**BINGEN CITY COUNCIL MINUTES**

**June 20, 2023**

**Meeting Via Teleconference and In-Person**

The meeting was called to order by Mayor Catherine Kiewit at 7:00 p.m.

Council members present: Phil Jones, Ryan O’Connor, Izzy Schroder, and Brittany Spratt. Staff present: City Administrator Krista Loney, City Attorney Christopher R Lanz.

Audience Present: Reed Stager

**Public Comment**

Reed Stager emailed in a public comment.

*Hi Krista,

Thank you and the City Council again for the active discussion and moving the process forward on zoning, parking, ADU’s etc.   It is greatly appreciated and we believe everything is moving in a good direction that will greatly benefit the Bingen community.

After last weeks working session and discussion, it seems like a bit more clarification on ADU rules may be helpful so we thought we would provide some comments and suggestions related to two sections.

The current draft of the ADU section of Bingen Municipal Code (Chapter 17.30) includes, among other items, the following in section 17.030.030.****A. Accessory Dwelling Units shall comply with the following standards and criteria:******a. Owner occupancy.*** *The property owner must occupy either the principal unit or the ADU as their permanent residence. The owner shall maintain residency for at least 6 months out of the year, and at no time receive rent for, or otherwise allow to be occupied, the owner-occupied unit if absent for the remainder of the year.

During the working session, the ownership issue was discussed and there seemed to be some confusion between what was required for an ADU vs what the requirements may be for a Short Term Rental.   The major thought behind requiring the owner to live on the premises seems to be consistent with that described in Guidance for Accessory Dwelling Units in Washington State from the Washington Department of Commerce where:
"The rationale for this requirement has historically been based on apprehensions about noise and other negative impacts that might be caused by unsupervised renters, and perhaps perceptions of conflicts around undefined shared space. But other local code provisions relating to those types of nuisance concerns can be adopted and applied to residential properties occupied by either owners or renters."

The Vacation rental draft ordinances also have an ownership requirements so that owners can respond to any issues quickly, and also has Good Neighbor Guidelines which must be adhered to in order to maintain a license.

We ask that the city delete the provision on owner occupancy for ADUs and not impose unnecessary burdens on citizens who may otherwise be able to offer lower cost housing alternatives to residents.   Not having an ownership requirement is also consistent with the best practices outlined in the states Guidance for Accessory Dwelling Units in Washington State and consistent with the intent of House Bill 1337.****Section 17.030.030******b. Density.*** *Only one ADU may be established in conjunction with a dwelling, either single-family or duplex, in the R1 zone.
We agree with this section as written and that having an ADU allowed, with either a single family home or duplex in the new “R” zone (formerly R1) makes good sense and helps address the need for more affordable and higher density housing.   It is also consistent with the Guidelines from the state of Washington.    There was some discussion in the working session regarding whether to allow ADUs for properties with small lot sizes and limit the total number of units on smaller lots.  It seems that we should clarify in Section 17.030.030 that larger lots that may have either a single family home or duplex on them can have an ADU ( to do otherwise would be counter to the goals of increased density and increased housing for residents).

There are other provisions and standards in the code that will help ensure appropriate setbacks and standards are met for development (or making legal existing structures) of potentially three dwelling units on a parcel of land.    The current draft section of 17.20.040 seems to be a bit inconsistent with the section 17.030.030 as it states: A. Maximum number of dwelling structures permitted per lot: one for lots with an area of less than two thousand six hundred square feet, two for lots with an area of more than two thousand six hundred square feet;    This would seem to limit the ability to have a duplex with an ADU on a large lot and run counter to other provisions of the proposed code.
We believe that in order to make the code consistent with the ADU code mentioned above and the city's overall goals, along with the Guidance from the state and consistent with the new single lot size of 2500 square feet that would be available for building any dwelling unit (with an ADU’s if lot is larger than 2600 square feet) as part of the current code changes, that section 17.20.040 should be updated to be something similar to:
A. Maximum number of dwelling structures permitted per lot: one for lots with an area of less than two thousand six hundred square feet, two for lots with an area of more than two thousand six hundred square feet and less than five thousand square feet;  three for lots with an area of five thousand square feet or more.

Can that change be incorporated into the draft code for 17.20.040 in order to help achieve the cities goals and make the code consistent across sections (and prevent future confusion)?

We hope these suggestions are helpful in completing the process and the great work that has been done to date.  Please let us know if you have any questions or if I can be of help in any way.

Thank you,

Reed Stager*

**Meeting Minutes – 6/6/2023**

Mayor Kiewit identified changes including:

1) Two staff reports are included. The first one should be deleted.

2) Under the Bingen Fire Department update in the sentence that ends “logs are hand-written.” to read “Chief Spratt answered that the logs are hand-written and the safety checks are done but sometimes the crew forgets to log that data.”

Councilor Spratt identified changes including:

3) Under Public Hearing for resolution 2023-007 8:12 a.m. should be corrected to 8:12 p.m.

4) Under Public Comment made by Janet O’Sullivan, the final word should be corrected to “lost.”

Councilor O’Connor made a motion to approve the minutes as corrected. Councilor Spratt provided the second and the motion carried. Councilor Schroder abstained as she was absent from the June 6 meeting.

**EV Charging – Rate Setting**

Administrator Loney issued a memo and Resolution 2023-009 Setting Level 2 Electric Vehicle Charging Rates. The resolution sets the charging rates at $0.30 per kilowatt hour. Councilor Jones made a motion to adopt Resolution 2023-009. Councilor O’Connor provided the second and the motion carried.

**May 2023 Treasurers Report**

Administrator Loney presented the May 2023 Treasurers Report and all is as it should be. Councilor Jones made a motion to approve the May 2023 Treasurers Report. Councilor O’Connor provided the second and the motion carried.

**Klickitat County Senior Services Presentation**

Isaias Garcia from Klickitat County Senior Services sent a brochure and spoke to Council about the Volunteer Connections program that he setup and runs in Klickitat County for seniors and the disabled. The goal of Volunteer Connections is to help people live with dignity and honor during the final years of their life. Their programs include:

* Neighbor Friends – helps with getting mail, giving rides to the pharmacy
* Visitor Friends – volunteers visit with program subscribers
* Lend a Hand – volunteers help with cleanup, dishes, other chores
* Meals on wheels – Nutrition services with 5-6 routes on each side of the county

Program challenges including finding funding and resources.

Councilor Spratt suggested that KCSS partner with WAGAP for small and quick-turnaround financial needs. She also suggested that KCSS reach out to fire departments for help with high grass and weeds. Isaias stated that KCSS already does both and also work with the Department of Natural Resources for funds.

Mayor Kiewit asked how many Bingen residents receive services and how many Bingen residents volunteer. Isaias stated that three seniors receive services and zero Bingen residents volunteer.

Isaias also stated that KCSS screens volunteers and provides mileage to volunteers.

**Zoning, ADU, Vacation Rental Workshop Discussion**

Administrator Loney provided a memo and the draft code for definitions, residential, multi-family, commercial, parking, accessory dwelling units, and vacation rentals for Council’s continued review. Councilor Schroder asked Mayor Kiewit to do some level-setting by stating what the goal is with the code modification. Mayor Kiewit shared that the bulk of the impetus came from the CPAT event in October as well as the need for Bingen to create an entirely new comprehensive plan. At her request the visioning statement that Council approved was shared.

*Bingen is a vibrant, friendly, walkable town nestled in the heart of the Columbia River Gorge. We are proud of what makes our community unique: our entrepreneurial and working-class spirit, having cultural & economic diversity, our proximity to outdoor recreation, providing a range of housing choices, and being a collaborative partner for regional services.  We envision planning and policy directives which preserve Bingen’s authenticity, history, and natural environment with consideration for equity and long-term livability.*

Councilor Schroder expressed her concerns about lowering the lot sizes and thereby redistricting Bingen. She has done a walkabout to have a look at which lots would be able to be divided and mapped out the associated number of families and cars that lowering lot size would do to Bingen.

Mayor Kiewit stated that the purpose of changing the codes is to lower or eliminate the number of Conditional Use permits. Councilor O’Connor asked what the expected impacts would be of the changes including how many lots would be created. Council came to consensus on BMC Chapter 17.08 Definitions.

More research and discussion will need to happen on the R1, R2 and R3 codes to determine lot size, setbacks, and ways to measure the 35’ maximum height.

Council reviewed the ADU code and came to consensus that 17.30.030Aa should be removed, Ab should be changed to only one ADU may be established in R1, Ad should be removed, Ai should be removed, 17.30.040 should be removed, and 17.30.070 should be removed. The Vacation Rental draft code was not discussed.

Council will move through review and adoption slowly and carefully.

**Staff Updates**

Administrator Loney had the following updates for Council:

* Chief Hepner provided the May 2023 police report and activity logs for May 2022 and May 2023.
* Loney is actively working on the shoreline master program, capital facilities plan, water system plan, consumer confidence report/water use efficiency report, the WWTP O&M manual, the TIB grant, the TAP grant, and the rate study.
* Interview for the WWTP Operator in Training position begin tomorrow.
* Bingen will be applying for a Local Parks Maintenance grant for either an ADA compliant walkway or a backhoe.
* The Bingen Fire Department is doing a fundraiser on July 4 at Bingen point selling hotdogs, drinks, and chips. Risk Management has already been contacted.
* Smoke testing was completed on June 8 for the east side of Bingen. One point of infiltration on City property was discovered and repaired.
* Gorge Auto Parts submitted their request to close the street for the Tool Sale on August 15.
* BNSF submitted another right of way extension for the Amtrak platform. The new completion date is September 30, 2023.
* Project status reports are included in the packet.

**Mayor’s Update and Council Comments**

Mayor Kiewit had the following updates for Council:

* She is on a summer schedule with her children out of school. She informed the budget committee that being Mayor costs her money in the summer because of childcare costs so she will be dialing back any in-person participation this summer.
* Bingen submitted the petition to the UTC for the BNSF opposition on the underpass project.
* The paver up SR-141 is complete.
* The Flag Day ceremony hosted by the American Legion and the Elks Lodge to retire flags was beautiful.

Councilor O’Connor had the following updates for Council:

* He needs to coordinate with Frank Sinclair at the WWTP for a visit.
* He will connect with Ashley Emery (rate study consultant) and Nancy Wetch (Gray and Osborne engineer) to ask if there are suggestions of areas in the treatment plant where council should be more involved.

Councilor Schroder asked for a pool update. Administrator Loney informed her that she had spoken with Lily Von Mosch at the White Salmon Valley Pool Metropolitan Park District. Lily stated that the WSVPMPD is still in negotiations with the White Salmon School District about the terms of the proposed busing program.

**Voucher Approval**

Payroll Checks (Dated 6/152023) and Payroll EFT (Dated 6/15/2023) totaling $28,259.04; General Fund - $10,188.79, Street Fund - $5,026.15, Water Fund - $2,938.60, Sewer Fund - $858.65, and Treatment Plant Fund - $9,246.85

Councilor O’Connor made a motion to approve the Payroll dated June 15, 2023. Councilor Jones seconded the motion, and it passed unanimously.

Claims Checks (Dated 6/20/2023) totaling $130,085.67; General Fund - $37,064.90, Street Fund - $846.67, Building Construction and Maintenance Fund - $2,257.50, Water Fund - $2,530.79, Sewer Fund - $203.99, Treatment Plant Fund - $2,557.82, Water Capital Reserve Fund - $2,465, and Treatment Plant Improvement Fund - $82,159.

Councilor O’Connor made a motion to approve the Claims dated June 20, 2023. Councilor Jones

seconded the motion, and it passed unanimously.

**Adjournment**

Mayor Kiewit adjourned the meeting at 9:32 p.m.