

BINGEN CITY COUNCIL MINUTES

July 15, 2008

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

Public Comments

Bruce Brending, Bingen-White Salmon Police Department

Bruce Brending said the Eagles recently had a burglary in which alcohol and soda pop was taken. He the crime was solved and involved juveniles under the age of 18.

Bruce Brending said the 4th of July event went well.

Betty Barnes said she spoke with the some of the members of the Eagles who said they were happy with the assistance from the police department and the follow-up that was provided. Barnes asked Tad Connors if he handles cases involving juveniles.

Tad Connors said no.

Laura Mann, Bingen

Laura Mann said she wanted to commend David Spratt for going beyond the call of duty related to dealing with fireworks before and during the 4th of July.

Betty Barnes said both the police department and fire department took things seriously on the 4th of July.

Approval of Minutes – June 26, 2008

Laura Mann moved to approve the meeting minutes of the June 26 city council meeting. Sandi Dickey seconded the motion and it was unanimously passed.

Approval of Minutes – July 1, 2008

Changes to the July 1 city council meeting minutes were noted as follows:

Page 1, 1st paragraph, last sentence should read: “Audience: Bruce Brending, Davie Kindell, Stu Fisher, Peter Lederer.”

Page 4, 6th paragraph should read: “Betty Barnes asked why the word “nuisance” was deleted from section 10.14.100 A of the ordinance.”

Page 6, 8th paragraph should read: “Jan Brending said no. She said the current proposal is to develop a portion of the building into a recording studio.”

Page 6, 9th paragraph, 1st sentence should read: “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.”

The city council discussed item #5 on page 3 related to the Conditional Use Permit for LP Composites.

Betty Barnes said that she meant in her motion to approve the conditional use permit with conditions that the fire chief must review the facility on site annually.

Betty Barnes moved to clarify condition of approval #5 to read: “The City of Bingen fire chief shall have discretion to make a review of the facility and shall do so at least annually.” Terry Trantow seconded the motion. The motion carried 4 to 1 with the following vote: Barnes – Aye, Dickey – Aye, Hearn – Nay, Mann – Aye, Trantow – Aye.

Betty Barnes moved to approve the minutes of the July 1 city council meeting as amended. Terry Trantow seconded the motion. The motion carried 4 to 1 with the following vote: Barnes – Aye, Dickey – Aye, Hearn – Nay, Mann – Aye, Trantow – Aye.

Conditional Use Permit 2008-001, LP Composites – Review and Approval of Decision

Betty Barnes moved to approve the Findings of Fact, Conclusions of Law and Decision for Conditional Use Permit Application 2008-001, LP Composites with condition of approval #5 to read: “The City of Bingen fire chief shall have discretion to make a review of the facility and shall do so at least annually.”

Terry Trantow seconded the motion. The motion carried with the following vote: Barnes – Aye, Dickey – Abstain, Hearn – Aye, Mann – Abstain, Trantow – Aye. (Council members Sandi Dickey and Laura Mann were not present when the conditional use permit was approved with conditions.)

Laura Mann asked if LP Composites has obtained an occupancy permit. Jan Brending said no.

Laura Mann asked about the comments from the Washington Department of Transportation.

Jan Brending said it appears that the writer of the letter does not understand the nature of the proposed development. She said from the content of the WSDOT letter it appears the author is assuming that an entirely new facility is being built. Brending said the majority of the comments are not applicable to the proposal.

Public Hearing – 6-Year Transportation Improvement Program, 2009-2014 and Proposed Resolution 2008-002, Adopting Six-Year Transportation Improvement Program, 2009-2014

Brian Prigel said the state requires the city to prepare a six-year transportation improvement program. He said changes to the program are allowed as funding becomes available or other projects come up that necessitate moving projects up or down on the list.

Jan Brending said she took last year's program and moved it back one year. She said that she is hoping the city can identify a source of funding to set aside for street improvements. Brending said she will be watching the sales taxes closely to see what kind of increase, if any, the city will realize based on the Streamlined Sales Tax program. She said that if there is an increase she would recommend the funds be set aside for street improvements.

Terry Trantow made some suggestions for actual components of several of the projects. Jan Brending said that when the project is scheduled and specifications are developed they will be reviewed by the city council prior to going out to bid or being scheduled with the county.

Terry Trantow noted that priority item #3 needs to have the dates added.

Terry Trantow moved to adopt Resolution 2008-002, Adopting Six-Year Transportation Improvement Program, 2009-2014 adding the dates for priority item #3. Laura Mann seconded the motion and it was unanimously passed.

Proposed Resolution 2008-003, Authorizing Surplus of Computer, Office and Miscellaneous Electronic Equipment No Longer Useable to the City

Jan Brending said the city has collected a number of computers, office, and miscellaneous electronic equipment items over the years that are no longer useable to the city. She said it has been her experience that the items have no value and it would cost the city more to advertise and hold a surplus sale than it would realize in revenue. Brending said she contacted Gorge Action Programs and neighboring cities to see if they were interested in any of the items. She said no one has expressed any interest in the items. Brending said she contacted a person in Hood River who is taking surplus equipment and refurbishing the equipment and donating items to those in need.

Tad Connors said he thinks Hood River High School will also take surplus computer equipment.

Laura Mann said she feels there might be some value to the equipment.

Betty Barnes moved to approve Resolution 2008-003, Authorizing Surplus of Computer, Office and Miscellaneous Electronic Equipment No Longer Useable to the City. Sandi Dickey seconded the motion. The motion carried 4 to 1 with the following vote: Barnes – Aye, Dickey – Aye, Hearn – Aye, Mann- Nay, Trantow – Aye.

Proposed Resolution 2008-004, Declaring Emergency Related to Failure of Park Well Pump and Authorization to Establish Sole Source Contract

Brian Prigel said the proposed resolution supports his decision to declare an emergency when the Park Well pump failed and to establish a sole source contract with M-K Drilling to pull and replace the pump.

Jan Brending noted that M-K Drilling is on the city's 2008 Small Works Roster.

Betty Barnes moved to approve Resolution 2008-004, Declaring Emergency Related to Failure of Park Well Pump and Authorization to Establish Sole Source Contract. Terry Trantow seconded the motion and it was unanimously passed.

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 comments on the proposed casino at Cascade Locks. He said this is an opportunity for the city to official comment.

Jan Brending noted the city has received a second letter rescinding the first letter due to an error in the public noticing process. She said BIA has noted that the letter asking for comments will be resent in August. Brending said the city can develop a response now and send it when the new letter comes in or wait until the official letter arrives.

Terry Trantow said he doesn't see the casino helping anyone in the gorge except the tribe. He said the casino has no value on the Washington side and there is no compensation for effects on housing or traffic.

Laura Mann said whether it would be a casino or a mall Bingen will be affected in all the categories listed in the letter.

Betty Barnes said one of the areas she is concerned with is the area of treatment for gambling addiction. She said it is her experience that most employees of casinos spend a lot of time in the casino gambling away their paychecks.

Brian Prigel said he is concerned about the precedent of "fee land" being turned into "trust land." He said the land would be taken out of the regulatory structure and put under the tribes and BIA's authority.

Tad Connors said the conditions for the casino will be set by the federal government. He said there is special legislation that governs Indian gambling.

Brian Prigel said he is also concerned about the size and scope of the project. He said he would have similar concerns even it was a different project. Prigel said he is concerned about where the employees are going to come from and housing availability.

Tim Hearn said he supports the casino. He said he feels it will bring jobs to the area.

Betty Barnes said she is also concerned about the inadequate bridges between Oregon and Washington in the Gorge.

Jan Brending said there are questions about whether I-84 will be able to handle the traffic without expansion of the number of lanes. She said there are already concerns about workforce housing in the Gorge even before the casino is approved.

Sandi Dickey said she sees both sides – new jobs and the impacts the casino will have on local communities.

Brian Prigel asked the city council if they feel Bingen should comment on the proposal.

Betty Barnes said she feels it would be appropriate and in particular point concerns related to the lack of adequate housing and infrastructure to support such a project.

The city council agreed that staff will draft a letter addressing impacts on the Washington side for council consideration at the second meeting in August.

Old Business

Interlocal Agreement with Klickitat County for Maple Street Funding

Jan Brending said the interlocal agreement provides for \$200,000 for county funding for the Maple Street project. She said the agreement has been reviewed by Tad Connors and the Klickitat County prosecuting attorney, Tim O'Neill.

Laura Mann moved to authorize the mayor to sign the interlocal agreement with Klickitat County for Maple Street funding. Sandi Dickey seconded the motion and it was unanimously passed.

Mayor's Update and Council Comments

Maple Street Reconstruction Project

Brian Prigel said he and Jan Brending met with the railroad road master regarding the Maple Street crossing. He said the roadmaster originally wanted to close the crossing for 4 days. Prigel said alternatives were finally discussed which has led to the decision to close the crossing on a Saturday and Sunday. He said the project will cost more money but will still be within the amount budgeted for the

crossing portion of the project. Prigel said he is a little nervous about this part of the project when it was originally going to take 4 days and will now be done in 2. He said the project is tentatively scheduled for August 9 and 10th with the road to be open at 5 a.m. on August 11th. Prigel said he and Jan Brending met with the Port businesses and SDS regarding the closure. He said SDS has their own access. He noted that one business at the Port will need access but is working with SDS.

Laura Mann asked if the trains will run during the project.

Jan Brending said yes.

Brian Prigel said signage will be placed at the crossing 2 weeks prior to the project. He said notifications will also be sent out to the affected businesses.

City of White Salmon Water Crisis

Brian Prigel said he has been invited to attend a meeting in White Salmon next week with the Department of Health. He said White Salmon is hoping to get some direction as to how to move forward with getting Buck Creek online.

Wayside Horns

Betty Barnes asked if the city is going to test wayside horns this year.

Jan Brending said no. She said that because of the construction at Maple Street and because of time constraints she has not been able to set up the demonstration. Brending said she intends to work with the railroad to set up the demonstration in late May or early June of 2009.

Betty Barnes said she would like the city to let the public know that it has not forgotten about the desire to have a quiet zone or quieter train horns. Brending said she can include an article in the next newsletter.

Insitu – Winery Facility

Betty Barnes asked Jan Brending if she has contacted the property owner regarding the lighting of the stairs at the Winery facility. Brending said she has sent an e-mail and will follow-up with the property owner.

Bingen Fire Department

Betty Barnes said the fire department has several new fire fighters and is seeing quick response to fire calls.

Cascade Locks Casino

Mamie Potter asked if people from the audience can ask questions.

Brian Prigel said the council runs a somewhat informal meeting.

Mamie Potter said she also has concerns about the approval of the casino setting a precedent. She said she feels they could be popping up here and there.

Brian Prigel said that is his concern also.

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 15, 2008. The council by unanimous vote does approve for payment the following list: checks 10253 through 10281 totaling \$16,151.60. Current - \$7,397.81; Street - \$762.34; Community Development - \$2,000.00; Water - \$2,928.20; Sewer - \$616.75; Bingen Treatment Plant - \$2,095.60; Dallesport Treatment Plant - \$350.90.

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 15, 2008. The council by unanimous vote does approve for payment the following list: payroll checks 10230 through 10241 and 10243 through 10252 totaling \$20,577.42. Current - \$8,882.77; Street - \$1,725.45; Water - \$2,876.64; Sewer - \$1,035.23; Bingen Treatment Plant - \$5,435.72; Dallesport Treatment Plant - \$621.61.

Executive Session

Brian Prigel announced at 8:25 p.m. that the city council will enter into an executive session for 30 minutes to discuss a real estate issue.

The city council resumed regular session at 8:55 p.m.

West Klickitat County Historical Society – Gorge Heritage Museum

Laura Mann moved to send an e-mail to the Washington State Historical Society stating “The city council feels it is desirable for the West Klickitat County Historical Society to own the property on which the museum is located and is willing to support the Society’s efforts to purchase the property from the city.” Sandi Dickey seconded the motion. The motion carried with the following vote: Barnes – Recused, Dickey – Aye, Hearn – Aye, Mann – Aye, Trantow – Aye.

At 8:56 p.m. the city council adjourned.

City Clerk

Mayor