

# BINGEN CITY COUNCIL MINUTES

April 1, 2008

The meeting was called to order by Mayor Prigel at 7:00 p.m. Council members present: Sandi Dickey, Betty Barnes, Tim Hearn, Terry Trantow, and Laura Mann. City Clerk Treasurer Jan Brending and Attorney Tad Connors were present. Audience: Marsha Holliston, Ben Harvey, Jim Andring.

## **Public Comment**

### ***Marsha Holliston, Mt. Adams Chamber of Commerce***

Marsha Holliston said that the Annual 13+ Mile Yard Sale is scheduled for June 14 and 15. She said the yard sales will take place all through Klickitat County with merchants also having sidewalk sales. Holliston said it is a great way to get people into town. She said White Salmon has waived the permit process for yard sales for that specific weekend.

Jan Brending said she recommends Bingen also waive its permitting process for yard sales for the weekend of June 14 and 15. She said it would probably be a good idea to develop a policy related to sidewalk sales held by businesses to insure that the sidewalks are kept open for pedestrians and that ADA access is maintained.

Laura Mann moved to support the Annual 13+ Mile Yard Sale on June 14 and 15 and waive the yard sale permitting process for that weekend. Tim Hearn seconded the motion and it was unanimously passed.

### ***Jim Andring, Bingen-White Salmon Police Department***

Jim Andring said a new officer, Anthony Ward, has been hired as of March 24 and is now attending the academy. He said Ward is from Washougal and has been serving as a reserve officer for Skamania County. Andring asked the Bingen City Council not to lose faith in the department.

Jim Andring introduced Ben Harvey as an officer with the department.

Brian Prigel said he is very happy to have the officers with the city and hopes that the officers are around for awhile.

Laura Mann asked if the disorderly conduct ordinance has been used.

Jim Andring said an individual was arrested but based on the state statute. He said that the individual could also have been arrested under the new ordinance.

Jim Andring reported that testing for establishing a new list for applicants was held on Saturday. He said 3 entry-level applicants passed the physical test but did not pass the written test. Andring said one lateral applicant did pass and will be presented to the civil service commission for certification.

Andring said he is going to be recommending to the civil service commission that a new test be used for the written portion of the testing. He said that if a new test is allowed he will be contacting the previous applicants and asking them to retest. Andring said that departments across the country are having difficulties in recruiting new officers.

Brian Prigel said the city has received notice that one of the officers has resigned for personal reasons.

Betty Barnes said that hopefully the lateral officer could come on board right away.

Brian Prigel said the officers are doing a good job and to hang in there.

## **Approval of Minutes – March 18, 2008**

Corrections to the minutes of the March 18, 2008 city council meeting were noted as follows:

Page 1, the date should be changed from March 4 to March 18.

Page 1, all references to “Bill Elling” should be changed to “Bill Eling.”

Page 1, 2<sup>nd</sup> paragraph, 1<sup>st</sup> sentence should read as follows: “Bill Eling said he is Rich Cortese’s attorney and that he is making comments before the city council based on the article in The Enterprise.”

Page 2, 3<sup>rd</sup> paragraph should read as follows: “Betty Barnes said she will step down from the city council temporarily while it is discussing the museum planning.”

Page 2, 4<sup>th</sup> paragraph, 4<sup>th</sup> sentence should read as follows: “She said at that time she was not including an assessment of the existing facility and that could add to the project costs.”

Page 5, last paragraph should read “At 9:12 p.m., the council adjourned.”

Terry Trantow moved to approve the minutes of the March 18, 2008 city council meeting as amended. Sandi Dickey seconded the motion and it was unanimously passed.

### **Integrated Financial Software Proposal – Review and Award**

Jan Brending provided a review of the integrated financial software proposal. She said the Request for Proposals was sent to 7 companies and the city received one proposal. Brending said BIAS Accounting. She said the cost of the software is \$27,901, not including tax. Brending said she is also proposing a budget of \$6,000 for computer equipment and networking costs. She said she hopes the cost will be less than \$6,000.

Brending said she supports purchasing the software from BIAS and that she believes it will provide the tools for the city to do things more efficiently and effectively.

Laura Mann authorized the purchase of the BIAS software and equipment for a cost of \$36,443.58. Betty Barnes seconded the motion and it was unanimously passed.

### **Old Business**

#### ***Maple Street Reconstruction Project – Review of Funding and Action on Awarding Bid***

Brian Prigel said Klickitat County has agreed to provide \$200,000 towards the project and that the Transportation Improvement Board has increased its share of funding by \$285,000. He said that leaves the city coming up with \$139,139 in funding for the project. Prigel said Jan Brending has provided information on where the funding can come from within the City’s budget.

Brian Prigel said he recommends that the city proceed with the project and award the contract to Nutter Corporation.

Betty Barnes moved to award the contract for the Maple Street Construction Project to Nutter Corporation in the amount of \$449,355 contingent upon approval by the Transportation Improvement Board. Terry Trantow seconded the motion and it was unanimously passed.

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

#### ***Community Center and Park Planning***

Jan Brending said the city received five proposals in the response to the RFP for community center and park planning. She said she has provided the information to Brian Prigel, Laura Mann and Sandi Dickey who will help review the proposals and make a recommendation to the full city council. April 9 at 6:00 p.m. was set for the group to meet and review the evaluations of proposals.

#### ***Sidewalk at Eagles***

Tim Hearn said he is confused about what area still needs a sidewalk at the Eagles. It was clarified that a portion of the sidewalk is missing on Walnut in front of the door on the west side of the building.

Tim Hearn asked if the Eagles have been contacted about the problem. Jan Brending said no.

#### ***Disorderly Conduct Ordinance***

Javier Sanchez asked if the disorderly conduct ordinance was passed by the city council. He also asked what is the noise decibel level standard and if that is included in the ordinance.

Mr. Sanchez was told that the ordinance did pass and it does not include any information about noise decibel levels.

Javier Sanchez said he is here to voice concerns about the ordinance. He said he has experienced some issues related to playing music outside with his neighbors who are Betty and Roy Barnes. Sanchez said he has been a good neighbor. He asked if there is a standard for playing music and is he going to be fined in the future for playing music or even whistling outside.

Tad Connors said the adoption of the ordinance had nothing to do with Javier Sanchez. He reviewed the language from the ordinance and said the officers have discretion in using the ordinance.

Jan Brending noted that there are mediation services available to help neighbors settle issues such as playing music loudly, etc. She said that information about the mediation services is available at city hall.

Jim Andring provided background information on what the police department asked both cities to adopt the ordinance. He said the ordinance is not aimed at any specific individual but addresses a problem with the state statutes that allows situations to slip through the cracks. Andring said it is up to the officers to be reasonable in enforcing the law.

Laura Mann suggested Sanchez obtain a copy of the ordinance from city hall. She asked that Sanchez review the ordinance and let the city council know what he finds objectionable about it. Mann noted that she voted against the ordinance and suggested that individuals needs to convince the city council that portions of the ordinance need to be rewritten.

Brian Prigel said the ordinance is a little vague in areas and that it relies on an officer's discretion. He said that he hopes the officers will use discretion in enforcing the ordinance. Prigel noted the ordinance passed with a 3 to 2 vote.

Jim Andring said that officers will talk to individuals first before making an arrest.

Terry Trantow said that he believes if Sanchez reads the ordinance he will get a different picture than what was portrayed in the newspaper.

The city council thanked Javier Sanchez for attending the council meeting and making his concerns known.

#### **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 April 1, 2008. The council by unanimous vote does approve for payment the following list: checks 9895 through 9926 totaling \$63,359.82 and payroll checks 9881 through 9892 and 9927 totaling \$20,752.83 and manual checks 9880 and 9893-9894 for a total of \$\$2,117.69 for a grand total of \$86,230.24. Current - \$65,554.83; Street - \$3,181.66; Water – \$4,400.60; Sewer - \$1,248.40; Bingen Treatment Plant - \$6,783.23; Dallesport Treatment Plant – \$5,061.62.

#### **Executive Session**

At 8:35 p.m. Brian Prigel announced the city council will enter into executive session for 20 minutes to discuss potential litigation.

At 8:55 p.m. the city council resumed regular session and announced the executive session will continue for additional 20 minutes.

At 9:20 p.m. the city council resumed regular session.

Betty Barnes moved to direct Tad Connors to reaffirm with the City of White Salmon that the City of Bingen is offering to apply the \$37,310.02 overpaid for 2007 services to the 2008 police budget tied to extending the current interlocal agreement as written for a five year period, that White Salmon would hold harmless the city and its employees, agents, and officers, and that full release of the overpayment would not take place until after the 20-month period is ended. Tim Hearn seconded the motion and it was unanimously passed.

At 9:25 p.m. adjourned.

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City Clerk

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Mayor