

BINGEN CITY COUNCIL MINUTES

February 19, 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, Jesse Burkhardt.

Public Comment

Bruce Brending, Bingen-White Salmon Police Department

Bruce Brending announced that Mo Java was broken into over the weekend. He said there has been an increase in such activity Gorge wide. Brending said Hood River also had a couple of break-ins over the weekend. He said that he has asked Jesse Burkhardt to put something in the newspaper to see if the department can get any leads.

Bruce Brending said he has talked to the city's attorney regarding adoption of an ordinance regarding disorderly conduct. He said he feels such an ordinance would fill the gaps left in the state's disorderly conduct statute. Brending said the ordinance is modeled after the City of Goldendale's ordinance. He said he would like to have the proposed ordinance before the council in a couple of weeks.

Approval of Minutes – February 5, 2008

Corrections to the minutes of the February 5 city council meeting were noted as follows:

Page 2, 1st paragraph should read: "Brian Prigel asked Tad Connors if the city could pay for the water if the garden was available to Bingen residents."

Page 2, add after 2nd paragraph: "Bruce Bolme said he is not asking for the city to pay for the water but only to have access to water."

Page 2, last paragraph should read: "Rick Johnson said the intent is to return the dog first but the city's ordinances will be followed. He noted that the agreement and services will be a work in progress."

Amendments to Dog Ordinance

Jan Brending said she has provided the council with a copy of Bingen and Goldendale's dog ordinances.

Tad Connors said the city has overhauled the ordinance because it did not have an impound facility. He said that the animal control officer needs to be commissioned so he can issue infractions. Connors noted that under Bingen's ordinance dogs can be impounded for not being licensed. He suggested that the ordinance be amended only as necessary. Connors said the city shouldn't reinvent the wheel concerning dangerous dogs. He said dangerous dogs are covered by the state statutes.

The city council and staff discussed the city's ordinances related to fines and the necessity of making sure the state fees are covered with the fine. The council agreed that the fine should be \$100.

The council agreed that the sections referencing dangerous dogs should be deleted.

The council agreed that the dog license should be \$10.00 each year and \$5.00 if the dog is spayed or neutered. The council agreed that there is no reduction in the license fee for a portion of the year and there is no senior discount.

Tim Hearn asked if an officer can go onto other people's property when chasing a dog.

Bruce Brending said that it would depend on the situation.

Tad Connors said it is technically illegal but what would be the damages if the officer did enter the property.

The council agreed to schedule a public hearing for proposed amendments to the dog ordinance at the next council meeting.

Draft February 2008 Newsletter

Jan Brending presented a draft of the February 2008 newsletter which will include information regarding the animal control officer and the dog ordinance, parking ordinance and volunteer firefighters. She said

that she would also like to provide information about property owners' need to maintain vegetation on their property.

The newsletter will be held until March so that information regarding adopted amendments to the dog ordinance can be provided. In addition, the newsletter will provide information about Community Pride Week in April. Council members asked that the parking section include information about not blocking driveways and sidewalks and information that it is illegal to park the wrong way on a street.

Old Business

Community Garden

Jan Brending provided an update on the proposed community garden in Bingen. She said there are several options available to the city including signing an agreement with a formal organization for the use of the property to the city running the community garden program itself. Brending said she does not recommend the city running the garden as there a number of projects the city will be completing this spring and summer including the Maple Street project, upgrading financial software, community center/parking planning, etc.

The city council agreed that the option they would like to pursue is signing an agreement for the use of the property with a formal organization such as Washington State Extension or Washington Gorge Action Programs.

Mayor's Update and Council Member Comments

Broughton Landing

Brian Prigel said he attended the Gorge Commission meeting to present a letter and testimony regarding the Broughton Landing project. He said that the letter reiterated the city's support and previous comments. Prigel noted that he invited Channel 6 to film him while giving testimony.

Laura Mann asked if the scope of the project has changed.

Brian Prigel said the Gorge Commission has backed away from focusing on the number of units and is basing its recommendation on the footprint and height of the existing buildings.

Building Height Limitations

Council members asked if proposed amendments will be presented regarding limiting the height of buildings.

Jan Brending said yes. She said it has moved down in priority as other projects have specific deadlines.

Water System Plan

Jan Brending said the RFP for the water system plan was issued and that responses have been received. She said the proposals will be reviewed and one or two candidates interviewed. Brending said she expects to have a contract proposal before the city council at its next meeting.

Depot Street Sewer

Jan Brending said the Depot Street Sewer (Maple Street phase) is complete. She said billing was submitted to the City of White Salmon and Bingen has received payment. Brending noted the city has not paid retainage on the contract and when that is paid will submit a final bill to White Salmon.

Infiltration and Inflow (I&I)

Brian Prigel said Tom Hons has been making progress in identifying locations for I&I. He said Hons as been working with White Salmon to identify problems in that city.

Senate Bill – Land Use Applications

Terry Trantow said there is a senate bill on the floor that addresses how land use applications will be handled. He said that if a land use application comes in and ordinances are changed during the review process then the new ordinances will be applied to the application. This is a change from where traditionally the ordinances in place at the time of the application are used even if the ordinance is amended or a new ordinance is adopted. He said there is some concern about the bill because it could cause problems with future development.

Smoking

Tim Hearn asked who has authority regarding smoking on the inside of an establishment that is supposed to not have smoking and who has the authority regarding smoking outside within the designated no smoking areas.

Bruce Brending said that inside the establishment would be the responsibility of the health department and outside would be the responsibility of the police department. He noted that there is an argument that “social clubs” do not have to comply with the state law that provides for no smoking within the establishment.

Bingen-White Salmon Police Department

Bruce Brending said that by the end of March the police department will have at least one new officer in the academy. He said he is hoping to continue to rebuild staff. Brending said a police officer spends approximately 4 ½ months at the academy and then 2 months in a training program with the department. He noted that the officer he is hiring has been working for the Skamania County reserves.

Betty Barnes asked Bruce Brending how many hours a week he works.

Bruce Brending said the minimum is 50 hours without any extra time. He said that has been going on since September 2007. Brending said it is the only way that he can keep overtime in check. He said the chief duties have to be done on top of the 50 hours. Brending said he has really good staff that is pitching in where they can.

Betty Barnes noted that there is only 7 officers budgeted for 2008 but hopes to see that the 8th officer is hired next year.

Vouchers

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 February 19, 2008. The council by unanimous vote does approve for payment the following list: checks 9756 through 9779 totaling \$14,156.01 and payroll checks 9738 through 9755 totaling \$12,282.65 for a grand total of \$26,415.42. Current - \$8,256.85; Street - \$916.78; Community Development - \$5,639.00; Water – \$1,262.82; Sewer - \$574.69; Bingen Treatment Plant - \$4,496.23; Dallesport Treatment Plant – \$5,269.05.

At 8:40 p.m. the council resumed regular session and adjourned.

City Clerk

Mayor