

BINGEN CITY COUNCIL MINUTES

DRAFT – June 16, 2020

Meeting Via Teleconference

The meeting was called to order by Mayor Betty J Barnes at 7:00 p.m. Council members present: Catherine Kiewit, Phil Jones, Ryan O'Connor, Joseph O'Sullivan, Isolde Schroder. Staff present: Clerk-Treasurer Cheyenne Pantoja Wright, City Attorney Christopher R Lanz, Public Works Superintendent David Spratt.

Mayor's Essential Services Update

Mayor Barnes said the City was still providing essential services only but believed that would change soon.

Minutes of May 5, 2020 Regular Council Meeting

Council member Kiewit made a motion to approve the minutes of the May 5, 2020 council meeting as presented. Council member O'Sullivan seconded the motion and it passed unanimously.

Minutes of May 19, 2020 Regular Council Meeting

Council member O'Sullivan made a motion to approve the minutes of the May 19, 2020 council meeting as presented. Council member Jones seconded the motion and it passed unanimously.

Minutes of June 2, 2020 Regular Council Meeting

Council member O'Connor made a motion to approve the minutes of the June 2, 2020 council meeting as presented. Council member Kiewit seconded the motion and it passed unanimously.

Police Department Update

Chief Hepner asked if the council had questions for him.

Council member Kiewit asked about the department having any criticism or requests to defund the department.

Chief Hepner said he had gotten numerous inquiries and that he had called each person individually and answered any questions they had. He said body cameras were a common topic. Hepner explained that while the police department had already purchased body cameras, and the use policy was already in place, the public records requirement was a financial roadblock to deploying them. He said the cost of hiring an additional employee to handle redactions and records requests, combined with the cost of cloud storage for the massive amounts of video footage, was currently unaffordable.

Chief Hepner also noted that he had concerns about the use of body cameras inside residents' homes. He said he would require the camera to be turned on and not be deactivated until the entire encounter had been complete, but the nature of many encounters would possibly expose delicate moments in peoples lives that they may not want to be publicly available, such as domestic violence calls.

Mayor Barnes asked how long the video footage had to be retained for public records purposes.

City Attorney Lanz said if the offense was a class A felony, the timeline was indefinite.

Chief Hepner informed the council that the newest hire, Josh Lewis, was riding with officers and would be going to the academy as soon as it opened on August 4th, 2020.

Skatepark Closure- Discussion

Mayor Barnes explained that she had received many emails asking when the skatepark would be reopening. She said according to Schuyler Hoss with the governor's office, and she was told that the decision was a local one. She recommended that council not reopen the skatepark yet.

Mayor Barnes said to reopen the park it would have to be staffed to ensure compliance with masks, social distancing, and limiting the number of skaters.

Chief Hepner said Mayor Barnes was right, officers routinely noticed trespassing skaters were not observing social distancing.

Council Member Kiewit asked for clarification on the City's responsibility to enforce COVID-19 measures at the City Park.

Mayor Barnes confirmed that the responsibility fell to the City.

Council member Kiewit asked City attorney Lanz if signage would suffice, since there were existing signs stating that skatepark patrons used the feature at their own risk.

Mayor Barnes said signage would not suffice.

Council member Schroder said she was 100% in favor of reopening outdoor recreation and said she was confused about why the skatepark was not considered outdoor recreation and therefore already reopened.

City Clerk Pantoja Wright read from the governor's website and said that staffed tennis courts had been allowed to reopen provided that COVID-19 rules were adhered to.

Council member Kiewit said with children out of school she would like to see the city act proactively and allow for people to use the park if restrictions were followed.

Mayor Barnes said that did not remove the City's responsibility to enforce the rules.

Council member Kiewit said she did not understand why the responsibility was the City's.

Mayor Barnes said the responsibility was the City's since the City owned the park.

Council member O’Sullivan asked about having volunteers staff the skatepark.

Mayor Barnes said that she had given that idea some thought and said people had offered to volunteer to keep park patrons socially distant and the number of skaters to five at a time, but she felt that was a liability without an established structure.

Council member O’Connor asked if the closure reduced the City’s liability.

Mayor Barnes said yes, using the closed park was trespassing.

Mayor Barnes said in Phase 3 the skatepark would most likely be able to reopen depending on the requirements from the state government.

The council continued to discuss options for reopening the skatepark and there was a consensus to address the matter at the following City Council meeting.

Humboldt Street Project – Curb Discussion

City Clerk Pantoja Wright shared a memo with council and raised two points regarding the curbs and sidewalks on Humboldt Street. She said the first was 213 E Humboldt, she recommended allowing a change to include driveway access via a rolled curb; the second was 305 E Humboldt, where the property owner wanted a wider driveway than the planned 30’ rolled curb. She said she was not sure if the option to have a rolled curb span the width of the property was offered to all property owners or not.

Mayor Barnes said the owner of 213 E Humboldt had made public comments asked for the driveway access and she was not sure why those requests had not made it into the plans.

Public Works Superintendent Spratt said he had concerns with widening sections of rolled curbs since the curbs were being put in place to help with water runoff.

City Clerk Pantoja Wright said she would like to avoid making large changes at the last minute after all the plans had been engineered and approved. She said offering special allowances to property owners after the time for public comment had passed could potentially cause issues in the future.

There was a consensus to move forward with the driveway addition for 213 E Humboldt and to continue looking into the driveway expansion for 305 E Humboldt, as well as two other lots that have larger driveway access on the 200 block of E Humboldt Street.

CARES Act Coronavirus Relief Funds Contract 20-6541C-116 – Approval

City Clerk Pantoja Wright explained that the contract was to provide the \$25,000 in CARES act funding to the city for us in COVID-19 related costs.

Council member Jones made a motion to approve CARES Act Coronavirus Relief Funds Contract 20-6541C-116 as presented. Council member Kiewit seconded the motion and it passed unanimously.

Parklets Discussion & Approval

Mayor Barnes and City Clerk Pantoja Wright shared a memo with council and asked for approval on the proposed primary locations and the proposed policy.

Council member Schroder made a motion to approve the parklet placement and policy as presented. Council member O'Sullivan seconded the motion and it passed unanimously.

Humboldt Street Project – Sidewalk Discussion

Mayor Barnes explained she had spoken with Gray & Osborne and The Society Hotel about the sidewalk corners on the intersection of Cedar and Humboldt Streets. The cost for each corner would be about \$8,000. She said the SW corner was already included in the project plans, the NE corner would be paid for separately by The Society Hotel, which left the NW and SE corners. She noted that neither of the remaining corners would be tied into existing sidewalks, but the advantage would be grandfathering in the ADA access pads.

Humboldt, Cherry, Cedar Street Project Water Leak

City Clerk Pantoja Wright explained the circumstance around the water leak that occurred at the intersection of Cherry and Steuben Streets. She said Crestline Construction had uncovered the line and had broken it the day before, then when they were compacting the backfill the line began leaking about six inches away from the first break. She said she did not believe causing friction in the beginning of the project was necessary and asked Council to approve a payment in the amount of \$744.50 to Crestline Construction for the labor of two employees in fixing the leak. She recommended the costs be paid outside of the project costs.

Council member Kiewit asked that the event be well documented since the project just started but noted that Crestline came well recommended.

Mayor Barnes said Clerk Pantoja Wright had sent a recap of the leak event to Gray & Osborne expressing the City's concerns and thoroughly documenting the issue.

Council member Kiewit made a motion to approve payment for the repairs made by Crestline at Cherry & Steuben Street. Council member O'Connor seconded the motion and it passed unanimously.

Clerk Pantoja Wright noted that the City of Bingen Public Works completed the repairs, Crestline Construction just provided labor to help further expose the leak.

Voucher Approval

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 June 16, 2020.

The council by unanimous vote does approve for payment the following list:

Claims EFT (Dated 5/31/2020) totaling \$2,234.13 Water Fund - \$1,686.84, Sewer Fund - \$248.95, Treatment Plant Fund - \$298.34.

Motion: Kiewit

Second: Schroder

Payroll Checks 21577-21579 and Payroll EFT (Dated 6/15/2020) totaling \$21,382.59. General Fund - \$8,809.06, Street Fund - \$3,637.84, Water Fund - \$2,509.09, Sewer Fund - \$467.47, Treatment Plant Fund - \$5,959.13

Motion: Kiewit

Second: Schroder

Claims Checks 21576 and 21599-21617 (Dated 6/10/2020 and 6/16/2020) totaling \$47,915.30 General Fund - \$32,629.80, Street Fund - \$829.77, Water Fund - \$12,761.22, Sewer Fund - \$209.77, Treatment Plant Fund - \$1,484.74.

Motion: Kiewit

Second: O’Sullivan

The council adjourned at 9:00 pm.

City Clerk

Mayor