

# BINGEN CITY COUNCIL MINUTES

April 20, 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, Sandra Guzman. Council members absent: Guillermo Fisch. City Administrator Jan Brending and City Attorney Anthony Connors were present. Audience: Bruce Brending, Jim Andring, Rick McComas, Paul Beneventi.

## **Public Comment**

### ***Rick McComas, Klickitat County Sheriff***

Betty Barnes thanked Rick McComas for covering the demonstration that took place on Monday.

Rick McComas said he thought the police department did a really good job in handling the event and that it went well. McComas said he hopes that kind of communication and planning continues.

Betty Barnes said she agrees. She said that Monday was uneventful. Barnes said Chief Brending brought out the forces that were needed and things were well taken care of. Barnes noted there was a county presence at the Port property over the weekend.

Betty Barnes asked Rick McComas if he could work with Bingen's fire chief, David Spratt to determine why the Bingen siren is not working. She said there is some misunderstanding about how the siren works.

Rick McComas said he will get in contact with David Spratt about the issue.

## **Approval of Minutes – March 9, 2010**

Catherine Kiewit moved to approve the minutes of the March 9, 2010 budget workshop. Sandi Dickey seconded the motion and it was unanimously passed.

## **Approval of Minutes – April 6, 2010**

Changes to the minutes of the April 6, 2010 city council meeting were noted as follows:

Page 4, 9<sup>th</sup> paragraph should read: "Catherine Kiewit asked Bruce Brending if he was asked to itemize those things he wanted in a contract."

Page 5, 18<sup>th</sup> paragraph, 1<sup>st</sup> sentence should read: "Betty Barnes said she met with Rex Johnston and discussed the recycling center."

Page 6, 10<sup>th</sup> paragraph should read: "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 people will park in the restricted parking areas all the time."

Page 6, 17<sup>th</sup> paragraph, 2<sup>nd</sup> sentence should read: "He said the city needs to look at how to solve the problems such as brought out in public comment."

Page 7, 3<sup>rd</sup> paragraph should read: "Betty Barnes and Jan Brending said the city has tried that including writing letters to employers and it has not worked."

Page 8, 2<sup>nd</sup> paragraph, 1<sup>st</sup> sentence should read: "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."

Catherine Kiewit moved to approve the minutes of the April 6, 2010 city council meeting as corrected. Laura Mann seconded the motion and it was unanimously passed.

## **Sewer Billing – Request for Reduction in Number of Units, John O'Donnell**

Jan Brending said the city has received a request from John O'Donnell the owner of the apartment complex at 310 W. Franklin. She said that 6 of the units are uninhabitable due to the recent fire.

Brending said O'Donnell is asking that the number of units billed for sewer be reduced from 19 to 13. Brending said this would be a temporary reduction until the units become inhabitable.

Laura Mann asked if the owners will be reimbursed for loss of rent due to the fire. She said that the rent would cover the cost of the water and sewer utilities.

Catherine Kiewit said she agrees with Laura. She said that if insurance does not cover the loss of revenue than she would be interested in granting O'Donnell's request.

Clinton Bryan agreed.

Laura Mann moved to have Tad Connors contact John O'Donnell to determine if he will receive funds from an insurance claim covering loss of income and if O'Donnell's insurance does not provide for loss of income then the city will grant his request for a temporary reduction in the number of units billed for sewer from 19 to 13. Catherine Kiewit seconded the motion and it was unanimously passed.

### **Proposed Professional Services Contract – Pioneer Engineering & Surveying, Dry Creek Sewer Line**

Jan Brending presented background information regarding the Dry Creek sewer line project. She said the project is a portion of a larger sewer line replacement project running from McDonalds to Maple Street along Steuben and Depot Streets. Brending said Tom Reser, the owner of property adjacent to and east of Dry Creek, is proposing to redevelop the project and will be doing work within Dry Creek this summer. She said that it makes sense for the city to do the Dry Creek portion of the sewer line replacement project at the same time the other project is being done so that the city does not have to come in at a later date and tear up development that was recently done.

Catherine Kiewit said there are conditional requirements in the SEPA checklist for the Reser development and asked how those requirements are being handled.

Jan Brending said Reser will have to submit documentation of meeting the requirements prior to any permits being issued or being allowed to move ahead with the development. Brending also suggested that the bid documents for the city's project should included language that the city has the discretion not to award the project if it is found to be in the best interest to the city. She said the city may not want to proceed with its project if Reser does not proceed with his project. Brending said Reser hopes to use the same contractor the city uses.

Laura Mann moved to authorize the mayor to sign a professional services contract with Pioneer Engineering and to move ahead with putting the Depot Street sewer project out to bid with language that the city has discretion not to award the project if it is found to be in the best interest of the city. Clinton Bryan seconded the motion and it was unanimously passed.

### **Request for Funding – SR 35 Crossing**

Jan Brending and Betty Barnes provided background information on the proposed SR 35 Columbia River Bridge project.

Jan Brending noted the city adopted a resolution in 2005 supporting the proposed bridge and then in 2008 agreed to sign a Memorandum of Understanding related to funding the final environmental impact statement. She said the Southwest Regional Transportation Council (RTC) is seeking funding support from local entities. Brending said the local entities do not need to identify a specific amount but are being asked to agree to be a funding partner. She said an amount between \$5,000 to \$15,000 has been suggested.

The city council discussed the proposed bridge.

Catherine Kiewit said she feels it is important to show support for a project that will benefit the community.

Clinton Bryan said he does not think it matters if Bingen provides funding for the environmental impact statement. He said the funding would be a "drop in the bucket" and that if the project is going to move forward it will move forward without Bingen's funding.

Laura Mann asked if RTC is working with the Port of Hood River.

Jan Brending said the Port of Hood River is part of the working group for the project. She noted however that there are no plans to increase the toll to raise funds for the bridge replacement. Betty Barnes said it is her opinion that the Port of Hood River does not support the project.

Laura Mann moved to show support for the SR 35 Columbia River bridge project by agreeing to provide some level of funding in the future for the completion of the final environmental impact statement and to encourage the Southwest Regional Transportation Council to continue seeking dedicated funds for replacement of the bridge. Sandi Dickey seconded the motion. The motion carried 3 to 1 with the following vote: Bryan – Nay, Dickey – Aye, Fisch – Absent, Kiewit – Aye, Mann – Aye.

#### **Interlocal Agreement – Klickitat County EDA Grant**

Jan Brending said the interlocal agreement provides for a \$20,000 EDA grant for the skate park. She said the funds must be used by December 31, 2010.

Sandi Dickey moved to approve the interlocal agreement with Klickitat County for a \$20,000 EDA grant. Catherine Kiewit seconded the motion and it was unanimously passed.

#### **Review of Parking Ordinance – Penalties for Violations and Time and Day of Parking Restrictions**

Sandi Dickey said she did talk to people about the parking ordinance. She said she didn't really get any feedback that was positive. Dickey said people do not like how the tires are marked or the time of day when enforcement is being done. She said that one Insitu employee says she works late at night and parks on the main street because she is concerned about the possibility of being attacked. Dickey said several businesses said they would like to have designated parking spots. She said no one likes the amount of the fine and some suggested having parking meters.

Paul Beneventi said he thinks the amount of the parking fine is out of line and suggested having a \$20 maximum. He said that having parking meters will discourage customers from Hood River. Beneventi said the Insitu employees feel like they are being specifically targeted. He noted that the light at Ash and Depot Street does not work probably – it goes on and off.

Laura Mann said she feels that if the fine is only \$10 then the parking spaces might be filled up.

Paul Beneventi said he is not so concerned about that.

Catherine Kiewit said she thinks it is great that people are engaged and discussing the issue. She said she feels it is not getting translated into the public eye.

Council members discussed options for changes to the parking ordinance. There was a consensus to change parking to 3 hours, Monday through Friday, from 9 a.m. to 5 p.m. The council discussed that additional signage could be added to the parking restriction signage addressing penalties and also additional signage at the public parking lot at 400 W. Steuben.

Council members discussed the minimum and maximum amount for the parking fine. Clinton Bryan suggested having a \$25 minimum and a \$40 maximum fine.

Catherine Kiewit said the goal is not to generate revenue and that it might be better to have a higher fine.

Sandra Guzman said she supports a minimum \$25 and \$40 maximum fine.

Clinton Bryan moved to have a minimum fine of \$25 and maximum fine of \$40. Sandi Dickey seconded the motion. The motion was tied with the following vote: Bryan – aye, Dickey – Aye, Fisch – absent, Kiewit – nay, Mann – nay. Betty Barnes voted in favor of the motion to break the tie.

Jan Brending said that there were a few minor corrections that needed to be made to the parking ordinance. She said the ordinance designated “no parking” on the south side of the 100 block of West Humboldt instead of 2 hour parking.

The council agreed that it should be changed to reflect the appropriate designation.

Jan Brending said the council has previously discussed designating restricted parking in front the Gorge Heritage Museum. She recommended designating the first 100 feet as restricted parking.

The council agreed to restrict parking in front of the museum for the first four parking spaces from the corner of Maple and Humboldt east.

Betty Barnes noted that she has instructed staff to remove the parking signs on the north half of the 100 blocks of North Alder and North Walnut where there is residential development at the present time.

### **Treasurer's Report – March 2010**

Jan Brending presented the treasurer's report for March 2010. She said a budget committee meeting has been scheduled for May 11 at 4:30 p.m. to review the 2009 financial report and to review proposed amendments for the 2010 budget.

Laura Mann moved to accept the March 2010 treasurer's report. Clinton Bryan seconded the motion and it was unanimously passed.

### **Mayor's Update and Council Comments**

#### ***Chip's Bar & Grill Request – Landscape Beds***

Betty Barnes said Chip's has requested to place a large rock in the city's landscape bed. She said the rock would not be placed on top of any irrigation or water meters. Barnes said the rock would be approximately 3 feet by 3 feet.

There was a consensus of the council that the mayor and David Spratt could make a decision on the placement of the rock as long as it does not impact irrigation, line of site or is placed where a car can hit it.

#### ***Wireless Radio Read Meters***

Clinton Bryan asked if Jan Brending had any information on how many wireless radio read meters have been installed and how many are left to be installed.

Jan Brending will provide a written report to Clinton Bryan with a copy to the city council.

#### ***Daubenspeck Park – Fountain and Rose Bushes***

Betty Barnes said that the fountain in Daubenspeck Park has never worked properly and she is recommending it be filled in with concrete so that it can be used as a bench.

Catherine Kiewit said it might be possible to do a mosaic with the kids.

Betty Barnes asked if Kiewit could develop a design and work with the kids.

Catherine Kiewit said yes she could talk to the education coordinator of Columbia Center for the Arts and asked if staff could provide the measurement of the fountain.

Betty Barnes said she would like to see the rose bushes around the fountain thinned out.

Sandi Dickey suggested removing all of the rose bushes if the fountain is going to be turned into a bench.

The council agreed to offer the rose bushes to the Gorge Heritage Museum if they would like to come and remove them.

#### ***AWC Conference***

Jan Brending noted that the AWC Conference in June will be held in Vancouver.

Betty Barnes asked the council if the city should design a city flag to be used in the parade of flags at the conference.

Laura Mann said it probably would not be completed by June 23.

#### ***Bingen-White Salmon Police Department***

Bruce Brending said the demonstration by the Columbia River Peacekeepers and Klickitat County Republican Patriots went as well as it could have. He said some pictures and words were drawn on the sidewalk with chalk but was immediately washed off after the demonstration was completed. Brending said a lot of planning and early contact with the group helped keep things low key. He said there was no Portland media in attendance.

Bruce Brending reported that Josh Gines resigned effective April 7, 2010.

Laura Mann asked if the investigation of Gines is still being pursued.

Bruce Brending said the criminal investigation by Skamania County was dropped and the internal investigation was not completed. Brending said Josh Gines submitted his letter of resignation the day prior to the internal interview was scheduled.

***Illegal Dumping – 400 W. Steuben***

Jan Brending reported that some illegal dumping took place at 400 West Steuben. She said it is being investigated by the police department.

**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 20, 2010. The council by unanimous vote does approve for payment the following list: checks 12210, 12214-12234 totaling \$13602.48. Current – \$2209.08; Street - \$1351.76; Street Construction & Maintenance - \$943.00; Water - \$4565.06; Sewer - \$609.86; Treatment Plant - \$3923.72.

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 20, 2010. The council by unanimous vote does approve for payment the following list: payroll checks EFT, 12202-12209, 12211-12213 totaling \$14666.94. Current - \$5752.34; Street - \$1849.74; Water – \$2171.07; Sewer - \$338.80; Bingen Treatment Plant - \$4554.99.

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 20, 2010. The council by unanimous vote does approve for payment the following list: checks 579 totaling \$101.58. Fire Reserve – \$101.58.

At 9:30 p.m. the city council adjourned.

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City Clerk

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Mayor