

BINGEN CITY COUNCIL MINUTES

October 21, 2014

The meeting was called to order by Mayor Betty J. Barnes at 7:00 p.m. Council members present: Betty Barnes, Stephanie Porter, Maria Perez, Sandi Dickey, Izzy Schroder. Council members absent: Catherine Kiewit. City Attorney Chris Lanz, City Administrator Jan Brending and Police Chief Tracy Wyckoff were present. Audience: Amber Marra, Jan Mehaffy, Underwood Conservation District

Approval of Minutes – October 7, 2014

Corrections to the meeting minutes of the October 7, 2014 regular council meeting were noted as follows:

Page 6, 9th paragraph should read as follows: “Maria Perez said she received a comment from Melissa Sanchez asking why the City does not provide wi-fi in the park like it is in White Salmon.”

Page 6, 10th paragraph should read as follows: “Jan Brending said she believes the free wi-fi in White Salmon is provided by Google and not the City of White Salmon.”

Izzy Schroder moved to approve the minutes of the October 7, 2014 regularly scheduled meeting as corrected. Stephanie Porter seconded the motion and it was unanimously passed.

Bingen-White Salmon Police Department Update

Betty Barnes provided a message to the council members from herself as a friendly reminder that council members should be aware of the things they may need to do such as licensing dogs, obtaining yard sale permits, etc. particularly as council members represent the City of Bingen.

Tracy Wyckoff said he was contacted by individuals voicing concerns that council members and/or employees of both cities were not complying with city laws. He said he contacted Betty Barnes regarding the issue as it relates to the City of Bingen.

Wyckoff said he is working on the graffiti vandalism that occurred in the skatepark. He said he does have some people of interest that he is looking into.

Wyckoff said he is interviewing candidates for an entry-level position on the 29th and that the testing for the sergeant’s position is scheduled for October 30th with oral boards the following week. He said he is looking forward to the entry-level position interviews.

Betty Barnes said there have been several dog issues in Bingen lately.

Wyckoff said he recently picked up a dog from Ash Street and had to place it in the kennel at public works. He said the city should consider a larger dog kennel.

Betty Barnes said Stephanie Porter’s son was accosted by a dog that ran out into Ash Street. She said Steve Shield handled the call. And she was wondering if it had been designated potentially dangerous.

Wyckoff said for a dog to be declared potentially danger it has to aggressively attack an animal or bite someone.

Betty Barnes said she would like to discuss how the city’s ordinance addresses potentially dangerous dogs.

Wyckoff said he thought it would be helpful if Bingen’s municipal code mirrored what White Salmon has.

Barnes noted that under Bingen’s definition of potentially dangerous dog the dog does not have to bite someone.

Stephanie Porter said if the dog had gotten to her son it would have been bad.

Wyckoff said in his opinion that if it is a one time incident he does not feel it is a potentially dangerous dog. He said he is not sure the court would rule in that direction either.

Izzy Schroder said she has a background in animal science and that it can be a difficult call to make and agreed with Tracy Wyckoff.

Betty Barnes said that reading the RCW and the city's ordinance should make it clear.

Wyckoff said he wants to have clarity on the process for serving an individual so that it will hold up in court. He said the process being used in White Salmon is very clear.

Betty Barnes said she is ready to move forward in considering an amendment to the ordinance when it is presented to legal counsel.

Betty Barnes said she is concerned that if Wyckoff had gotten a call today about the same dog that he would not have known anything about the previous incident. She said she is a little concerned that even with animal control there is needs to be a list of what has happened in the past. Barnes said an incident may be the first time with a response by a specific officer but it may not be the first incident for the dog.

Wyckoff said it should not be hard to create a spreadsheet with running contact information. He said that if it is not the first incident then a ticket should be written.

Beetle Damaged Tree Removal Program, Underwood Conservation District

Betty Barnes said some grants are going to become available through Underwood Conservation District for helping with the removal of beetle damaged trees. She said it looks like the District will have about \$29,000 available. Barnes said the District has asked if the city has any funds to help match. She noted that it was a burden on the city to remove the beetle damaged trees from the park and right-of-ways.

Jan Brending said there are approximately 14 to 20 properties that may have beetle damaged trees and that number does not include any small lots that may have a single tree.

Betty Barnes said there is an exceptions process in the city's fire ban ordinance that may allow tree slash to be burned depending on the circumstance.

Jan Mehaffy with Underwood Conservation District said they are looking at what to do with the left over trees.

Jan Brending said city can provide a list of property owners with potential beetle damaged trees to the District.

Izzy Schroder asked Jan Mehaffy if there is a specific amount the District is looking at for match.

Sandi Dickey suggested getting a team together and talking to the individuals as it might be possible to make money off of the trees. She said that when Stan Dickey felled his trees he actually made money.

Jan Mehaffy said they have been talking with SDS and others to offer landowners who can not deal with the logs an option.

Izzy Schroder said she would like to offer the city's assistance to educate the citizens, point them in the right direction and to help hold their hand if necessary through the process but does not think the city can provide matching funds.

Izzy Schroder moved to not provide matching funds to the Underwood Conservation District but to provide assistance in other ways. Sandi Dickey seconded the motion and it was passed unanimously.

Sandi Dickey said that if anyone has any questions she could provide some assistance since she and Stan Dickey have gone through the process of removing damaged trees.

Proposed Conditional Use Permit Decision, Bob Liptak, Light Industrial Use Processing Marijuana Infused Edible Productions

Jan Brending said the draft decision was mailed out to the parties including Dennis Mullen and First Baptist Church.

Izzy Schroder said she noted there were comments made about the potency of edibles. She said that she understands her comments will not have an impact on the decision but wanted to voice her concerns with edibles. Schroder said her husband has seen people coming in to the emergency room due to the consumption of edibles and the law now makes it easier to get the drugs in a home.

Maria Perez moved to approve the findings of fact, conclusions of law and decision for Conditional Use Permit Application 2014-004, Bob Liptak to operate a light industrial facility processing infused

marijuana edible products. Stephanie Porter seconded the motion which passed with the following vote: Dickey – Aye, Kiewit – Absent, Perez – Aye, Porter – Aye, Schroder – Abstain.

Proposed Interlocal Agreement with City of Stevenson, 2015 Building Official Services

Betty Barnes said she and Jan Brending met with the City of Stevenson to discuss the cost of building official services for 2015.

Jan Brending said the proposed cost for 2015 includes a 15% overhead charge. She noted that if the building official is called out after hours or on the weekends the fee is 1.5 times the base salary/benefit charge. Brending noted that the current building official, Dave Nail, plans to retire in 2015. She said the proposed interlocal agreement is for one year so that during 2015 the city can evaluate its needs for building official services and how it wants to proceed beyond 2015.

Maria Perez to approve the interlocal agreement for building official services with the City of Stevenson for 2015. Izzy Schroder seconded the motion and it was unanimously passed.

Treasurer's Report – September 2014

Jan Brending presented the Treasurer's Report for September 2014.

Brending noted that the council will receive updated 2015 budget documents as new information was provided to the city regarding 2015 property taxes. She said the information on the city's webpage will also be updated.

Stephanie Porter moved to accept the September 2014 Treasurer's Report. Sandi Dickey seconded the motion and it was passed unanimously.

Mayor's Update and Council Comments

Insurance - Elected Official Benefit Participation Criteria

Betty Barnes said the city council and mayor has been eligible to have city insurance for sometime but in the past the council had voted not to provide it because the city would have had to pay 100% of the cost for the council members. She said the pool has now changed the requirement and insurance can be offered to the council and mayors at no cost to the city, i.e. the members would have to pay for the insurance themselves.

Barnes reviewed the criteria for participating in the program. She said it takes at least three council members to participate and if one the members dropped the insurance then the other two would loose their insurance or if a council member resigned or was not re-elected and the incoming member chose not to take the insurance then the remaining two would again loose their insurance.

Betty Barnes said the mayor is not tied to the council member requirements. She said she is requesting a resolution that would allow the mayor to be eligible for insurance.

Izzy Schroder moved to adopt a resolution authorizing the mayor to participate in the AWC medical insurance program with 100% of the premium to be paid by the mayor. Stephanie Porter seconded the motion and it was unanimously passed.

Animal Control

Betty Barnes noted that Brad Fulton is leaving his position as animal control officer in Goldendale. She said that she and Jan Brending will be meeting with the City of Goldendale to discuss how animal control will be handled in the future. Barnes said it is her understanding that Goldendale still wants to provide animal control services to the City of Bingen.

City Attorney Contract

Betty Barnes said the council will be reviewing the contract for city attorney in the near future. She said she has spoken with Chris Lanz who has indicated he is satisfied with the current rate of pay.

Surplus Sale

Jan Brending updated the council on the results of the surplus sale. She said the lawn mower was purchased for \$1 and the vehicle for \$88. Brending said the computer equipment was donated to Washington Gorge Action Programs.

Reminder to Vote

Izzy Schroder reminded everyone to vote.

Garbage Billing

Betty Barnes noted that it appears that more than 6% city tax is being charged on the garbage billing from Republic. She also noted that the state tax is being calculated on the city tax also.

Jan Brending said she will check into it.

Shoreline Management Program and Critical Areas Ordinance Update – Open House

Jan Brending reminded the council that the open house is scheduled for Wednesday, October 29 from 5 to 7 p.m. She said notice of a special meeting will be provided so that all council members can be in attendance.

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 October 21, 2014. The council by unanimous vote does approve for payment the following list: EFT, checks 17081-17099 (dated 10/21/2014) totaling \$26792.19. General Fund – \$21542.12; Street - \$234.80; Water - \$3503.13; Sewer - \$1090.19; Treatment Plant - \$421.95.

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 October 21 2014. The council by unanimous vote does approve for payment the following list: EFT (dated 10/15/2014), EFT (dated 10/21/2014), payroll checks 17075-17080 (dated 10/15/2014) totaling \$14847.17. General Fund – \$6073.87; Street - \$2195.94; Water - \$1503.75; Sewer - \$491.70; Treatment Plant - \$4581.91.

The council adjourned at 8:35 p.m.

City Clerk

Mayor