

BINGEN CITY COUNCIL MINUTES

July 1, 2008

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

Public Comments

Davie Kendall, Department of Natural Resources (DNR)

Davie Kendall said she is a member of one of the DNR fire prevention teams. She said the team travels around the area promoting fire bans and providing fireworks safety information. Kendall said she commends the city for having the marina area open for fireworks. She said she feels it has made a difference in the area. Kendall said the team would like to place a couple of banners in the city regarding fire safety. She said it is important to remind recreationists that they are entering an area that is subject to wildfires.

Brian Prigel asked if the banners would be up year-round. Kendall said just through the fire season.

Kendall noted that Bill Hunsaker has said the team can place a banner at the Hunsaker gas station in Bingen.

Betty Barnes moved to authorize the placement of banners for fire safety in Bingen subject to review by the Mayor and City Administrator as to the location. Terry Trantow seconded the motion and it was passed unanimously.

Public Hearing – Conditional Use Permit Application 2008-001, LP Composites Inc.

Brian Prigel opened the public hearing for conditional use permit application 2008-001, LP Composites Inc. He said the application is to operate a light industrial business providing manufacturing composites using a closed molding style called “RTM” (resin transfer molding) on property located at 314 W. Depot/314 W. Steuben.

Jan Brending informed the city council that is conducting a quasi-judicial hearing on a land use issue specifically a conditional use permit application. She asked all city council members to disclose any ex parte communications they may have had regarding the proposal.

Betty Barnes said Steve Wolford with Antiques & Oddities called her at home and voiced concerns regarding the proposal. Barnes said she told Wolford that it would be appropriate for him to send a letter to the council or to attend the public hearing. She also noted that she previously worked one day week for Steve Wolford but is no longer employed by him.

Tim Hearn said he spoke to Beneventi’s, Chips, and Viento to see if they had any concerns regarding the proposal.

Stu Fisher, representing LP Composites, provided an overview of the proposed business that will be located at 314 W. Depot/314 W. Steuben previously used by Fiberglass Supply, a business wholesaling fiberglass and related products. (Note: the staff report identified the address of the subject property as 317 W. Depot/317 W. Steuben and the application identified the address as 314 W. Depot. The correct address is 314 W. Depot/314 W. Steuben.)

Brian Prigel noted that the proposed location of the business is where Fiberglass Supply was previously located. He said the facility has a sprinkler system installed. Prigel said Fiberglass Supply had significant volumes of chemicals stored in the facility and that the proposed business will have far less volume.

Tim Hearn said his biggest concern is dust and odor.

Stu Fisher said there is no odor with the manufacturing process. He said he uses a dust collection system and nothing is exhausted to the outside.

Tim Hearn said he has talked to the fire chief regarding the proposal.

Betty Barnes asked how many employees does LP Composites have and do they receive training on the chemicals used in the manufacturing process.

Stu Fisher said 17 including the 2 owners. He said his employees do receive regular training and that he is required to comply with state laws.

Betty Barnes asked questions related to the type and volume of chemicals used and store onsite.

Stu Fisher said he wants to work with the city and the fire department to keep everyone informed about the chemicals his business uses.

Tim Hearn asked if other owners in White Salmon have complained about any odors.

Jan Brending said not that she is aware of. Brending noted she did talk to the owners of LP Composites about parking issues. She said the owners said they are going to ask their employees to park in the public parking at 400 W. Steuben.

Tim Hearn asked about the company's grown potential.

Stu Fisher said he feels it is great. He said he has had a hard time attracting employees and feels that the visibility of being located in Bingen will help.

Paul Beneventi, representing Beneventi's Pizza, said he is curious about the proposal and that his main concerns are odor and dust.

Brian Prigel said it is the city's responsibility to protect the interests of the neighbors and to make sure the use is compatible. He said that providing there is no noise, dust, odor then there would be very little issues with the neighbors. Prigel said he is familiar with the RTM process and there is very little odor. He noted that if complaints are made to the city then the conditional use permit could be reviewed.

Betty Barnes said she would like to see some restrictions regarding the review of the types and quantities of chemicals kept on site every 6 months or every year. She said she feels it is important to protect the businesses that located adjacent to the proposed business. Barnes suggested that the fire chief do an on site check if necessary.

Brian Prigel said that could be left to the discretion of the fire chief.

Stu Fisher said he does get surprise inspections from the state regulatory agencies.

Brian Prigel said the council could approve the conditional use with conditions addressing dust containment, noise, odor containment, and notification to the city of the types and volumes of chemicals kept on site with review of the facility by the fire chief at his discretion.

Tad Connors said the council can also limit the quantity of chemicals that are stored on site.

Betty Barnes moved to approve the conditional use permit application by LP Composites to operate a light industrial business providing manufacturing composites using a closed molding style called "RTM" (resin transfer molding) on property located at 314 W. Depot/314 W. Steuben with the following conditions:

1. All storage of materials must be contained within the existing structure. No outside storage is permitted.
2. All dust from the manufacturing process must be contained with the facility.
3. The manufacturing process shall not produce odors that are detectable outside of the facility or in adjacent facilities.
4. The types and quantities of chemicals shall be reported annually to the City of Bingen.
5. The City of Bingen fire chief shall have discretion to make a review of the facility and shall do so at least annually.
6. If the average quantities of chemicals kept on site exceed 200% of what is reported in the conditional use permit application, a review of the conditional use permit will be required.

7. All signage must be approved by the City Council.
8. An occupancy permit is required from the City of Bingen and is to include a testing of the fire sprinkler system in the proposed facility.
9. The conditional use permit applies to the business as proposed in the conditional use permit application and to LP Composites. If the business changes in nature, a new conditional use permit will be required. The conditional use permit does not apply to the property.

Terry Trantow seconded the motion and it was unanimously passed.

Approval of Minutes – June 17, 2008

Changes to the June 17 city council meeting minutes were noted as follows:

Page 2, last paragraph should read as follows: “Betty Barnes said she would like the meeting minutes from the Joint Water/Sewer committee meeting to be completed.”

Betty Barnes moved to approve the meeting minutes of the June 17, 2008 city council meeting as amended. Terry Trantow seconded the motion and it was unanimously passed.

Public Hearing, Proposed Ordinance 08-05-546, Repealing BMC 10.10, Vehicle Equipment Requirements

Jan Brending said the proposed ordinance repeals BMC 10.10, Vehicle Equipment Requirements. She said BMC 10.10 does not allow the use of compression brakes. Brending said the proposed ordinance implements the request submitted to the city council at the last council meeting.

Terry Trantow moved to adopt Ordinance 08-05-546, Repealing BMC 10.10, Vehicle Equipment Requirements. Tim Hearn seconded the motion and it was unanimously passed.

Public Hearing, Proposed Ordinance 08-06-547, Establishing Penalties for Parking Violations

Tad Connors said that when the city was working on its parking ordinances it appears that the penalties for parking violations were inadvertently deleted. He said the issue was brought to his attention by Bruce Brending. Connors said he has developed a draft ordinance that provides for the penalties.

Tim Hearn said that he thinks what Connors has developed seems to be okay.

Betty Barnes asked why the word “nuisance” was deleted from section 10.14.100 A of the ordinance.

Connors said the city’s ordinance provides for a special meaning of the word “nuisance” and therefore it was necessary to remove the word. He noted that the city’s ordinance doesn’t provide specifics for impoundments but leaves the possibility for impoundment in the future without getting hung up on the word “nuisance.”

Betty Barnes asked if the ordinance adds a fine section.

Tad Connors said yes.

Tim Hearn asked Bruce Brending if the ordinance is to his liking.

Bruce Brending said as long as the ordinance provides for automatic updates for court costs then he is fine with it. He noted that he and the attorney have a difference of opinion on the impoundment issue but will complete that discussion at a later time. Brending said he will continue to work with the attorney on the issue and will defer to his guidance.

Betty Barnes moved to adopt Ordinance 08-06-547, Amending BMC Chapter 10.14, Stopping, Standing or Parking. Tim Hearn seconded the motion and it was unanimously passed.

Betty Barnes asked if staff is aware of anyone doing mechanical work for people at the west end of Humboldt.

Bruce said no. He said he is aware of a vehicle in that area that has expired tags. Brending said the vehicle had previously been moved off of the street/

Terry Trantow said that the “no parking” signs on Walnut need to be placed correctly so that people can read them.

Six-Year Transportation Plan

Jan Brending said it is time for the city to update its six-year transportation plan. She said a public hearing will be scheduled for the next city council meeting. Brending said at the present time she plans to move all the projects back a year. She noted that she intends to begin tracking any increases in sales tax revenues that might be attributable to the streamlined sales tax process.

Terry Trantow said he thinks it is a good schedule.

Confederated Tribes of the Warm Springs Reservation Casino, Cascade Locks

Brian Prigel said the city has received a letter from the Bureau of Indian Affairs asking for comment on the establishment of a casino by the Confederated Tribes of the Warm Springs Reservation in Cascade Locks, Oregon. He said he is less concerned about the gambling issue and more about how lands are placed in trust.

There was a consensus of the council to place the item on the next meeting’s agenda so that the full council can discuss the issue.

Tad Connors said that the biggest concern from surrounding cities is that they do not receive any funding to address crimes and other issues that come up that can be related to the establishment of a casino.

Old Business

400 W. Steuben Storm Water Project

Jan Brending said the city has spent \$17,939.50 in engineering costs on the 400 W. Steuben Storm Water project. She said the estimated construction costs are \$112,425.06. Brending said the estimated construction costs include \$20,000 for construction engineering and \$22,485.01 for contingencies. She said she believes the bids will come in above the engineer’s estimate due to inflation.

Brending suggested that 75% of the project could be funded from the Community Development fund with the remaining 25% coming from Current Expense. She said if the city puts the project out to bid it can re-evaluate the funding of the project when the bids are opened.

Betty Barnes moved to put the 400 W. Steuben Storm Water project out to bid based on 75% of the funding coming from the Community Development fund and 25% coming from Current Expense. Terry Trantow seconded the motion and it was unanimously passed.

Agreement with Washington Gorge Action Programs for Housing Needs Assessment

Jan Brending said the city council approved providing \$2,000 towards the housing needs assessment and toolkit in November 2007. She said it appeared at a later date that the county would fund the entire project, however they county is only funding the amount that Gorge Action Programs was short.

Brending said the proposed agreement puts into place the agreement to pay \$2,000 towards the housing needs assessment and toolkit in return for access to the information when it is completed and updated.

Terry Trantow moved to approve the agreement with Washington Gorge Action Programs to provide \$2,000 towards the Housing Needs Assessment and Toolkit. Tim Hearn seconded the motion and it was unanimously passed.

Treasurer’s Report – March, April and May 2008

Jan Brending presented the Treasurer’s Reports for March, April and May 2008.

Betty Barnes moved to accept the March, April and May 2008 Treasurer’s Reports. Terry Trantow seconded the motion and it was unanimously passed.

Mayor’s Update and Council Comments

Maple Street Reconstruction Project

Jan Brending reported the contractor has not been issued a Notice to Proceed. She said the city is waiting for a traffic plan from Nutter. Brending said Nutter is also in the process of trying to obtain a permit from BSNF to work within the railroad right-of-way. She said the city is also working with the roadmaster to determine when the crossing will be done by the railroad.

4th of July Event

Jan Brending said that everything has been scheduled for the 4th of July event at the Port. She said two groups have been scheduled to come in and do cleanup on Saturday. Brending said she is not sure if additional law enforcement will be available on site other than what would normally be scheduled for a Friday evening. She said it is her understanding that White Salmon's Director of Public Safety will be available to man the check point.

Budget Workshop

Jan Brending said the AWC budget workshop is being held in Leavenworth and Redmond. She noted the Leavenworth workshop is full and that Bingen will need to attend the one in Redmond if anyone wants to go.

Insitu Suppliers/Vendors Conference

Brian Prigel said he recently attended an Insitu Suppliers/Vendors Conference. He said they are beginning to implement quality control. Prigel said Insitu currently has 315 employees at 14 different facilities and they are out of space.

Betty Barnes asked if Insitu is moving into the old theater building.

Jan Brending said no. She said the current proposal is to develop a portion of the building into a recording studio.

Betty Barnes said that one of the requirements for the stairs that were installed at the Old Winery building were that they were to be lighted. She said there are lights installed but they are not being turned on.

Jan Brending said she will check with the property owner regarding the issue.

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 July 1, 2008. The council by unanimous vote does approve for payment the following list: checks 10185 through 10190 and 10211 through 10214 totaling \$10,861.73. Current - \$4,184.37; Street - \$805.46; Water - \$2,055.98; Sewer - \$483.27; Bingen Treatment Plant - \$2,523.88; Dallesport Treatment Plant - \$808.77.

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 July 1, 2008. The council by unanimous vote does approve for payment the following list: payroll checks 10183, 10184, 10191 and 10192 through totaling \$19,396.10. Water - \$381.60; Sewer - \$114.50; W/S Bond Redemption - \$18,900.00.

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 July 1, 2008. The council by unanimous vote does approve for payment the following list: checks 10193 through 10209 and 10222, 10223, 10227 through totaling \$76,686.28. Current - \$56,187.97; Street - \$1,494.70; Water - \$10,996.54; Sewer - \$352.73; Bingen Treatment Plant - \$2,026.12; Dallesport Treatment Plant - \$949.49; and Water Construction and Maintenance - \$7,678.73.

At 9:00 p.m. adjourned.

City Clerk

Mayor