottery vs. waiting list), municipalities who have penalties and how they are enforced (third party called Granicus). Krista is working on the application paperwork.

Councilor O’Connor asked about milestones along the way. Mayor Kiewit asked for a couple of public hearings along the way. Councilor O’Sullivan stated that the group focused at the last meeting on low-hanging fruit.

Councilor Schroder asked if it has been determined if Bingen would work with Granicus. Administrator Loney suggested that a quote would be procured from Granicus at both 5% of housing stock and 10% of housing stock and that the STR fees would need to be set high enough to cover those costs.

Mayor Kiewit asked about administration specific to start-up and on-going effort. Loney stated that it depends on the parts and pieces like basic application fee, fire and safety and building plans/inspections, annual permit applications, etc.

Mayor Kiewit stated that Bingen is not in a place where there is a policy to implement and the question before council is to end or extend the moratorium. Loney drafted an ordinance specific to extending the moratorium in case council decides to do so this evening. Loney restated that Greg Kish stated his preference that council allow the moratorium to expire. If the moratorium expires, the rules revert to the requirement of having a City of Bingen-endorsed business license with rental as the business category.

Councilor O’Sullivan asked how much things are going to change in the two months that it would take to put a process in place. Councilor Schroder expressed her preference that the moratorium be allowed to expire in good faith that the workgroup is working hard to get something in place quickly and that the moratorium may need to be reinstated in six months.

Council discussed grandfathering of existing STRs. All of this depends on how council sets the rules. Mayor Kiewit expressed concern about imposing limits that the people who have invested in income property will be impacted. Both Councilor Schroder and Administrator Loney stated that investment properties are not guaranteed a return.

Mayor Kiewit, who cannot vote here, likes the idea of maintaining the moratorium to keep the community involved. Councilor O’Sullivan asked if the moratorium could be allowed to expire and then put it back on in two months. Mayor Kiewit stated that a certain response seems personal because there was nobody in attendance at this public hearing.

Councilor O’Connor asked if grandfathering could be excluded if Bingen were to disallow all STRs. City Attorney Chris Lanz stated that the rules can be put into effect and there would be no impact to the city because there were no regulations in the past. Councilor O’Connor thought that the purpose of the moratorium was to stop the proliferation of STRs and give the city time to establish rules. Mayor Kiewit stated that this was the purpose and asked council to imagine the public perception. Other cities have disallowed STRs and emphasized long-term rentals and this has caused long-term litigation.

Councilor O’Connor asked about having a grace period and Councilor Schroder suggested January 1, 2024 policy in place and that people should come to meetings and help put the policy in place.

Councilor Jones stated that he is in favor of continuing the moratorium to allow the City to put rules in place. Mayor Kiewit stated her appreciation for the formalization of the workgroup: regular meetings, etc. She also stated that White Salmon experienced a rush of STR permits before the policy went into place to get “grandfathered” into the limit.

Councilor Jones made a motion to adopt Ordinance 2023-03-736 to extend the short-term rental moratorium. Councilor O’Connor provided the second.

Jones-Aye

O’Connor-Aye

O’Sullivan-Nay

Schroder-Nay

Spratt-Nay

The motion did not carry. The short-term rental moratorium will expire at midnight on April 18, 2023.

**March 2023 Treasurers Report**

Administrator Loney presented the March 2023 Treasurers Report and all is as it should be. Councilor Jones made a motion to approve the March 2023 Treasurers Report. Councilor O’Connor provided the second and the motion carried.

**Staff Reports**

Administrator Loney had the following updates for Council:

* The TAP grant was submitted on March 31. The County Commissioners sent in a letter of support.
* Bingen got approval to apply for a grant to install a Level 3 electric vehicle charger through Commerce in partnership with Energy Northwest.
* Councilor Spratt, Superintendent Spratt and Administrator Loney met at Daubenspeck. Cost estimates are being procured to add 2900 square feet of playground space, picnic tables, benches, and some play equipment.
* Community Cleanup is this Friday and Saturday.
* Reporting to JLARC about 2022 public records request is done. Bingen does not have to report but will do so voluntarily beginning with 2022.
* The lot at 400 W Steuben is closed to overnight parking on April 26 and will be closed April 27 for final trenching for the EV chargers.
* Smoke testing did not happen as scheduled due to faulty equipment. It has been rescheduled for June 8.
* Treatment Plant is planning to hire an Operator in Training and send this person through the Evergreen Rural Water apprenticeship. The job description and posting are with the Union for review.
* Streets and Parks has the current draft of the TIP. Once the Daubenspeck quotes are back, the committee will be convened to review the TIP and the parks quotes.
* The Fire Department wants a silver sign on the building that reads Bingen Fire Department. I had Fire Department quoted, so will have the full sign requoted.
* Loney has been called for Federal Jury Duty the weeks of May 1 and May 8.

**Mayor’s Update and Council Comments**

Mayor Kiewit had an excellent vacation. She continues to work on the Bi-State Work Group for the new bridge. Mayor Kiewit, Administrator Loney, and Superintendent Spratt met with FEMA today to review the latest floodplain mapping. The current maps do not show flood likelihood based on the modeling, and this is not necessarily the case as seen in 1996. Bingen will likely submit an appeal during the comment period for reconsideration. Mayor Kiewit is meeting this Friday with WSDOT regarding the petition to BNSF regarding the roundabout.

Councilor Schroder stated that she sat in the Capitol recently and recommended that the other councilors do so.

**Voucher Approval**

Payroll Checks (Dated 4/12/2023) and Payroll EFT (Dated 4/12/2023) totaling $3,612.20; General Fund - $1,372.23, Street Fund - $731.56, Water Fund - $402.28, Sewer Fund - $112.79, and Treatment Plant Fund - $993.34.

Councilor O’Connor made a motion to approve the Payroll dated April 12, 2023. Councilor O’Sullivan seconded the motion, and it passed unanimously.

Payroll Checks (Dated 4/14/2023) and Payroll EFT (Dated 4/14/2023) totaling $28,531.14; General Fund - $10,295.65 Street Fund - $6,022.01, Water Fund - $3,436.50, Sewer Fund - $908.44, and Treatment Plant Fund - $7,868.54.

Councilor Jones made a motion to approve the Payroll dated April 14, 2023. Councilor O’Connor seconded the motion, and it passed unanimously.

Claims Checks (Dated 4/18/2023) and Claims EFT (Dated 4/18/2023) totaling $89,406.97; General Fund - $10,036.17, Street Fund - $18,869.64, Water Fund - $19,851.90, Sewer Fund - $1,221.08, and Treatment Plant Fund - $39,428.18.

Councilor O’Connor made a motion to approve the Claims dated April 18, 2023. Councilor Jones seconded the motion, and it passed unanimously.

**Adjournment**

Mayor Kiewit adjourned the meeting at 9:03 p.m.