

BINGEN CITY COUNCIL MINUTES

February 3, 2009

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

Swearing In of Council Member

Clinton Bryan was sworn in by Mayor Brian Prigel as a new council member.

Approval of Minutes – January 20, 2009

Changes to the January 20, 2009 city council meeting minutes were noted as follows:

Page 3, 8th paragraph, last sentence should read “She said she is concerned that it might not be done until spring sometime based on a letter received by the city from the PUD.”

Laura Mann moved to approve the minutes of the January 20, 2009 city council meeting as corrected. Sandi Dickey seconded the motion and it was unanimously passed.

Public Hearing – Conditional Use Permit Application 2009-001, Custom Interface

Brian Prigel announced the public hearing for conditional use permit application 2009-001 submitted by Custom Interface. He said the application is for an established business at 115 W. Steuben. Prigel said when the business was originally established it was primarily research and design but has evolved into light manufacturing. Prigel said the city has allowed other light industrial uses within its commercial zone with the most recent one located at 115 N. Ash which was for Custom Interface.

Betty Barnes recommended that the same conditions be placed on the facility at 115 W. Steuben as were placed on the 115 N. Ash.

Jan Brending recommended deleting condition 8 because the facility already has an occupancy permit.

Betty Barnes agreed.

Clinton Bryan asked if the business is staying at the same property.

Brian Prigel said yes.

Laura Mann said that when the city council was reviewing the conditional use permit for 115 N. Ash it became apparent that Custom Interface did not have a conditional use permit for 115 W. Steuben.

Sandi Dickey moved to approve Conditional Use Permit Application 2009-001 for Custom Interface at 115 W. Steuben with the following conditions:

1. All storage of materials must be contained within the existing structure. No outside storage permitted.
2. All dust from the manufacturing process must be contained within the facility.
3. The manufacturing process shall not produce odors that are detectable outside of the facility or in adjacent facilities.
4. The manufacturing process shall not produce noises that are offensive outside of the facility or in adjacent facilities.
5. All hazardous materials should be kept in a hazardous material cabinet.
6. The City of Bingen shall have discretion to make a review of the conditional use and shall do so at least annually.
7. Any new signage must be approved by the Mayor.

8. The conditional use permit applies to the business as proposed in the conditional use permit application and to Custom Interface. If the business changes in nature, a new conditional use permit will be required. The conditional use permit does not apply to the property.

Betty Barnes seconded the motion and it was unanimously passed.

Police Committee Report – Proposed Personally Assigned Vehicle (PAV) Policy

Betty Barnes presented the proposed Personally Assigned Vehicle (PAV) Policy as recommended by the Joint Police Committee. She read from a letter from the White Salmon Police Committee to the White Salmon city council meeting in support of the proposed policy.

Betty Barnes said the joint policy committee did not rush into adopting the proposed policy. She said the committee worked through the issues and language. Barnes said that she estimates it costs the Bingen-White Salmon Police Department approximately \$21,000 to provide “personally assigned vehicles” for all officers and that it would cost approximately \$92,400 to replace an officer and pay for training and overtime while the new officer is in training. She said it is not worth the cost of \$300,000 if 3 officers left the department. Barnes said there is a need for backup officers whether they can respond in 1 minute or 30 minutes.

Sandi Dickey said she was not present at the last committee meeting but was present at the prior meeting. She said a concern was raised about the one officer who is currently living in Washougal. She said she thinks that officer is doing a good job. Dickey said the policy have a response time limit with an exceptions clause for special circumstances.

Betty Barnes said that the department has good officers and has improved the working conditions for the officers.

Laura Mann said she appreciates Betty Barnes bringing up the need for the policy due to IRS requirements. She said she also appreciates Bruce Brending for providing a good draft policy.

Betty Barnes said she would like to have the full council’s support for the policy when it is presented to the White Salmon city council tomorrow evening.

Clinton Bryan asked if the officer that lives in Washougal will be required to park his vehicle in Stevenson.

Betty Barnes said that if the officer has not sold his house by July he will be required to park the vehicle at the sheriff’s office in Stevenson and not drive it all the way into Washougal.

Clinton Bryan asked if the vehicle usage has been an issue in the past.

Betty Barnes said she does not know but it needed to be addressed because it is a benefit to the officers.

Clinton Bryan said he would have an issue if an officer had to drive past a scene to get a vehicle and then respond.

Laura Mann moved to support the proposed Personally Assigned Vehicle (PAV) Policy. Clinton Bryan seconded the motion and it was unanimously passed.

Dog Ordinance Amendments – Continued Discussion

The city council and staff discussed section 6.04.050 – Barking declared a nuisance. There was a consensus that using a time limit such as 10 minutes within an hour was not practical.

Jan Brending said she can provide some alternative language for the section.

There was consensus to delete section 6.04.060 – Running in packs declared a nuisance as this addressed in the section “Running at large.”

Under section 6.04.070 – Nuisances there was consensus to delete the word “her” from 6.04.070.A. and to change 6.04.070.A.5 to read “Any dog running at large.”

The city council and staff discussed the use of the words “abate” and “stay”. It was agreed that where “stay” or “stayed” was used the words “suspend” or “suspended” would be added in parenthesis. It was suggested that the word “correct” could be used in instead of “abate.”

The city council and staff discussed section 6.04.080 – Potentially dangerous dogs. There was consensus that the owners of potentially dangerous dogs will be required to obtain liability insurance in the amount of \$100,000 instead of \$250,000.

Jan Brending noted that the word “potentially” should be added at the beginning of the sentence for section 6.04.080.E.

The city council and staff discussed whether or not potentially dangerous dogs should be kept in a “secure enclosure.” There was consensus that potentially dangerous dogs need to be restrained when on the owner’s property outside of the residence but not within a “secure enclosure.”

Jan Brending provided alternative language that could be used that addresses keeping the potentially dangerous dog from reaching legal access to the property.

There was consensus to remove the definition for “secure enclosure” from the definition section.

Mayor’s Update and Council Comments

Maple Street Project

Betty Barnes said that she recently spoke with Randy Knowles about the Maple Street project. She said an employee from the PUD called her and explained that the PUD will connect the power for the Maple Street lights when the PUD has completed the work related to storm damage which should be in a couple of weeks.

Mail Boxes within Right-of-Way

Jan Brending said she was contacted by Janice Reilly, postmaster in Bingen about the possibility of putting mail boxes within the highway right-of-way on Highway 14 (Steuben Street). Brending said that although the post office can not deliver mail to an individual’s home it can deliver mail to a mail box that is within the carrier’s travel which Highway 14 is. Brending said she has a call into the State Department of Transportation to see if they have any requirements regarding placing mail boxes within the right-of-way. She said she is concerned that if one goes up then there might be others and the city needs to address how the placement of mail boxes will be controlled.

Brian Prigel asked Tad Connors to see what authority the city may have over the placement of mail boxes within the right-of-way.

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 February 3, 2009. The council by unanimous vote does approve for payment the following list: checks 10901-10920 totaling \$9134.38. Current – \$3468.00; Street - \$1181.29; Water - \$857.90; Sewer - \$86.00; Treatment Plant - \$3541.19.

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 February 3, 2009. The council by unanimous vote does approve for payment the following list: payroll checks 10886-10897 totaling \$17953.26. Current - \$7668.28; Street - \$1884.82; Water – \$2547.68; Sewer - \$673.51; Bingen Treatment Plant - \$5178.97.

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 February 3, 2009. The council by unanimous vote does approve for payment the following list: checks 10885 (dated 12/31/2008) totaling \$181.12. Current - \$181.12.

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 February 3, 2009. The council by unanimous vote does approve for payment the following list: checks 10898-10900 (dated 01/31/2009) totaling \$4005.31. Current - \$4005.31.

At 9:15 p.m. the city council adjourned.

City Clerk

Mayor