

# BINGEN CITY COUNCIL MINUTES

January 18, 2011

The meeting was called to order by Mayor Betty Barnes at 7:00 p.m. Council members present: Catherine Kiewit, Sandi Dickey, Laura Mann, Guillermo Fisch. Council members absent: Clinton Bryan. City Administrator Jan Brending and City Attorney Tad Connors were present. Audience: Carl Warren, Tony Domish, Robert “Bo” Vanderkloot.

## **Public Comment**

### ***Carl Warren, Bingen Washington***

Carl Warren said he understands that the city council has authorized the cottonwood tree in the center of the skatepark to be removed. Warren provided a picture of the cottonwood along with information on cottonwood trees to the council. He said the tree is healthy and looks stable. Warren said he believes that it will be years and years before the concrete would be damaged by the roots. He said roots will follow the water. Warren said leaves, limbs and pollen might be a problem. He said skaters, however, will cleanup the park to facilitate skating. Warren said he is requesting to be placed on the city council’s next agenda to discuss the issue. He suggested that interpretative signage could be placed in the park about the tree. Warren said he is interested in what happens at the park.

Betty Barnes said that other professionals have expressed concern to the city that due to the root disturbance there would be new growth that might disrupt the concrete. She said that if the roots hadn’t been disturbed then there wouldn’t have been any problem.

Carl Warren said that removal of the tree itself might cause damage to the skatepark due to the heavy equipment that will be needed. He said it is not a small tree. Warren suggested that limb or root problems should first be documented that might represent a danger before making a decision to remove the tree.

Catherine Kiewit said the council loves the tree but there is the issue of the funds spent to construct the park. Kiewit read from the information that Warren provided that sprouting from roots can occur. She said the council has to weigh whether or not it is worth waiting to see if something happens and then take action.

Jan Brending said she can provide Warren a copy of the city’s action plan and community center/park plan that was developed with input from citizens.

Carl Warren said that he is interested in seeing the park move forward.

Betty Barnes noted there were 20 kids at the first “pizza in the park” event on December 31<sup>st</sup>.

### ***Robert “Bo” Vanderkloot, Bingen Washington***

Robert Vanderkloot said he is a certified arborist and works for David Braun. He said the cottonwood is a beautiful tree and provides shade. Vanderkloot said he believes the decision to cut down the tree is ill-advised. He said he believes the way the skatepark was excavated and the fill used will allow expansion of the root system. Vanderkloot said he does feel it is a good idea to monitor the root system. He said there are a large number of reasons for the city council to get more information before making a final decision.

Vanderkloot said he has concerns with how the ash and cherry trees in the park were pruned. He said he believes problems have been created that the city will have to deal with in the future.

Laura Mann said she would be interested in a plan on how to monitor the cottonwood. She said she believes that if there is a way to save the tree and protect the skatepark the council would want to do that.

Catherine Kiewit asked staff to talk to Aaron Kreps who did the excavating about his observations related to the roots of the cottonwood.

## **Approval of Minutes – January 4, 2011**

Changes to the minutes of the January 4, 2011 regular council meeting were noted as follows:

Page 1, 1<sup>st</sup> paragraph should reflect that Guillermo Fisch was absent.

Page 3, 3<sup>rd</sup> paragraph should read as follows: “Laura Manna asked if the water issue is being addressed at the skatepark.”

Laura Mann moved to approve the minutes of the January 4, 2011 regular council meeting as corrected. Sandi Dickey seconded the motion and it was unanimously passed.

#### **Student Council Member – Interviews and Appointment**

Betty Barnes noted that the interviews and appointment for the student council member will be moved to the first meeting in February.

#### **Utility Billing Reduction Request – Big River Diner**

Betty Barnes said that Big River Diner has submitted a utility billing reduction request due to leaking toilets. She said leaking toilets are not a hidden item. Barnes said she has spoken to a customer who said he had fixed a leaking toilet at Big River Diner several months ago when he noticed it was running.

Jan Brending provided information to the council regarding Big River Diner’s utility billing history and gallons used.

Catherine Kiewit moved to deny the utility billing reduction request submitted by Big River Diner due to leaking/running toilets not being a hidden leak. Laura Mann seconded the motion and it was unanimously passed.

The council said they believe it is time to have a formal policy regarding utility billing reduction requests.

Tad Connors said that a policy would suffice that would allow for some flexibility.

Jan Brending said she will draft a policy to present to the council at the second meeting in February. She said she will look at how other cities are handling such requests.

#### **Building Official Services Request for Proposals**

Betty Barnes said the city received two responses to the request for proposals. She said the council also has a copy of a memorandum from Skip Grimes to the Klickitat County Commissioners and a letter from another company who declined to submit a proposal. Barnes said that based on the responses the city has received she is recommending the city continue with an employee position as that it saves the city a substantial amount of money.

Catherine Kiewit said that when the city hired Dean Nygaard there were a couple of requirements that he did not meet.

Betty Barnes and Jan Brending said they thought he met most, if not all, of the requirements. Brending said she will provide information to the council regarding Dean’s qualifications.

Guillermo Fisch moved that the city maintain the use of an employee for building official services. Catherine Kiewit seconded the motion and it was unanimously passed.

#### **Old Business**

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

Betty Barnes introduced Tony Domish who is currently consulting with the police department. She said that she is looking forward to him serving as the interim police chief.

Tony Domish said the city is waiting for the completion of a background check including psychological and polygraph tests. He said he has met with the outgoing police chief, Jan Brending and Betty Barnes. He said he would like to get e-mail addresses from council members so that he can set up times to meet with them. Domish said he appreciates the warm welcome he has received.

Betty Barnes noted that when vandalism was identified by the public works crew they would take pictures and send an e-mail. She said the crew will now be reporting the vandalism through the county dispatch office with officers responding who will do a report and take pictures. Barnes said all other violations noted in the city will be handled the same way.

##### ***Port Access***

Guillermo Fisch asked how Bingen plans to follow-up on the issue of a new port access.

Betty Barnes said Jan Brending is working to put together a stakeholders meeting to try and move the idea forward.

Guillermo Fisch suggested looking at the area at MP 67 on Highway 14 as a possible location for an overpass.

Catherine Kiewit said it is important to consider options that will not impact property owners.

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

#### ***Public Officials Liability Workshop***

Betty Barnes said that the Bingen city council has been invited by the City of White Salmon to participate in a public officials liability workshop on Wednesday February 2 at 5:00 p.m.

Betty Barnes said she recommends council members attend.

#### ***Banking Services Request for Proposals***

Betty Barnes said the request for proposals for banking services has been sent out to the three local banks.

#### ***K9 Report and Letter to the Editor***

Betty Barnes said a copy of the K9 program report has been presented to the city council. She said that some of the things in the cover page of the report and in the letter to the editor are not correct. Barnes said that she, Jan Brending and Tad Connors were present at the White Salmon meeting when the dog program was discussed.

Tad Connors noted that Ken Woodrich did not say that taking donations for the dog was illegal nor did Woodrich instruct the council to not take the money. He said Woodrich made a recommendation. Connors said Woodrich's concern was that money was coming into the city and no one was tracking it.

Jan Brending noted that a fund for Justice has been opened up at Riverview Community Bank and that there will be letter to the editor regarding the fund in this week's newspaper.

Catherine Kiewit said she feels that the information provided was very opinionated. She said she wonders if the White Salmon city council has considered the indirect perks of having a K9 program including retaining an officer. Kiewit said the White Salmon council should consider factors that add value to officers. She said she feels they are not looking at the whole picture.

Guillermo Fisch said he believes it is cost-effective to maintain the K9 program.

Laura Mann said she is supportive of the program but does understand White Salmon's concerns. She said that if the citizens are willing to support the program then it should be allowed. Mann said that it is difficult to put a cost on the hidden benefits of the program.

Betty Barnes said she agrees. She said that if it came down to not being able to hire an officer she would choose the officer over the dog program. Barnes said the dog and its trainer are just now coming into their own. She said there may have been a rush to get into the dog program and not enough questions were asked. Barnes said however, that doesn't mean there should be a rush to get out of the program.

Sandi Dickey said the joint police committee meeting was very positive and she learned a lot by having the Clark County master handler at the meeting. She noted that she called several cities regarding K9 programs. Dickey said some cities that had programs don't have them any more. She said not one city could tell her how much their dog program cost. Dickey said she would like to see what the police consultant has to say about the dog program and give it a shot and then go from there.

Betty Barnes said it is only wise to let the new police chief assess and evaluate the program before dismantling it.

Betty Barnes said that it helps to know where the Bingen city council stands on the issue. She said that at this time it is her position that Bingen stand back and let White Salmon work out the issues.

Sandi Dickey said she is not saying that there are not valid concerns about the dog program.

Jan Brending noted that when she drafted some very rough numbers for a dog program they were close to the numbers prepared by Don Tackley. She noted that the quote of a cost of \$35,000 for the Snohomish Police Department dog program involves two dogs and two handlers.

Tony Domish noted that White Salmon city council voted in a budget session 4 to 1 not fund the dog program. He said the city council has the authority to do that. Domish said the dog has been suspended pending an investigation. He said he is putting together some information for the White Salmon city administrator and city council. Domish said dog programs can be self-sustaining. He noted that Highway 14 is the 3<sup>rd</sup> worst drug trafficking highway in the state.

The council and Domish discussed the use of the dog for narcotics purpose and how the program could be self-sustaining.

***Zoning Ordinance – Nonconforming Residential Uses in Commercial Zones***

Jan Brending said the city’s zoning ordinance provides that nonconforming uses cannot expand. She said this includes residential homes located within in commercial zones. Brending said a homeowner within a commercial zone cannot add onto the house, build a deck, or build a shed or garage. She said that almost every homeowner within the commercial zone has approached her at one time or another about adding on or building an accessory structure (shed or garage). Brending said she is suggesting that it might be time to consider an amendment to the city’s ordinance that would allow residential uses to add on or build sheds or garages as long as they meet the set back requirements of the residential districts.

The council authorized the drafting of an amendment to the city’s zoning ordinance. Brending said she will prepare draft language to present to the council at its 2<sup>nd</sup> meeting in February.

***Recycling Center***

Betty Barnes noted that she had an interesting experience at the recycling center one evening. She said it involved a vehicle that could actually drive underneath the gate when it was closed. Barnes said David Spratt is working to add onto the gate so that vehicles cannot drive underneath it.

***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 January 18, 2011. The council by unanimous vote does approve for payment the following list: checks (01/18/2011) 12858-12859, 12884-12894 totaling \$3731.75. Current – \$817.09; Street - \$517.13; Water - \$1549.40; Sewer - \$261.13; Treatment Plant - \$587.00.

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 January 18, 2011. The council by unanimous vote does approve for payment the following list: payroll checks (01/14/2011) EFT, 12862-12866, 12868 totaling \$11091.06. Current – \$4462.33; Street - \$1535.35; Water - \$1545.14; Sewer - \$238.81; Treatment Plant - \$3309.43.

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 January 18, 2011. The council by unanimous vote does approve for payment the following list: checks (12/31/2010) 12869-12883 totaling \$3209.84. Current – \$2622.57; Street - \$158.66; Water - \$357.30; Sewer - \$71.31.

At 8:50 p.m. the city council adjourned.

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City Clerk

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Mayor