

# BINGEN CITY COUNCIL MINUTES

September 4, 2007

The meeting was called to order by Mayor Prigel at 7:00 p.m. Council members present: Terry Trantow, Tim Hearn, Sandi Dickey, Betty Barnes and Laura Mann. Clerk Jan Brending and Attorney Tad Connors were present. Audience: Bruce Brending, Ruth Winner, Judy Farrell, Etta Hepner.

## **Approval of Minutes – August 21, 2007**

Corrections to the draft meeting minutes of the August 21 city council meeting were noted as follows:

Page 2, add the following paragraph after 5<sup>th</sup> paragraph: “Sandi Dickey said she will not vote on the sale of the surplus homes as her son is one of the bidders.”

Page 2, 6<sup>th</sup> paragraph should read as follows: “Tim Hearn moved to award the sale of the manufacture homes at 405 and 407 W. Humboldt to Tamara McVeigh. Laura Mann seconded the motion and it was passed with the following vote: Barnes – Aye., Dickey – Abstain, Hearn – Aye, Mann – Aye, Trantow – Aye.”

Page 2, 9<sup>th</sup> paragraph should read as follows: “Laura Mann moved to hire Columbia Tree Service on an hourly basis to remove the two dying trees in Daubenspeck Park due to the emergency, saving is possible the 2<sup>nd</sup> tree if possible by removing dead growth. Terry Trantow seconded the motion and it was unanimously passed.”

Terry Trantow moved to approve the minutes of the August 21 city council meeting as amended. Laura Mann seconded the motion and it was unanimously passed.

## **Gorge Heritage Museum – Review of Lease and Insurance Requirements**

Tad Connors said he spoke to Michelle Jaspersen and Hugh Whitson regarding the museum’s insurance. He said they are comfortable with classes being held at the museum. Connors noted that a different insurance package will be made available to the museum in the near future. He said Whitson suggested increasing the liability but that the city may be overstressing regarding fire insurance.

Brian Prigel said that assuming the liability is appropriately taken care of then other uses of the facility may be okay.

Tad Connors asked if the council thought the lease should be modified to address allowing others to use the facility.

Betty Barnes said she thought that was a good idea.

Etta Hepner asked if the number of years for the lease could be increased. She said a lot of grants require that a 20 or 30-year lease be established.

Brian Prigel said the current lease was originally for 15 years and expires in 2018. Prigel suggested the city council read over the lease and determine what they would like to change. He said proposed amendments can be considered in two weeks.

Tad Connors suggested looking at specifically sections one, two and nine. Staff was directed to investigate if it was possible to sell the facility to a nonprofit without going through a bidding process.

Etta Hepner asked if the purpose from the museum’s bylaws should be incorporated into the lease.

Tad Connors said he would like to see the wording.

Brian Prigel suggested that the use of the museum by others should be limited to non-profit community based events.

Etta Hepner said that classes that may be taught may not be offered by a non-profit organization. She said that many of the classes taught teach a historic skill no longer taught on a regular basis.

Brian Prigel said he would not like to see the long-term lease of the facility for profit. He said classes are sort of a gray area.

Tim Hearn said the language should be flexible so the council can then determine what may be allowed.

Etta Hepner presented the window-frame of fire department pictures to Fire Chief David Spratt, which will be raffled to raise funds for the fire department's thermal imaging camera.

#### **Small Works Roster Bid – Tree Removal**

Jan Brending reported that no one bid on the project and said she will extend the bid date to September 18 to try and obtain bids.

#### **Master Interlocal Mutual Law Enforcement Assistance Agreement – Review and Request for Authorization to Sign**

Tad Connors said the city of Bingen's signature does not really commit the Bingen-White Salmon Police Department. He said White Salmon has already signed the agreement as have a number of other departments. Connors asked Brending if the agreement had been reviewed by Canfield & Associates.

Bruce Brending said the agreement was reviewed by Deborah Phillips, White Salmon's attorney and that he believes it was also reviewed by Canfield & Associates. He said the agreement is based on one out of Clark County.

Betty Barnes moved to authorize the mayor to sign the Master Interlocal Mutual Law Enforcement Assistance Agreement. Sandi Dickey seconded the motion and it passed 4 to 1 with the following vote: Barnes – Aye, Dickey – Aye, Hearn – Nay, Mann – Aye, Trantow – Aye.

#### **Treasurer's Report – July 2007**

Jan Brending presented the Treasurer's Report for July 2007.

A budget committee meeting was scheduled for October 3 at 6:00 p.m. at Bingen City Hall.

Laura Mann moved to accept the Treasurer's report for July 2007. The motion was seconded and unanimously passed.

#### **Old Business**

##### *Steuben Street Crosswalks*

Jan Brending reported that work on the Steuben Street crosswalks will begin on Monday, September 24.

##### *Huckleberry Festival Cleanup*

Betty Barnes recommended that two areas of town be specifically cleaned up in time for the Huckleberry Festival: at North Shore Winery in front the garage/loading area where dirt and debris tends to collect and in the area around the post office.

##### *Sealed Bid Opening*

Sandi Dickey explained that she had concerns about how the sealed bids from the surplus sale were opened. She said it is her understanding that in the past sealed bids have been opened in front of the council.

Jan Brending said that in the past it has been done that way but that most sealed bids are opened outside of the city council. She noted that the bids are opened publicly with a witness. Brending said it really is a policy decision of the city council. She suggested that public works bids be treated differently than surplus bids if the council wanted to change the current practice. Sandi Dickey asked who changed previous policy. Brian Prigel said that there was never a formal policy so Brian and Jan changed the practice of opening the bids.

Council and staff discussed the bid opening process. The current process of opening bids prior to council meetings will stay in place with appropriate wording noted in the documentation that the bids will be opened in public and the ad will state date, time, and place the bid will be opened.

##### *Maple Street Reconstruction Project*

Brian Prigel said that he and Jan Brending met with the city's engineer and representatives from the railroad. He said the railroad has some reasonable and some not so reasonable points regarding railroad crossings. Prigel said the city tried to clarify what needs to be included in the bid documents and what applies to the city and its contractor. He said it does not appear that the city can afford using concrete panels on all the tracks but will place them only on the main lines.

Prigel said there was discussion of the danger of the crossings and discussed a future underpass. He said the railroad said they could participate in the funding of the underpass up to 5%. Prigel noted that the estimated cost of an underpass is approximately \$10 million.

Prigel said the intersection located at the Bingen Treatment Plant and SDS Lumber going out to port property was reviewed. He said the engineers have been instructed to provide an alternative design to better handle truck traffic in the area. Prigel said he is concerned about SDS will perceive the intersection design and the impacts to truck traffic.

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

#### *Request from Tom Reser*

Brian Prigel said the city has received a request from Tom Reser regarding property located adjacent to Dry Creek. He said Dry Creek runs through a portion of the property. Prigel noted the property is adjacent to Pilot Knob.

Prigel said Reser is making the city council aware of what he wants to do with the property. He said that Reser would like to upgrade the storm water drainage into Dry Creek by extending existing culverts and providing a manhole. Prigel said Reser intends to redevelop the property and would like to fill and make the entire property level.

Prigel said Reser would also like to see the city do the projected working in replacing the sewer line across his property as soon as possible so that he can proceed with redevelopment plans.

Brian Prigel asked staff to review the regulatory issues that may affect Reser's proposal and to determine the estimate of completing the small portion of the sewer line upgrade across the property.

#### *Quiet Zone Meeting*

Jan Brending said she attended a Quiet Zone diagnostic meeting in White Salmon last week. She said representatives from the railroad, the Federal Railroad Administration and the Washington Utilities Commission were present. Brending said the group visited White Salmon's crossing as well as Bingen's. She said the railroad noted issues with all three crossings. Brending said that a demonstration of way-side horns will likely be scheduled in the future.

Brian Prigel suggested that the demonstration take place in the late spring or early fall when residents typically have their windows open.

#### *Dianne Sherwood Resignation*

Brian Prigel noted that Dianne Sherwood has resigned as Director of the Port of Klickitat. He said Sherwood did a lot of good for the port.

#### *Broughton Lumber Company*

Brian Prigel noted that Jason Spadero was on the news tonight regarding the Broughton Lumber project. He said that it appears the Gorge Commission has cut back the scope and scale of the project but he does not know all of the details.

Jan Brending said information regarding the Gorge Commission's proposed amendments and Spadero's response are in the council's packets tonight.

#### *Gorge Commission Planning Forum*

Brian Prigel said the Gorge Commission has asked him to attend the future planning forum. He said that he will likely go.

#### *Sunset Magazine Article*

It was noted that the September issue of the Sunset magazine is carrying an article about Bingen.

### **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 September 4, 2007. The council by unanimous vote does approve for payment the following list: checks 9178 through 9204 totaling \$46,975.65 and payroll checks 9166 through 9177 totaling \$10,812.48 for a grand total of \$57,788.13. Current - \$10,248.16; Street - \$1,880.18; Community Development - \$1,883.95; Street Equipment Reserve - \$3,472.84, Street Construction and Maintenance - \$19,730.30; Water - \$3,727.38; Sewer - \$1,115.67; Treatment Plant - \$4,854.15; Dallesport Treatment Plant - \$3,824.59; Water and Sewer Equipment Reserve - \$7,050.91.

**Executive Sessions**

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

The city council resumed regular session at 8:40 p.m.

Laura Mann moved to send a letter to Klickitat County notifying them that the city of Bingen will agree to a maximum six-month extension of the Dallesport Treatment Plant agreement that is up for renewal at December 31, 2007 and that the city does not intend to renew the agreement past the June 20, 2008 date. Terry Trantow seconded the motion and it was passed 4 to 1 with the following vote: Barnes – Aye, Dickey – Aye, Hearn – Abstain, Mann – Aye, Trantow – Aye.

Laura Mann moved to send a letter to the city’s manager of the Dallesport Treatment Plant letting him know that the city will not be managing the Treatment Plant after June 30, 2008 and that the city will no longer have the position of manager of the plant available. The letter will be sent after review by the city attorney. Sandi Dickey seconded the motion and it was passed unanimously.

The council adjourned at 8:45 p.m.

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City Clerk

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Mayor