

BINGEN CITY COUNCIL MINUTES

January 15, 2008

The meeting was called to order by Mayor Prigel at 7:00 p.m. Council members present: Tim Hearn, Sandi Dickey, Betty Barnes, Terry Trantow and Laura Mann. City Clerk Treasurer Jan Brending and Attorney Tad Connors were present. Audience: Bruce Brending, Jim Donnelly.

Public Comment

Jim Donnelly, Port of Klickitat

Jim Donnelly said the Port of Klickitat is in the process of submitting a grant application to the Community Economic Revitalization Board (CERB) for infrastructure improvements to provide services to new buildings. He said the port would like to obtain a letter of support from the City of Bingen.

Brian Prigel asked if the grant funding would be used for infrastructure improvements.

Jim Donnelly said yes and for some grading. He said the cost of the proposed improvements is \$2.8 million.

Brian Prigel asked when the letter of support is needed.

Jim Donnelly said the application has to be in to CERB by February 4, 2008.

Laura Mann asked if the letter needs to state that the city supports the port in infrastructure build-out.

Jim Donnelly said it should support buildable spaces. He said he believes the Port's binding site plan has been before the Bingen city council in the past and there have been no changes to the binding site plan.

Brian Prigel said he thinks this is something that Bingen would want to support and there are no real risks.

Laura Mann said development at the Port is a benefit to the businesses Bingen.

Betty Barnes agreed.

Tim Hearn moved to authorize a letter of support for the Port's grant application to CERB. Sandi Dickey seconded the motion and it was passed unanimously.

Approval of Minutes – January 2, 2008

Corrections to the minutes of the January 2 city council meeting were noted as follows:

Page 1, 11th paragraph, 1st sentence should read as follows: "Jan Brending said she would like the council to address one item, planning for the museum, that is listed as a goal for 2008."

Page 2, add the following paragraph after 1st paragraph: "The city council discussed who was on the committees pointing specifically to concerns with 3 members of the city council at a joint meeting with representatives from the museum board. Tad Connors said he was less concerned with the quorum issue but had other concerns he would discuss later with Terry Trantow."

Page 2, 4th paragraph should read as follows: "Betty Barnes said she believes that addressing the water odor is a priority. Brian Prigel said he also believes that addressing the sewer I&I is a priority."

Page 3, add the following paragraph after the 1st paragraph: "Betty Barnes requested that all newsletters come before the council for review before going out to see if there are items that could be added."

Page 3, 10th paragraph should read as follows: "Tad Connors said the establishment of a contract with Annala, Carey, Baker, Thompson & Vankoten, P.C. is moving forward."

Betty Barnes moved to approve the minutes of the January 2, 2008 council meeting as amended. Laura Mann seconded the motion and it was unanimously passed.

Proposed SDS Land Exchange

Brian Prigel said that the public works crew has reviewed the proposed land exchange. He said that it appears it will work even though public works would like more room. Prigel said he believes that SDS

will acknowledge the easement for the city's main sewer line that goes through SDS property. He said he is not exactly thrilled with the shape of the triangular piece east of the city shop but feels the proposed boundaries will work.

Laura Mann moved to approve the proposed land exchange with SDS Lumber Company. Terry Trantow seconded the motion and it was unanimously passed.

Suggested Zoning Ordinance Amendment – Building Height Limitation

Jan Brending said the city's zoning ordinance currently allows three story structures in its commercial zones and no height restrictions in its light and heavy industrial zones. She said that she and David Spratt have discussed this issue and are concerned because of fire fighting issues. Brending said the city does not have a ladder truck that could be used to fight fires. She said there is also an issue that allowing structures that are taller than 2 stories would be at odds with the current character of Bingen.

Brian Prigel suggested that instead of limiting structures to a specific number of stories it might be better to limit the height of structures. The city council discussed the options of addressing building height limitations. One option discussed was to limit structures to 35 feet with an exceptions process in industrial areas to be approved by the city council for structures between 35 and 45 feet.

The city council agreed that draft language should be developed and brought back to the city council for review and further discussion before going to public hearing. The definition of "building height" and how building height is measured needs to be reviewed and considered in any proposed amendment.

SR-35 Columbia River Bridge Project

Brian Prigel provided an overview of the last meetings regarding the SR-35 Columbia River Bridge project. He said that the Oregon agencies have informally recognized the need to move forward with a new crossing. Prigel said the proposed memorandum of understanding (MOU) is a small step in the development of a more formal document and support. He said the white paper that has been developed will be used to seek funding. Prigel said that he hopes the group will continue to meet and develop a broader MOU. He said that the need for local funding needs to be raised. Prigel said the Port of Hood River is slowly moving towards the understanding that the bridge will not last forever. Prigel asked the city council to authorize the signing of the memorandum of understanding.

Laura Mann said that it is great that Hood River is looking at the issue more positively. She said she is somewhat concerned that individual parties will be seeking funding for the project independently pointing to language under D.3 of the MOU.

Brian Prigel said there is some federal funding but more is needed to complete the final EIS. He said people are going to Olympia to seek funding. Prigel said he would like to see the group develop into a more cohesive group that addressed the long-term goal of seeing the bridge built. He said the final EIS is approximately a 2-year property with about 15% design engineering to be completed. Prigel said the next step would be develop final design with some engineering. He said that breaking ground in 10 years would be doing pretty good.

Laura Mann moved to accept the memorandum of understanding for the SR-35 Columbia River Bridge Project and to authorize the mayor to sign the memorandum of understanding. Terry Trantow seconded the motion and it was unanimously passed.

Brian Prigel said the next meeting has been tentatively scheduled in March.

Tad Connors asked who owned the bridge prior to the Port.

Brian Prigel said a private company owned it and it was sold to the Port in 1950.

Bingen-White Salmon Police Department Update

Bruce Brending said that he is looking into a program offered by WASPC which provides a team that will come and independently audit the police department with the final outcome a management action plan for the department. He said the team will meet with a variety of groups and individuals and will identify areas in the police department for improvement and those areas where the police department is doing well. Brending said the White Salmon mayor is very supportive of the idea.

Bruce Brending said he is in the background phase of a couple of applications for patrol officer. He said that at the earliest it will be March before anyone can be hired.

Bruce Brending asked where the city is at on the animal control services agreement.

Tad Connors said it has gone to Goldendale's attorney but that he hasn't heard back from them.

Bruce Brending said the animal control officer would like to ride with a couple of the officers to get to know the city and where the trouble spots are located.

Brian Prigel asked Tad Connors if there has been any movement on the jail contract.

Tad Connors said no. He said that he is working with the attorneys on the issue. Connors said the city may have to ask the county for arbitration. He said that Ron Reynier is discussing the issue with the county and that he may approach the issue a little differently than himself.

Bruce Brending said that an issue that was brought up at the police committee meeting is how much time is spent in traveling to Goldendale. He said that an option is looking at Skamania County for jail services but they want to hire an extra employee just for transportation purposes.

Sidewalk and Right-of-Way Maintenance

Jan Brending said she has reviewed the city's ordinances. She said the city does not have an ordinance that addresses "sidewalks." She said the city does have an ordinance that addresses "weed control." Brending provided several examples of sidewalk ordinances from other communities. She also suggested that the city's "weed control" ordinance be updated. Brending asked the city council review the examples of ordinances she has provided and get back to her with ideas or suggestions.

Terry Trantow asked if a dog tied up in front of a business could be considered an object. Jan Brending said probably not but that the dog ordinance could address such a thing.

The city council discussed the responsibilities of business/property owners when it comes to maintaining sidewalks and keeping them clean and free of snow and dirt. Some council members feel that if businesses or property owners are not keeping their areas clear and clean it should be the city's responsibility.

Brian Prigel said he believes the city's ordinance needs to address vegetation along sidewalks and in residential areas. He said he believes it is a concern because of fire safety. Prigel said an ordinance could provide for the planting of non-woody vegetation by property owners within the right-of-way.

Sandi Dickey asked if there is irrigation in place on the north side of Steuben east of Cherry. Jan Brending said no.

Brian Prigel suggested that is something the city could look into putting in so that landscaping could be planted.

Council members will review examples of sidewalk and vegetation ordinances. Staff will develop some draft ordinance language and bring it back to the council.

Mayor's Update and Council Comments

Inflow and Infiltration (I&I) Problem

Brian Prigel said Tom Hons has made some progress in identifying I&I problems. He said there is an equal problem in Bingen and White Salmon. Prigel said one of the identified areas is the west end of Bingen near the park. He said there is still a way to go in addressing the problem.

Klickitat County EDA Meeting

Jan Brending said she attending the EDA meeting and made the presentation for the City's project.

Brian Prigel said he will attend the next meeting in which the EDA will discuss the specific projects.

Water Rights Applications

Brian Prigel said the Klickitat County Conservancy Board will meet the next night and hopefully they will make a decision on Bingen's applications which will then go to the Department of Ecology. He said approval of the applications will reinforce Bingen's rights to the well field into which the city put money.

Brian Prigel noted that White Salmon is looking at bring Buck Creek back on line filtering the water and using it to recharge the well field.

Professional Services Roster and Small Works Roster

Jan Brending said the city has several notices out right now including soliciting Statements of Qualification of the city's professional services roster and the annual update of the city's small works roster. She said the city also has a request for statement of qualifications for hiring an engineer to complete its water system plan.

Sidewalk at Wilcox & Flegel

Betty Barnes said she has a concern about the fencing at Wilcox & Flegel that protrudes into the sidewalk.

Brian Prigel suggested that council members look at the area. He said the grade drops significantly in the area and that the fence was put in place to address a possible safety hazard. Prigel said it is not the best situation and is not sure how it will be fixed.

Betty Barnes asked if the company had talked to the city prior to the fence placement. She said that she believes the situation needs to be corrected and that allowing it to remain would set a precedent with other businesses.

Jan Brending said no that neither Wilcox & Flegel nor their engineers, Bell Design contacted the city about any issues. She said she was made aware of the issue when the final walk through was completed with the city. Brending said she expressed concern to the project manager at that time. She noted that the fence was installed so it could be easily removed.

The city council agreed that a letter needed to be sent to Wilcox & Flegel requesting the fencing be removed and the situation corrected expressly regret that the issue had not been raised prior to the placement of the fence.

Tad Connors asked that a copy of the letter be sent to Bell Design.

Wastewater Treatment Plant Lighting

Betty Barnes said the lights at the treatment plant are still not working.

Jan Brending said the issue is being addressed. She said that plant employees are looking at how to light the area without having to turn on all the lights.

Newly-Elected Officials Workshop

Betty Barnes said that she attended the newly-elected officials' workshop along with Sandi Dickey. She said that she learned that a city council member cannot work as a city employee. Barnes said she learned that a city council member can serve as a volunteer firefighter. She noted the city does not have an ordinance providing for such a thing and asked that one be drafted for adoption. Barnes said that she also learned that if a committee meeting has been advertised then any council member can attend even though there might be a quorum of the council.

Jan Brending said she understands that it might be allowed but does not believe it is necessarily a good idea.

Tad Connors said he believes it would be a horrible precedent to set.

Vouchers – Dated December 31, 2007

Vouchers audited and certified as required by RCW 42.24.080 and expense reimbursement claims certified as required by RCW 42.24.090 as of this date January 15, 2008. The council by unanimous vote does approve for payment the following list: checks 9630 through 9649 totaling \$131,491.79 and manual checks 501069 totaling \$12,971.45 for a grand total of \$144,463.24. Current - \$5,822.41; Street - \$23.04; Water – \$909.03; Sewer - \$35.04; Dallesport Treatment Plant – \$2,174.49; Sewer Construction and Maintenance - \$122,527.78; Dallesport Billing - \$12,971.45.

Vouchers – Dated January 15, 2008

Vouchers audited and certified as required by RCW 42.24.080 and expense reimbursement claims certified as required by RCW 42.24.090 as of this date January 15, 2008. The council by unanimous vote does approve for payment the following list: checks 9581, 9650 through 9661 totaling \$32,674.33 and payroll checks 9613 through 9629 totaling \$13,804.49 for a grand total of \$32,674.33. Current - \$6,294.28; Street - \$1,185.68; Fire Equipment Reserve - \$10,661.76; Water – \$2,086.76; Sewer - \$885.26; Treatment Plant - \$3,899.14; Dallesport Treatment Plant – \$3,261.35; Treatment Plant Replacement - \$4,399.10.

The council adjourned at 9:10 p.m.

City Clerk

Mayor