

BINGEN CITY COUNCIL MINUTES

November 18, 2008

The meeting was called to order by Mayor Prigel at 7:00 p.m. Council members present: Terry Trantow, Laura Mann, Betty Barnes, Tim Hearn and Sandi Dickey. City Administrator Jan Brending and Attorney Tad Connors were present. Audience: Chad Brunton, Jim Bradshaw, Jeri Fisch, Nancy White, Steve Fadness.

Approval of Minutes – November 4, 2008

Terry Trantow moved to approve the meeting minutes of the November 4, 2008 city council meeting. Laura Mann seconded the motion and it was unanimously passed.

Public Hearing – Conditional Use Permit Application 2008-002, Custom Interface

Brian Prigel said the city is holding a public hearing on a conditional use permit application submitted by Custom Interface. The application is for locating a light industrial business in a facility that is zoned commercial.

Jan Brending noted that the hearing is being taped and reminded council members that any conflict of interest or ex parte communication should be declared at this time.

Betty Barnes said she lives within 300 feet of the subject property. She said she will step down from the council to reserve her right to speak as a citizen and will not participate in the hearing or the decision as a council member.

Terry Trantow noted a correction to the legal description for the subject property. He said he should be described as Lot 1 of BLA 2008-001, NE ¼ of the SE ¼ of Section 30, Township 3 North, Range 11 East, W.M., Klickitat County (Tax Parcel No. 03113058090100).

Nancy White, owner of Custom Interface, said her business has been located in Bingen for a number of years and hopes to relocate to the Port. She said the business is growing out of capacity at its current location and she would like to house a portion of the business at 115 N. Ash. White said she feels the business is a good neighbor and is respectful of parking. She said she has asked her employees to park on Depot Street. White said the employees working at 115 N. Ash will continue to park on Depot Street. White said she has submitted letters of support. She said there will be a daily delivery and daily pickup. White said she anticipated there will be less conflict with parking than there currently is. She said there are no odors, dust or noise associated with the business. White said Custom Interface is a clean business that continues to grow and has a good reputation.

Brian Prigel asked what kinds of things the business does.

Nancy White said she produces wiring harnesses and makes adjustments to carbon fiber components. She said she has long-term contracts with customers and needs additional space so she does not have to turn down work. White said Custom Interface has been in business for 11 years.

The city received five letters of comment regarding the proposed conditional use permit. Jan Brending read an additional letter, from J. McGregor Colt into the record.

Jim Bradshaw, owner of the subject property and Red Carpet Maintenance said he believes the impacts on parking will ease because he is leasing the property to the west which now provides parking for his vehicles. He said that he has also leased an office space in the Bingen Business Park and his office staff will park in the associated parking lot. Bradshaw said he does not see that there will be any impacts on parking by approving the conditional use permit. He said he also does not see it having an affect on the city's tax structure.

Betty Barnes asked if the employees will clock in and out of the facility located on Steuben.

Nancy White said yes.

Betty Barnes asked if the facility on Steuben has a conditional use permit.

Nancy White said no.

Brian Prigel said there is not a good answer as to why the facility does not have a conditional use permit. He said the facility started out as an engineering and design facility and has changed in character.

Betty Barnes asked if the city has let the issue go.

Brian Prigel said yes.

Betty Barnes said that as parking is enforced in downtown Bingen more employees are parking in residential areas. She said that at the present time it doesn't appear to be an issue but thinks more parking will occur in these areas as parking is enforced. Barnes said she does have concerns about property values. She suggested it might be appropriate to zone all of Humboldt commercial. Barnes said she is concerned that residential values will go down while commercial values go up. Barnes said she is also concerned that the process of remodeling the facility for the particular use started before it came to the city's attention. She suggested business owners and property owners should contact the city prior to starting a project.

Jeri Fisch said she is a neighbor that lives on Humboldt Street. She said she thinks the industrial businesses in Bingen are a positive. Fisch said she and her husband chose to live in Bingen because of the opportunity to walk to work, walk to town, and walk to eat. She said she has no problems with the proposed facility.

Jim Bradshaw said that when Red Carpet Maintenance moved into the existing facility it did not have to get any permits. He said he didn't think the change would require anything from the city. Bradshaw said it was an oversight on his part. He said he has been in Bingen since 1957 and attended grade school in Bingen. Bradshaw said he believes property values have been helped by the types of industry that have come to Bingen.

Nancy White said it is very easy to walk into the facility and forget that it is industrial. She said she has a very clean facility.

Betty Barnes said there is nothing wrong with the business itself.

Nancy White said she does a lot of design, prototyping and research work that is unique to her industry. She said businesses use her for technical support. White said it is necessary to do prototyping and manufacturing to help engineers build new products.

Betty Barnes asked Jim Bradshaw how many parking spaces will be allocated for his office staff.

Jim Bradshaw said two.

Steve Fadness asked what makes a business light industrial.

Jan Brending said assembly of a product is considered light industrial.

Laura Mann said she feels the zoning is pretty old and that a lot of things have changed. Mann said she is in favor of granting the conditional use permit. She said the business will not affect the neighborhood with any noise, dust or odor. Mann said Custom Interface should obtain a conditional use permit for the original location.

Terry Trantow said he was originally concerned with the parking issue but is no longer. He said the property has been zoned and used as commercial for years and doesn't believe approval of the conditional use permit will have an affect on property values.

Brian Prigel said there have traditionally been some businesses in the area that could be considered close to light industrial.

Tad Connors said that the conditional use permit application before the council has no bearing on what is going on at the original location. He said that design support is in line with the commercial use as a professional office.

Sandi Dickey said she is in favor of the application particularly given the economy.

Tim Hearn said he has no comments.

Brian Prigel said that when the city developed its downtown revitalization plan it did so to create a better environment for retail trade. He said that although there is not a lot of new retail trade it is more active than it has ever been in the past with lower building vacancies. Prigel said that was one of the goals – not to have vacant store fronts.

Laura Mann asked where the garbage dumpster for the facility will be located.

Jim Bradshaw said that concrete has been poured between buildings and that is where the dumpster will be located.

Brian Prigel suggested that if the council approved the application that it would include conditions prohibiting any offensive odors, noise, dust and vibration.

Jan Brending suggested that any conditions would include prohibiting outdoor storage.

Laura Mann said she would also like to see a yearly review of the conditional use permit.

Jan Brending noted that a conditional use permit is given to a particular business and does not go with the property. She said that if a new light industrial business was to move in that business would need to obtain a separate conditional use permit.

Tim Hearn moved to approve the conditional use permit application by Custom Interface to locate a light industrial facility at 115 N. Ash with the following conditions:

1. No offensive odor, noise, dust or vibration will be allowed.
2. No outdoor storage will be allowed.
3. The permit will have an annual review.
4. All hazardous materials will be kept in a hazardous storage cabinet.

Laura Mann seconded the motion. The motion carried with the following vote: Dickey – Aye, Hearn – Aye, Mann – Aye, Trantow – Aye. Note: Betty Barnes stepped down from the city council for the duration of the public hearing and decision making related to Conditional Use Permit Application 2008-001, Custom Interface.

Betty Barnes stepped back up to the city council.

Jan Brending noted that she and Tad Connors have been discussing the zoning and recent decisions of the city council regarding conditional use permits. She suggested that it might now be appropriate to review the city's zoning and see if there are ways to permit certain types of light industrial uses within the commercial zones. Brending said she would like to begin looking at the city's zoning ordinance after the first of the year.

Public Hearing – Water and Sewer Rates

Jan Brending said the city's current ordinance provides for a 5% increase in water and sewer rates every year. She said that the water fund needs additional revenue and she is recommending that the rate increase that would have normally happened for sewer be applied towards the water rate. Brending said the amended ordinance continues the 5% increase every year. She said the average rate for water is also proposed to increase from \$1.10 per 1,000 gallons to \$1.20 per 1,000 gallons.

The city council and staff discussed the language regarding average costs. It is understood that average is charged per 1,000 gallons or any portion of 1,000 gallons over the maximum amount allowed in the base fee. Council agreed to add clarification language to each ordinance that it was clear that any portion of 1,000 gallons over the maximum amount would incur a charge.

Ordinance 08-09-550, Amending Bingen Municipal Code 13.04.120, Service Classifications and Charges Designated for Water Service

Laura Mann moved to approve ordinance 08-09-550, Amending Bingen Municipal Code 13.04.120, Service Classifications and Charges Designated for Water Service, as amended. Sandi Dickey seconded the motion and it was passed unanimously.

Ordinance 08-10-551, Amending Bingen Municipal Code 13.24.030, Monthly Sewer Rates

Betty Barnes moved to approve ordinance 08-10-551, Amending Bingen Municipal Code 13.24.030, Monthly Sewer rates, as amended. Sandi Dickey seconded the motion and it was passed unanimously.

Small Works Roster Bid, Sealing Active Leaks in Manholes – Bid Results and Award

Recommendation

Jan Brending said the city did not receive any bids on the bid opening date. She said she spoke with the two companies who had expressed interest in the project. Brending said one of them did not deliver the bid even though it had been prepared and the other company had been too busy to prepare one. She said they are both still interested in the project and recommended the project be sent out again with council action at the next council meeting.

Betty Barnes moved to rebid the small works project for sealing active leaks in manholes. Terry Trantow seconded the motion and it was unanimously passed.

Discussion of Ordinance 02-02-483, Bingen Municipal code 2.04 – Meeting on Election Days

Brian Prigel said the city council had to move council meetings held on election days because the council chambers were used as a polling location. He said that because the county is now voting by mail the council has not moved the meetings.

Jan Brending said the city has an ordinance that says that all meetings held on election days will be moved to the preceding Monday. She said that since the county has moved to voting by mail the meetings have not been moved to Mondays.

City council members discussed the options for holding council meetings on election days.

Betty Barnes moved to amend the ordinance to read: “The city council shall meet on the first and third Tuesdays of each month at the hour of seven p.m.; provided, however, that in the event either of said Tuesdays shall fall on a legal holiday, as designated in RCW 1.16.050, or a presidential general election day, such council meeting shall be held on the Monday preceding the Tuesday at the same hour.” Sandi Dickey seconded the motion and it was passed unanimously.

Public Hearing – Proposed 2009 Budget

Jan Brending said she has obtained information regarding the police budget and it has a significant impact on the city’s general fund budget. She said the city’s share of the budget, including its appropriate share of ½ of the Public Safety Director costs, will increase the general fund budget by \$66,191 and therefore decreasing the general fund ending cash balance to \$25,511. Brending noted that she has offered to work with the White Salmon clerk-treasurer to get more specific numbers for salaries and benefits.

Bruce Brending said he needs to review the budget with Lori Kreps as the salary and benefits are not what he provided. He noted that in the past several years wages have been increased to help retain officers. Brending said the 2009 budget does not provide for an increase in the number of officers. He said that in 2010 he hopes that the revenue used towards the Public Safety Director position can be used towards another officer. Brending said seven officers will allow two officers to be on duty during the day so that he can address administration and the 2nd officer can patrol. He said that he believes he has a good and stable department right now.

City council members and staff discussed salaries and benefits and the number of officers that have been budgeted in the past.

Jan Brending suggested that the council decision on the 2009 budget be moved to the 2nd meeting in December to allow for further review of the budget to see where costs can be cut and to further revise the police budget.

Betty Barnes moved to move the decision on the 2009 budget to the 2nd meeting in December. Tim Hearn seconded the motion and it was passed unanimously.

Brian Prigel said he does not want to risk lowering the city’s ending cash balance than what is currently estimated in the 2009 budget.

Jan Brending said there is a budget committee meeting scheduled for December 8. She said she can have additional information ready to discuss including areas where budget cuts can be made.

Proposed Amendments to Dog Ordinance – Continued Discussion

Jan Brending recommended further discussion of amendments to the dog ordinance be moved to after the first of the year. She said the agendas for the two meetings in December will be full with a number of housekeeping items, the 2009 and 2008 budget, and a public hearing on the city’s water system plan.

Betty Barnes moved to table discussion of amendments to the dog ordinance until the first meeting in January. Tim Hearn seconded the motion and it was unanimously passed.

Mayor's Update and City Council Comments

Trees

Brian Prigel said a tree at 400 W. Steuben was hit by a car and was damaged. He said that the public works crew will stake it in an effort to save the tree.

Stormwater Project

Laura Mann asked what the cones and tape are around Dry Creek. Jan Brending said the project is not complete. She said the top grates still need to be installed.

Sandpit Reservoir

Laura Mann said she noticed a grate in the overflow area for the reservoir at the west end of town that seems to be out of place.

Jan Brending said she will have staff check the grate.

Post Office Bulletin Boards

Betty Barnes asked if the city has a key to the bulletin boards. Jan Brending said yes. She said both her and Dena have tried to rearrange documents on the bulletin board so that everything is visible. Brending said the library has been posting a lot of things which makes it difficult for the Port and the city to get their information posted in a way that is readable.

Betty Barnes asked that the city revisit the issue of whether or not a separate case could be installed for use by the city and the port.

Street Iron Plate

Betty Barnes asked if the iron plate is still at Underwood Fruit or if it has been retrieved by public works.

Jan Brending said she will check.

2008 Goals

Betty Barnes said that she was reviewing the list of things the city said it would accomplish in 2008. She said the city has accomplished most of them.

Crosswalk

Terry Trantow suggested that a crosswalk should be located on Steuben/Highway 14 at Willow Street. He said he has noticed people crossing the street at that location to reach Solstice Café.

Bruce Brending said that if the city asked for a new crosswalk it would likely have to give up an existing crosswalk somewhere else.

Jan Brending said that Willow Street is not through street which will also cause problems because WSDOT does not usually approve sidewalks in the middle of a block.

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 November 18, 2008. The council by unanimous vote does approve for payment the following list: checks 10678 through 10697 totaling \$32,448.56. Current – \$5,029.32; Street - \$312.72; Community Development - \$4,600.00; Street Construction & Maintenance - \$21,577.50; Water - \$379.06; Sewer - \$105.15; Bingen Treatment Plant - \$444.81.

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 November 18, 2008. The council by unanimous vote does approve for payment the following list: payroll checks 10661 through 10677 totaling \$10,991.76. Current - \$5,193.22; Street - \$867.95; Water – \$1,342.87; Sewer - \$520.77; Bingen Treatment Plant - \$3,066.95.

At 8:45 p.m. the city council adjourned.