

BINGEN CITY COUNCIL MINUTES

July 15, 2014

The meeting was called to order by Mayor Betty J. Barnes at 7:00 p.m. Council members present: Betty Barnes, Sandi Dickey, Stephanie Porter (arrived at 7:10 p.m.), Izzy Schroder, Catherine Kiewit, Maria Perez. City Administrator Jan Brending and City Attorney Chris Lanz were present. Audience: Tracy Wyckoff, Dave Brown, Elizabeth Hallock, Lori Hoctor, Bruce Hoctor, Mike Hepner, Amber Marra, Dave Brown, Brian Aaron.

Elizabeth Hallock, Running for West District Court Judge

Elizabeth Hallock introduced herself to the council running for the position of West District Court Judge.

Dave Brown, Running for West District Court Judge

Dave Brown introduced himself to the council running for the position of West District Court Judge.

Lori Hoctor, Running for Klickitat County Prosecuting Attorney

Lori Hoctor introduced herself to the council running for the position of Klickitat County Prosecuting Attorney.

Approval of Minutes – July 1, 2014

Sandi Dickey moved to approve the minutes of the regular meeting on July 1, 2014 as presented. Izzy Schroder seconded the motion and it was unanimously passed.

Bingen-White Salmon Police Department Update

Tracy Wyckoff said hot weather has brought more people out. He said the new pot shop is open. Wyckoff said he has driven by several times and they were fairly busy with a lot of out-of-state plates. He said he has some concerns and the department will be a visible part of what is going on down there. Wyckoff said he is not watching the business owner necessarily but trying to prevent any problems and keep everyone safe.

Catherine Kiewit asked what are the concerns related to the pot shop.

Wyckoff said burglaries and robberies. He said it is a cash basis business with no checks or credit cards. He said he went through the facility and knows that nothing will be found if the business is broken into after hours. Wyckoff said the marijuana will be locked in a safe, no cash left in the building and there are cameras and an alarm. He said he is not sure if they will get disorderly or disruptive people in the store. Wyckoff said he is generally concerned about the activities and the draw of people particularly from out-of-state. He said the legalization of marijuana has created some problems for law enforcement.

Betty Barnes said she and Jan Brending continue to support Association of Washington Cities' (AWC) efforts to lobby the legislature about the need for cities to have more of a share of the marijuana tax revenues for law enforcement purposes

Catherine Kiewit asked if Wyckoff thinks that as time goes by will there be a decrease in the traffic to the store.

Wyckoff said if Oregon does legalize marijuana similar to Washington then people from Oregon will probably stay there. He said the tapering off of traffic will depend on what happens around us.

Elizabeth Hallock said there is going to be monies available through a grant system. She agreed that the cash drops will create problems.

Izzy Schroder asked Wyckoff if there are any programs at the high school related to drug prevention.

Wyckoff said not at this time -- there is no funding for it. He said this is a transition period that continues to move forward. He said there is going to be more marijuana available in the homes and accessible to kids. Wyckoff said the department will deal with it the best it can and make sure everyone is as safe as possible.

Elizabeth Hallock said there will be a lot of funds that will cities have to apply for.

Izzy Schroder said she is interested in prevention and not just reactive actions.

Catherine Kiewit thanked Wyckoff and the whole department for coverage on the 4th of July. She said this was the best year and thought the department did a good job in patrolling. Kiewit said she was also appreciative that the fire department talked to the fireworks stand.

Betty Barnes said the police department also addressed the fireworks that sometimes continue after the 4th.

Innovative Composites Engineering – Park Usage Request, Alcoholic Beverages

Betty Barnes said Innovative Composites Engineering (ICE) is requesting to use the park on August 8 from 3 p.m. to 9 p.m. and have requested permission for the consumption of alcoholic beverages. She said ICE has been notified that the park will continue to be open to the public and that the area where alcoholic beverages are consumed will need to be fenced off from the public. Barnes asked Tracy Wyckoff if he had any comments.

Wyckoff said the only issue is that someone needs to monitor who is coming in and out and ensuring that those consuming are of age and that the alcohol is consumed in the designated area and is not taken out of that area.

Betty Barnes suggested requiring ICE to provide a “gatekeeper” who keeps the alcohol in the specified area and who checks identification.

Sandi Dickey moved to approve Innovative Composites Engineering request to use the park on August 8 from 3 p.m. to 9 p.m. with the consumption of alcohol with the conditions that the park will remain open to the public and that the area where the consumption of alcohol is to take place will be fenced and a gatekeeper provided whose responsibility is to ensure that alcohol remains within the designated area and that only those individuals of age are allowed to consume alcohol. Stephanie Porter seconded the motion and it was unanimously passed.

Treatment Plant Process Computer Upgrade – Action

Jan Brending said the process computer is using Windows XP and needs to be upgraded. She said the major cost associated with the upgrade is the installation and implementation because of the complicated communications that must take place between the different systems.

Catherine Kiewit said the proposal by Aurora states that travel and expenses will be billed separately and is concerned that is not included in the \$12,000.

Jan Brending said the contract can be worded that the cost for implementation and installation is up to \$12,000 including travel and expenses.

Catherine Kiewit asked what kind of guarantee is provided for the implementation and installation particularly given the problems the plan encountered with the previous upgrade. She asked if Aurora would provide support if the computer fails.

Jan Brending said that if the computer fails and is within the warranty time, the computer would be replaced. She said, however that the city would then have to hire Aurora to reinstall the new computer again. Brending said that would not likely be included in any warranty Aurora would provide on the original installation and implementation.

Izzy Schroder moved to approve replacement of the computer at a cost of \$5,380.38 and installation and implementation provided, including travel and expenses, for a cost of \$12,000 and Jan Brending obtaining written clarification of the warranty for implementation and installation. Catherine Kiewit seconded and it was unanimously passed.

Public Hearing – Proposed Ordinance 2014-07-634, Amending the 2014 Budget

Betty Barnes opened the public hearing for proposed Ordinance 2014-07-634, amending the 2014 budget.

Jan Brending reviewed the proposed budget amendments. She said the waterline project and DWSRF loan amounts are revised to reflect the increase in the Gray & Osborne contract and to reflect the correct amount of the loan and expenditures and receipts for 2013. Brending said the Treatment Plant Improvement Fund is amended to reflect the authorization for the process computer upgrade.

Betty closed the public hearing.

Catherine Kiewit moved to approve Ordinance 2014-07-634, Amending the 2014 Budget. Sandi Dickey seconded the motion and it was unanimously passed.

Conditional Use Permit Application 2014-001, Maria Carrillo, Family Home Day Care – Review and Approval of Written Decision

Izzy Schroder moved to approve the findings of fact, conclusions of law and decision for Conditional Use Permit 2014-001, Maria Carrillo, Family Home Day Care. Sandi Dickey seconded the motion and it was unanimously passed.

Conditional Use Permit Application 2014-002, Julie Vance (Sweet Things), Food Manufacturing – Review and Approval of Written Decision

Sandi Dickey moved to approve the findings of fact, conclusions of law and decision for Conditional Use Permit 2014-002, Julie Vance (Sweet Things), Food Manufacturing. Stephanie Porter seconded the motion and it was unanimously passed.

Proposed Amendment to Gray & Osborne Waterline Engineering Contract – Action

Jan Brending said that as she was preparing the budget amendment she realized there was a problem in the wording for the waterline replacement contract with Gray & Osborne. She said the council approved two contracts with Gray & Osborne at the same time: the waterline replacement project and the water system plan update. Brending said that although the two contracts contain and reference the correct Scopes of Work and Cost Estimates the price identified in the contract language for the waterline replacement project was the amount for the water system plan update. She said the contract amendment approved by the council at the last meeting reflected the right “price increase” of \$5,187 but reflected the incorrect original amount because the original contract was wrong. Brending said the second amendment corrects the total price for the waterline replacement project contract.

Catherine move to approve contract amendment 2 with Gray & Osborne correcting the price for the contract to \$125,784 (\$120,589 plus \$5,187). Stephanie Porter seconded the motion and it was unanimously passed.

Depot Street Sewer Project and US Autocare Development – Discussion and Possible Action

Jan Brending said the city has had a sewer project on the books for a number of years. She said portions have been completed: the Maple Street portion and a portion in Dry Creek. Brending said Soroush Kermani has asked the city to complete the portion that will go through his property (connecting to the Dry Creek portion) before he completes his development. She noted that because the property to the south is owned by Burlington Northern Santa Fe Railroad and permits to work on their property are required the line will not be extended at this time beyond the Kermani property. Brending said this may result in the requirement to tear out a portion of the retaining wall work on the Kermani property when the line is extended to the south.

Catherine Kiewit asked if the city could contact BNSF to see if a permit could be expedited. Jan Brending said it is her experience that a permit would not be expedited and that it can take as long as 6 months to a year to get a permit from the railroad.

Brending said she has obtained a quote from Pioneering Surveying and Engineering for engineering services to develop the plans and specifications for the sewer line installation. She noted that Pioneer Surveying and Engineering designed the complete sewer line and has developed the plans and specifications for the two prior installations. She said they have provided a not to exceed cost of \$3,520. Brending said they have also estimated the cost of construction to be \$9,197.70. She said the construction project would be bid out using the city’s small works roster process. Brending said she is asking for authorization to sign a contract with Pioneer Surveying and Engineering in the amount of \$3,520.

Catherine Kiewit said she is concerned with how the cost is presented in the information from Pioneer “Hourly not to exceed: \$3,520.00.”

Jan Brending said she interprets the language to read that the city will be billed based on hourly rates and that the cost will not to exceed \$3,520.

Chris Lanz agreed.

Jan Brending noted that the same type of contract used for Gray & Osborne will be used for Pioneer and will state that the contract price is not to exceed \$3,520 includes all expenses.

Catherine Kiewit moved to approve a professional services contract with Pioneer Surveying and Engineering for engineering services for installation of sewer line in the easement through the Kermani

property in the amount of \$3,520. Izzy Schroder seconded the motion and it was approved 4 to 0 with the following vote: Dickey – Abstain, Kiewit – Aye, Perez – Aye, Porter – Aye, Schroder – Aye.

Sandi Dickey said she abstained due to her relationship with Dickey Farms who was involved recently with Kermani in a boundary line adjustment.

Street/Mobile Vendors Ordinance – Discussion

The city council and staff discussed what to include in a draft street/mobile vendor ordinances.

Jan Brending will present a draft ordinance to the council at the August 5 council meeting.

Charter Franchise Agreement – Discussion

Jan Brending said Chris Lanz has developed the language for the amendments to the proposed franchise agreement from Charter Communications. She said the next steps are to submit the amended language to Charter Communications for their review. Brending said she will schedule a public hearing at the next council meeting with possible acceptance of the agreement by the council at that meeting.

Stephanie Porter moved to approve the amendments to the proposed franchise agreement. Sandi Dickey seconded the motion and it was unanimously passed.

Pool Punch Cards and Swim Lessons – Update and Usage, Possible Action

Jan Brending reported that all ten swim lessons have been used. She said the city has four punch cards remaining as of this evening. She recommended the city authorize the purchase of 21 additional punch cards.

The council discussed whether to provide any additional swim lessons.

Stephanie Porter moved to authorize the purchase of 21 punch cards at \$35 each for \$735. Izzy Schroder seconded the motion and it was unanimously passed.

Treasurer’s Report – May 2014

Catherine Kiewit moved to accept the May 2014 Treasurer’s Report. Stephanie Porter seconded the motion and it was unanimously passed.

Mayor’s Update and Council Comments

Housing

Betty Barnes said she will attend a meeting on housing tomorrow. She said there is a great desire to address workforce housing.

FEMA Fire Grant

Betty Barnes said the city was notified by FEMA that it did not receive a fire grant.

Fire Department

Betty Barnes said the fire department has been very busy responding to fires. She said they have responded twice within the last week to fires in the Doug’s Beach area.

City Hall Staffing and Office Hours

Catherine Kiewit asked for a report on how things are going in the city hall office.

Jan Brending said she thinks they are going fine. She said she would not recommend increasing the deputy clerk position to full-time for two reasons: concerns related to the budget and funding law enforcement services and that she doubts Dena Riggelman wants to go back to full-time. Brending said that having the office closed on Monday’s is very helpful to her. Brending said the one draw back to the new office is that when Dena Riggelman is not in the office sometimes Brending does not hear the public come into the office.

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 July 15, 2014. The council by unanimous vote does approve for payment the following list: EFT, 16857 -16886 (dated 7/15/2014) totaling \$69918.09. General Fund – \$10430.34; Street - \$906.80; General Equipment Fund - \$19458.98; Park Construction & Maintenance - \$8827.50; Water - \$8260.54; Sewer - \$617.93; Treatment Plant - \$2158.04; Water Construction & Maintenance - \$5054.16; Sewer Construction & Maintenance - \$6504.46; Treatment Plant Improvement Fund - \$7699.34.

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 July 15, 2014. The council by unanimous vote does approve for payment the following list: 16855 - 16856 (dated 6/30/2014) totaling \$1116.51. General Fund – \$1116.51.

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 July 15, 2014. The council by unanimous vote does approve for payment the following list: EFT, payroll checks 16849-16854 (dated 7/15/2014) totaling \$15083.91. General Fund – \$6193.66; Street - \$2224.24; Water - \$1523.35; Sewer - \$497.62; Treatment Plant - \$4645.04.

The council adjourned at 9:15 p.m.

City Clerk

Mayor