

BINGEN CITY COUNCIL MINUTES

December 2, 2008

The meeting was called to order by Mayor Prigel at 7:00 p.m. Council members present: Terry Trantow, Betty Barnes, Tim Hearn and Sandi Dickey. Council members absent: Laura Mann. City Administrator Jan Brending and Attorney Tad Connors were present. Audience: Bruce Brending, Jesse Burkhardt, Javier Sanchez,

Public Comment

Bingen-White Salmon Police Department

Bruce Brending asked if the interlocal agreement for mutual aid for Mid-Columbia law enforcement was on the agenda.

Tad Connors said no. Connors told the city council that they had previously approved the agreement but that some minor changes have been made. He said it will be on the agenda for the December 16 council meeting.

Javier Sanchez, Bingen

Javier Sanchez said he would like an extension of the time required to remove an addition he added to an existing storage shed located on his property.

Betty Barnes said she will step down from the city council for the discussion with Javier Sanchez because she is his neighbor. Betty Barnes left the council chambers for the discussion.

Jan Brending provided an overview of the issue to the city council. She said Sanchez had applied to reroof an existing shed on this property. Brending said a building permit was issued after the project had been started. She said that while adding the new roof a lean-to addition was added to the structure. Brending said a building permit was not obtained for the addition. She noted that the city's setback requirements prohibit a non-conforming use from expanding. Brending said the existing shed does not meet the setback requirements and also noted that the building official has some concerns about the existing structure being able to support the addition that was added. Brending said the city wrote a letter to Sanchez asking that the addition be removed by December 12. She said that Sanchez could apply for a variance from the city's setback requirements, however he would also need to obtain a building permit for the addition and there may be further requirements for the structure.

Tad Connors said that approving an extension of the timeframe set to remove the structure would be basically approving a temporary variance.

Sandi Dickey said that if the city was to approve the request it would have to approve similar requests.

Javier Sanchez said he just wants to be able to use the addition through the winter and then remove it.

The city council and staff discussed the timing of a variance application. Jan Brending said scheduling a hearing on a variance application will depend on the completeness of the application and availability of an applicant to attend the hearing. She said the city can delay the hearing if the applicant is in agreement. Brending said an application should be submitted as soon as possible with the \$150.00 fee.

Approval of Minutes – November 18, 2008

Sandi Dickey moved to approve the minutes of the November 18, 2008 city council meeting. Tim Hearn seconded the motion and it was passed unanimously. (Betty Barnes was absent for the vote.)

Betty Barnes returned to the city council after the motion and vote for approval of the November 18 minutes.

Proposed Ordinance Amendment, 08-11-552, Amending BMC 2.04.010, Time of Council Meetings

Brian Prigel said the proposed amendment provides that the city council will meet on the Monday preceding a presidential general election if the election falls on the 1st or 3rd Tuesday of the month.

Tim Hearn moved to approve Ordinance 08-11-552, Amending BMC 2.04.01, Time of Council Meetings. Betty Barnes seconded the motion and it was passed unanimously.

Small Works Roster Bid – Sealing Active Leaks in Manholes

Jan Brending said the city reissued the small works roster bid for sealing active leaks in two manholes. She said the city received two bids: Michels Corporation - \$3,988.25 and Pipe Experts - \$9,573.95. She said the main difference in the two bids is that Pipe Experts recommends that the entire manhole be sealed. Brending said she and Tom Hons are recommending that the bid be awarded to Michels Corporation. She said the work will be done during a period of heavy rain. Brending said that the bid provides a price per gallon for the chemical grout with 6 gallons estimated. She said it may take more or less depending on the leaks. Brending said Tom Hons will be on site when the work is being done.

Betty Barnes moved to accept the lowest bid from Michels Corporation. Tim Hearn seconded the motion and it was unanimously passed.

Conditional Use Permit 2008-002, Custom Interface – Decision

Jan Brending noted that she reviewed the legal description and that it is correct as originally presented in the notice and staff report.

Betty Barnes recused herself from voting on the decision as she did not participate in the hearing.

Tim Hearn moved to approve the decision for Conditional Use Permit 2008-002, Custom Interface. Terry Trantow seconded the motion and it was unanimously passed with the following vote: Barnes – recused, Dickey – aye, Hearn – aye, Mann – absent, Trantow – aye.

Klickitat County EDA 2009 Grant Proposal

Jan Brending said the county is asking for information regarding all proposals the city is considering for the 2009 EDA grant. Brending provided information regarding two projects – skate park and sport court (basketball court). She said the planners are estimating that a skate park as shown in the drawings for the park improvements would cost \$200,000. Brending said the city has dedicated \$40,000 of community development funds towards the skate park. She said she believes that with donations the city should be able to build an initial phase of the skate park this summer for \$40,000. Brending said the planners estimate that a new 40' x 70' sport court (without lights and cover) will cost \$18,200. Brending suggested obtaining a cost estimate for the cover and lights and including it with the proposal to the county asking for \$20,000 in funding.

Brian Prigel said he believes the city should make the sport court its first priority. He said the proposed location of the skate park is where the basketball court is currently located. Prigel said the city can build the sport court and then proceed with a basic small scale skate park.

Betty Barnes said she agrees with Brian Prigel.

Tim Hearn moved to make the sport court the city's top priority asking for \$20,000 in funding with the skate park as its second priority. Sandi Dickey seconded the motion and it was unanimously passed.

City Attorney Contract – Annual Review

Jan Brending said the contract with Tad Connors requires the city review it annually. She said she provided the city council with information from the Association of Washington Cities regarding what other contract city attorneys are making in the state.

Tad Connors said he is comfortable with the contract and compensation rate.

Agreement – Bingen and Washington Gorge Action Programs Youth Center

Tim Hearn asked if the youth center is still viable. Bruce Brending said yes.

Betty Barnes moved to renew the agreement with Washington Gorge Action Programs providing funding for the Youth Center in return for services rendered. Sandi Dickey seconded the motion and it was passed unanimously.

Agreement – Bingen and White Salmon Swimming Pool

Betty Barnes moved to renew the interlocal agreement with City of White Salmon providing funding for the pool. Terry Trantow seconded the motion and it was passed unanimously.

Professional Services Contract 2008-003, Anderson Perry & Associations – Amendment

Jan Brending said she has submitted 3 amendments to professional services contracts extending the date of the contracts so that paperwork and follow-up can be completed in early 2009.

Tim Hearn moved to approve Amendment #4, extending the contract with Anderson Perry & Associates through February 28, 2009. Betty Barnes seconded the motion and it was unanimously passed.

Professional Services Contract 2008-003, CIDA – Amendment

Betty Barnes moved to approve Amendment #1, extending the contract with CIDA through February 28, 2009. Sandi Dickey seconded the motion and it was unanimously passed.

Professional Services Contract 2008-002, Makers Architecture – Amendment

Betty Barnes moved to approve Amendment #1, extending the contract with Makers through February 28, 2009. Terry Trantow seconded the motion and it was unanimously passed.

Legal Representation of Indigent Persons Entitled to Representation at Public Expense in Bingen Municipal Court – 2009 Proposal

Tad Connors said that in the past using a single law firm with a flat monthly fee for legal representation of indigent persons provided a cost savings to the city. He said that because there has been a drop in crime the city is probably now paying too much for the services. Connors said he is recommending the city try using judge appointed attorneys in 2009 and not renew the contract with Annala, Carey, Baker, Thompson & Vankoten.

Tim Hearn moved to not renew the contract for legal representation with Annala, Carey, Baker, Thompson & Vankoten. Terry Trantow seconded the motion and it was unanimously passed.

Treasurer’s Report – October 2008

Jan Brending presented the Treasurer’s Report for October 2008.

Terry Trantow moved to accept the Treasurer’s Report for October 2008. Betty Barnes seconded the motion and it was unanimously passed.

Mayor’s Update and Council Comments

Maple Street Construction

Jan Brending said Maple Street is close to completion. She said the installation of lighting is the remaining item.

Stormwater Project

Jan Brending said the stormwater project has been completed. She said the project should be closed out by the end of December.

Holiday Lights

Jan Brending said the holiday lights have arrived and the public works crew is busy installing them.

Damaged Street Tree

Sandi Dickey said she has examined the street tree that was damaged in the 400 block of West Steuben. She said she thinks the tree will be fine.

Regional Transportation Commission (RTC)

Brian Prigel said RTC will hold a joint meeting with Klickitat and Skamania County in Goldendale on Monday. He said the goal is to update the state legislative delegation about transportation needs and priorities. Prigel said two of the priorities are the new bridge across the river and the underpass into the Port. He said he will be making a presentation at the meeting.

Intersection of Highway 141 and Highway 14

Betty Barnes said she has received an e-mail from Rich Cortese regarding the line of site at Highways 141 and 14. She said Cortese has received a couple of complaints regarding the line of site due to the parking immediately west of the intersection.

The city council discussed that it would be difficult to reduce parking and that the line of site issue might remain even if one parking space was removed.

Custom Interface

Betty Barnes asked city staff to write a letter to Custom Interface asking them to submit a conditional use permit application for their existing facility on Steuben.

Water and Sewer Rates

Betty Barnes asked if Custom Interface is being charged the industrial rate for water and sewer. Jan Brending said no. She said that facilities located within the commercial zones have always been charged the commercial rate.

Brian Prigel said the issue of light industrial versus commercial rates has been discussed in the past with no solution. He said one possible solution is to tie the rates to the size of meter.

Jan Brending said she hopes to present a new rate structure for both water and sewer in 2009 and hopes that a new rate structure will clarify how different types of businesses are charged. Brending noted that White Salmon’s new rate structure for water is based on meter size.

Joint Police Committee Meeting

Jan Brending said a joint police committee meeting was held on Monday. She said the committee discussed the policy regarding take home vehicles and also discussed the budget.

Betty Barnes noted that the budget for the police department is for 6 officers which includes the police chief. She said it is important that Bingen acknowledge that the budget will not meet the interlocal agreement requirements. Barnes said that given the current budget situation for both cities that it is understandable that the budget provides for only 6 officers.

Streamlined Sales Tax

Brian Prigel asked if staff is seeing a difference in sales tax since the streamlined sales tax went into effect.

Jan Brending said no. She said the state said it will take several months. Brending said she is tracking specific businesses that she knew were not reporting prior to July 1st. She noted the state is also tracking information and will be providing it the cities when it becomes available.

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 December 2, 2008. The council by unanimous vote does approve for payment the following list: checks 10712 through 10754 totaling \$291,302.92. Current – \$9,416.35; Street - \$1,530.26; Community Development - \$10,318.61; Street Construction & Maintenance - \$255,679.46; Water - \$2,130.27; Sewer - \$166.56; Bingen Treatment Plant - \$1,961.41; 73/95 Bond Redemption - \$10,100.00.

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 December 2, 2008. The council by unanimous vote does approve for payment the following list: payroll checks 10699 through 10709 totaling \$17,487.86. Current - \$7,925.26; Street - \$1,471.15; Water – \$2,235.6; Sewer - \$882.70; Bingen Treatment Plant - \$4,973.15.

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 December 2, 2008. The council by unanimous vote does approve for payment the following list: checks 10698, 10710, 10711 totaling \$1,904.06. Current – \$1,904.06.

At 8:45 p.m. the city council adjourned.

City Clerk

Mayor