

BINGEN CITY COUNCIL MINUTES

April 6, 2010

The meeting was called to order by Mayor Betty Barnes at 7:00 p.m. Council members present: Clinton Bryan, Sandi Dickey, Laura Mann, Catherine Kiewit, Guillermo Fisch, Dustin Smith, Sandra Guzman. City Administrator Jan Brending and City Attorney Anthony Connors were present. Audience: Bruce Brending, Jocelyn Jasperson.

Public Comment

Jocelyn Jasperson, Salon Kawaii

Jocelyn Jasperson said she owns a beauty shop on Steuben and needs more than 2-hour parking for her clients. She said her business is located between Beneventi's and Antiques and Oddities.

Betty Barnes said the city is working on the parking ordinance and looking at how to accommodate customers. She asked if any of Jasperson's customers had been ticketed.

Jasperson said not yet – they have been moving their cars.

Clinton Bryan said long-term parking is available one or two blocks from Jasperson's business.

Jasperson said some of her customers are from Hood River and that families come together which require more than 2 hours of service. She said she is trying to bring business to the area.

Betty Barnes asked Jasperson to contact Jan Brending to make arrangements for obtaining a parking permit.

Jasperson said she has thought about putting her business card in the window of her customer's cars.

Betty Barnes said the city is trying to address the issue and maintain a friendly city. She noted that if tires are marked by the parking enforcement clerk the mark cannot be wiped off.

The city council thanked Jasperson for bringing her concerns to the council.

Approval of Minutes – March 16, 2010

Changes to the minutes of the March 16, 2010 city council meeting were noted as follows:

Page 1, 1st paragraph, delete "Council members absent: Sandra Guzman."

Page 1, 6th paragraph should read: "Clinton Bryan said it could be argued that it is just a learning curve."

Page 1, 8th paragraph should read: "Tad Connors asked Craig Juris how he would feel working with Skamania County on felony that occurred in Bingen-White Salmon."

Page 3, 10th paragraph, 2nd sentence should read: "She said the council needs to be careful about getting involved in everyone's causes and to consider the level of support being requested."

Clinton Bryan moved to approve the minutes of the March 16, 2010 city council meeting as corrected. Catherine Kiewit seconded the motion and it was unanimously passed.

Guillermo Fisch asked what "MRSC" stands for.

Tad Connors said it stands for Municipal Research and Services Center which is an organization funded by the state to assist cities.

Proposed Scope of Work – Leak Detection Survey

Jan Brending said the specifications for the leak detection survey project have been reviewed by Ken Alexander, the engineer who wrote the city's water system plan. She said the project will be formally advertised in the Portland Daily Journal of Commerce.

Laura Mann moved to approve the scope of work for the leak detection survey as presented. Guillermo Fisch seconded the motion and it was unanimously passed.

Proposed Scope of Work – Alder Street Survey Services

Jan Brending said she will solicit proposals for the city's professional services roster for survey services on Alder Street. She said the county will be doing work on Alder Street in late June. Brending said it is necessary to establish the right-of-way boundary and then determine the boundary of the project.

Catherine Kiewit asked if the residents have been notified about the project.

Jan Brending said as the project moves forward and the boundary is determined residents will be notified.

Clinton Bryan moved to approve the scope of work for survey services for Alder Street. Catherine Kiewit seconded the motion and it was unanimously passed.

Proposed Scope of Work – Tree Maintenance Services

Jan Brending said the scope of work for tree maintenance will be sent to arborists and tree maintenance companies. She said that all work will be done under the supervision of a certified arborist.

Guillermo Fisch suggested it might be preferable to contract with a certified arborist and then contract with a tree maintenance company separately.

Jan Brending said she would prefer to have one contract allowing subcontractors.

Clinton Bryan moved to approve the scope of work for tree maintenance services as amended to have the primary contract with a certified arborist who may subcontract with a tree maintenance company if necessary. Guillermo Fisch seconded the motion and it was passed unanimously.

Proposed Equipment Bid – Pavement Marking Equipment

Jan Brending said the city has received some comments from the Port of Klickitat regarding the pavement marking equipment specifications. She said she is asking the council to allow the equipment bid to go with specifications that will be agreed upon by David Spratt, Tom Smith and Marc Thornsby. Brending noted the equipment bid will be formally advertised in the Portland Daily Journal of Commerce and sent to companies who sell pavement marking equipment.

Catherine Kiewit moved to authorize staff to move forward with the equipment bid for pavement marking equipment using specifications agreed upon by David Spratt, Tom Smith, and Marc Thornsby. Clinton Bryan seconded the motion and it was unanimously passed.

Joint Police Committee Meeting Review

Sandi Dickey said the meeting was pretty quiet. She said there was a discussion about looking at the interlocal agreement and White Salmon wanting to do mediation when the two cities look at the agreement. Dickey said the committee did not discuss the specifics of the interlocal agreement. She noted that Betty Barnes had suggested that White Salmon needs to present Bingen with specific concerns or requested changes to the agreement.

Clinton Bryan said White Salmon seems to be asking for flexibility regarding 24/7 and double coverage and the number of officers.

Betty Barnes said that she thinks bringing in a mediator at this time is putting the cart before the horse. She said she feels the White Salmon city council needs to determine what in the agreement they would like to discuss. Betty Barnes said that one of the items Bingen included when it provided White Salmon the \$37,000 owed to Bingen was to extend the interlocal agreement to 2014. She said she believes that if White Salmon wants to discuss the interlocal agreement then it needs to pay the \$37,000 back to Bingen.

Clinton Bryan asked Betty Barnes if she believes White Salmon should pay back the money if White Salmon wants to discuss the agreement or they want to change the agreement.

Barnes said if they want to discuss the agreement.

Laura Mann said she would rather the city councils discuss the concerns. She said she does not think mediation is needed until we see what the issues are.

Clinton Bryan and Sandi Dickey said they agree.

Laura Mann said there may very well be some valid things the two cities' can discuss and look at what works for everyone.

Betty Barnes read from a letter from Bingen to White Salmon dated April 2, 2008.

Guillermo Fisch asked if the funds were accepted by White Salmon.

Betty Barnes said yes.

Betty Barnes said she stated at the joint police committee meeting that White Salmon's committee members should go back to their council and discuss the agreement and then bring back any concerns to Bingen. She said Bingen can then make a decision. Barnes said however, that she believes White Salmon should pay back the \$37,000 to talk about the agreement.

Catherine Kiewit said she thinks it is fair to entertain questions and concerns about the agreement.

Catherine Kiewit said the "budget report" regarding the police department was an excellent report.

Laura Mann said there is lot of good things in the "budget report."

Clinton Bryan noted that the interlocal agreement provides that peak hours are to be determined by the police chief. Bryan said it would be interesting to know how much it would cost for Bingen to have its own department or to contract out with someone other than White Salmon.

Catherine Kiewit said one option noted in the report for increasing funding sources is annexing White Salmon into Bingen.

Betty Barnes said that the report shows the Bingen-White Salmon Police Department is in line with other departments. She said the report does point out some things that may need to be looked at.

Laura Mann said she has some questions about the proposed contract for the police chief. She said that seems Bruce Brending is giving things away that he shouldn't be.

Bruce Brending said his current contract expires on June 18. He said because he and the mayor were unable to meet with the Human Resources Committee the mayor asked him to submit what he wanted in the contract. Bruce Brending said knowing the pressures on the White Salmon budget and on the police department he wanted to put forward a minimum, reasonable and attractive offer to retain his services. He said the issue of his contract is on White Salmon's agenda for discussion.

Laura Mann asked why he is dropping civil service protection for a 5-year contract.

Bruce Brending said he feels he has double protection with a contract and civil service protection. He said he believes that the police chief being covered by civil services is one of the most objectionable items in his current contract. Bruce Brending said he believes a 5-year contract allows for a more secure environment but is willing to leave it as it currently exists.

Jan Brending noted that the proposed contract information was sent to the city by Mayor Dave Poucher and that the comments listed under the bullets are those of Mayor Poucher.

Catherine Kiewit asked Bruce Brending if he was asked to itemize those things he wanted in a contract.

Bruce Brending said yes, he presented his bottom-line.

Catherine Kiewit said she can see why White Salmon is consumed with their budget but looking at things as a citizen and from another city she feels that the city should be rewarding Bruce Brending for doing a good job. She said the contract offer seems to be very counter to that. Kiewit said she would not go about renewing the contract this way and that it seems wrong. She said the police department should be valued for what it does and the cities should be moving forward in a proactive way. Kiewit said she would also like to see officers being paid comparably to other departments in the area. She said the proposed contract is not compatible with that vision.

Bruce Brending said that if finances were different he would put in step increases. He said that by showing savings and productivity he can maintain what the police department currently has. Bruce Brending said he hopes to relieve some of the stress on the money side of things.

Catherine Kiewit said the contract should include performance benchmarks that if met a bonus would be provided. She said there should be an opportunity for reward for work that is being done.

Bruce Brending said that knowing the deadline for establishing a new contract and the issues related to the police department and funding he put down something he thought would be reasonable.

Catherine Kiewit asked if the proposal is for 5 years with no salary increase.

Bruce Brending said the proposal includes no step increases but does include cost of living increases each year. He said he intends to offer a minimum and maximum number of cost of living increases.

Laura Mann asked what the savings that the department would receive from the proposal.

Bruce Brending said he turned down a step increase in June of 2009. He said most of the savings would be in the insurance provision.

Laura Mann asked if the contract would be renewable.

Bruce Brending said he thinks it would be similar to what is in the current contract.

Laura Mann said she agrees with Catherine Kiewit's comments. She said she looks forward to Bruce Brending's continued service.

Betty Barnes said she will attend the White Salmon city council meeting and can repeat the comments from the council.

Tad Conners said he has a concern about the Bingen city council taking a position on Bruce Brending's contract.

Betty Barnes said she can make very general comments about the offer from Bruce Brending being very generous and that Bingen hopes he continues to be the police chief for a long time to come.

Guillermo Fisch asked if the calls that are identified in the reports received by the council come through the 911 system.

Bruce Brending said most of them, approximately 70%, come through 911.

Clinton Bryan said he would like to see what White Salmon wants in its police department and police chief.

Sandi Dickey noted that the next joint police committee meeting date was not set.

Betty Barnes said it would be the next normal meeting.

Jan Brending said it is scheduled for the first Monday in June.

Old Business

Recycling Center Lighting and Camera

Betty Barnes said she met with Rex Johnston and discussed the recycling center. She said the city has several options: 1) keep the site open from 8 a.m. to 5 p.m. Monday through Saturday; 2) open the site 24/7 and risk the site becoming a dumping ground again; or 3) install lighting and a camera and open the site 24/7. Barnes said the county commissioners do not think installing lighting and a camera are the answer because they don't believe a good enough resolution can be obtained to prosecute.

Jan Brending said staff is willing to open and close the site on Saturdays. She said this seems to be working and is meeting the demand for the site to be open on the weekend. Brending said there seems to be a lot of different opinions about the capabilities of the camera or what type of camera to install.

Council members asked if it was possible to demonstrate the capabilities of the camera with similar conditions that exist at the recycling center.

Catherine Kiewit said she kind of agrees with Jan Brending. She suggested continuing with how things are running now and try to get a demonstration of the camera. Kiewit said if the demonstration shows that a camera will work then the council can decide on how it wants to move ahead.

Jan Brending said she will arrange getting some demonstration pictures from the camera that has been specified.

Review of Parking Ordinance

The city council discussed what should be the minimum and maximum fines for parking violations.

Laura Mann said she would like to see \$40 minimum with a maximum of \$100.

Clinton Bryan said he would like to see \$40 minimum with a maximum of \$60. He said Portland's fine is \$35. Bryan said he thinks \$100 is a little stiff.

Betty Barnes said that when the city adopted the penalty amount it did not have a parking enforcement clerk. She said the city has also learned that the state does not take a portion of the penalty.

Catherine Kiewit said a ticket in Hood River is \$15. She said that the Bingen \$100 penalty was designed to prevent people from parking in the 2-hour parking area and it has worked out. Kiewit said she thinks that if the penalty is a \$10 ticket they people will park in the restricted parking areas all the time.

Bruce Brending said that in Portland it costs approximately \$16 to park all day in a fee parking lot. He said the reality of a \$100 ticket was a shock and deterred people from parking illegally.

Clinton Bryan said that he thinks \$40 will still deter people from parking illegally.

Catherine Kiewit asked if the city set the minimum penalty at \$40 and maximum at \$100 would the ticket be written for \$100.

Bruce Brending said yes the ticket is always written for the maximum and then the judge has the discretion to lower the amount.

Clinton Bryan asked if the minimum amount can be made to stick.

Tad Connors said if the city establishes a minimum amount the judge cannot go below that amount.

Guillermo Fisch said he is opposed to the ordinance. He said the city needs to look at how to solve the problems such as was brought out in public comment. Fisch suggested forgetting about any parking limits on Steuben and that the city should talk to employers asking them to have their employees parking somewhere else leaving the parking open for customers.

Clinton Bryan said he does not believe that business owners or employees will park off of Steuben leaving the parking for customers.

Betty Barnes and Jan Brending said the city has tried that including writing letters to employers and it has not worked.

Catherine Kiewit said there is not enough parking to accommodate everyone.

Clinton Bryan said parking has always been a problem in Bingen.

Catherine Kiewit said she believes that more awareness with signage needs to be provided such as identify where public parking is located and the days and times parking restrictions exist. She said that Jocelyn Jaspersen should be given the same opportunity as Insitu to address her customers that need to be parked for more than 2 hours at a time.

Bruce Brending said it is important to encourage business and customer growth. He said parking ordinances are necessary for that to happen. Bruce Brending said the penalties are not a scheme to create money.

Council members identified their preference on the penalty for parking violations:

- Catherine Kiewit - \$40 minimum and \$75 maximum
- Clinton Bryan - \$40 maximum
- Guillermo Fisch - \$30 minimum/maximum
- Sandi Dickey - \$30 - \$40 maximum, could go with \$35
- Laura Mann - \$40 minimum and \$100 maximum

There was a consensus to table the discussion until the next council meeting to allow council members to talk to businesses and members of the public.

Mayor's Update and Council Comments

Committee Meetings

Jan Brending said she would like to schedule a Water/Sewer Committee meeting and a Finance Committee meeting in the next few weeks. Laura Mann and Guillermo Fisch will get back to Jan Brending with dates they are available.

Fire Response

Betty Barnes said she wanted to thank the Bingen Fire Department, police chief and Jan Brending for their response to the fire that took place last week at 310 W. Franklin. She said Jan Brending called the Red Cross for assistance to tenants who were displaced due to the fire.

Landscape

Betty Barnes thanked the employees for a job well done on the landscaping.

April 19 Demonstration

Guillermo Fisch said a conference will be held in Hood River April 16-18 regarding the use of drones. He said a demonstration at Insitu is expected on April 19 either at Steuben Street or at Bingen Point. Fisch asked if the demonstration requires a permit.

Bruce Brending said the group has not requested a "parade permit" and the city does not require permits for demonstrations on private property, sidewalks, etc. He said the law enforcement community is meeting to discuss the potential activity and expects to have a contingency in place on the 19th. Bruce Brending said if the groups blocks traffic or begins to damage property law enforcement will be present to handle the situation.

Betty Barnes said she has asked Bruce to meet with her, Dave Spratt and Steve Sliwa after the law enforcement meeting.

Radio Meters

Clinton Bryan asked if the public works crew is continuing to work on getting all water meters transferred over to radio reads.

Jan Brending said she will check into the status of that and report back at the next meeting.

Gorge Heritage Museum

Jan Brending said the museum has hired Jim Kacena, a local real estate attorney to assist them. She said there has been some discussion about an RCW that would require 3 appraisals to be obtained. Jan Brending said she contacted MRSC about the issue and was told again that only one appraisal is required. She said it is her understanding that Kacena will be getting into contact with Tad Connors on the issue.

Senator Cantwell Roundtable

Betty Barnes said she attend a meeting with Senator Cantwell and mentioned the Hood River Bridge, infrastructure funding for small cities and provided staff with the city's plans for the community center. She said Dave Poucher mentioned White Salmon's water moratorium and the burden it has placed on growth.

Bingen-White Salmon Police Department

Bruce Brending thanked council members for their kind words and support. He said he has put the 2008, 2009 and 2010 to date statistical reports on the department's web page.

Jan Brending asked if Bingen will continue to receive copies of the reports.

Bruce Brending said yes.

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 April 6, 2010. The council by unanimous vote does approve for payment the following list: checks 12166-12201 totaling \$82991.79. Current – \$61929.29; Street - \$2982.22; Fire Equipment Reserve - \$6535.85; Water - \$7248.62; Sewer - \$823.25; Treatment Plant - \$3472.56.

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 April 6, 2010. The council by unanimous vote

does approve for payment the following list: payroll checks 12152-12158 totaling \$19375.54. Current - \$8132.96; Street - \$2500.98; Water – \$2862.57; Sewer - \$431.63; Bingen Treatment Plant - \$5447.40.

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 April 6, 2010. The council by unanimous vote does approve for payment the following list: checks 12163-12165 totaling \$2004.58. Current – \$2004.58.

At 9:20 p.m. the city council adjourned.

City Clerk

Mayor