

BINGEN CITY COUNCIL MINUTES

March 3, 2009

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

Public Comment

Scott Hohensee, Bingen

Scott Hohensee said he would like to ask the city council to consider amending the city's zoning ordinance for Single-Family residential allowing 5,000 square foot minimum lot size instead of 6,000 square feet.

The city council agreed to discuss the proposal at its next city council meeting.

Approval of Minutes – February 17, 2009

Changes to the minutes of the February 17, 2009 city council meeting were noted as follows:

Page 1, 3rd paragraph, 1st sentence should read: "Jan Brending provided an overview of the contract with CIDA and the work that has been completed by them."

Page 1, 6th paragraph, 2nd sentence should read: "She said the plans have been drawn in such a way that the different projects could be phased including the outside access separately from the downstairs or just starting with the bathroom remodel."

Laura Mann moved to approve the minutes of the February 17, 2009 city council meeting as amended. Sandi Dickey seconded the motion and it was unanimously passed.

Public Hearing – Proposed Amendments to BMC 6.04, Dogs

Brian Prigel provided an overview of the proposed amendments to Bingen Municipal Code 6.04, Dogs.

Mayra Sanchez said her family is interested in how potentially dangerous dogs and dangerous dogs will be handled.

Jan Brending explained that any dog designated as a "dangerous dog" will be banned from the city. She noted there is one dangerous dog that currently resides in the city limits which will be grandfathered in. Brending said any dog that is designated "potentially dangerous" has additional requirements including posting the property, obtaining additional insurance, keeping the dog in a secure enclosure, and muzzling the dog when it leaves the owner's property.

Scott Hohensee asked how the ordinance addresses barking dogs.

The city council and staff discussed what the ordinance includes about barking dogs.

Bruce Brending suggested that any dog designated "potentially dangerous" be required to obtain a micro-chip so that it can be tracked.

The city council and staff discussed adding language to the ordinance regarding micro-chipping potentially dangerous dogs. It was agreed that the language could be added at a later date.

There was discussion regarding the definition of "potentially dangerous dog." Tad Connors stated the definition comes from state law.

The city council and staff discussed Section 6.04.180 and agreed to change the language to read as follows: "No person, firm, corporation, organization, or department may possess, harbor, keep, or have in custody in the City of Bingen, a dangerous dog as dangerous dog is defined in BMC 6.04.010(E). This prohibition shall not apply to any such dog temporarily housed at the place of a business of licensed veterinarian or any such dog designated dangerous in the City and property certified and in compliance with the requirements of keeping a dangerous dog on and before March 3, 2009."

Sandi Dickey moved to approve Ordinance 09-03,557, Amending Bingen Municipal Code 6.04, Dogs as amended. Laura Mann seconded the motion and it was unanimously passed.

Public Hearing – Proposed 2009 Budget Amendments

Jan Brending said the proposed amendments to the 2009 include adjusting beginning fund balances to actual balances and adding in any carry-over items from 2008, i.e. projects that had not been completed in 2008.

Laura Mann moved to approve Ordinance 09-04-558, Amending the 2009 Budget. Terry Trantow seconded the motion and it was unanimously passed.

Treasurer's Report – December 2008 and January 2009

Jan Brending presented the treasurer's reports for December 2008 and January 2009. She noted that she is watching key revenues in the Current Expense fund and noted that for the first two months of 2009 they are down approximately \$6,900 from 2008.

Laura Mann moved to accept the Treasurer's Reports for December 2008 and January 2009. Sandi Dickey seconded the motion and it was unanimously passed.

Old Business

Maple Street – Proposed Change Order

Jan Brending presented a proposed change order for the Maple Street project. She said the change order will allow a different size of light to be installed at the corner of Maple and Lakeview Blvd. Brending said the cost of the change order is \$4,164.84 which includes sales tax. She said the city will retain ownership of the extra light which will be stored at the public works shop.

Laura Mann moved to approve the change order for the Maple Street project in the amount of \$4,164.84. Terry Trantow seconded the motion and it was unanimously passed.

Water Rights Applications – Professional Services Contract to Amend Applications

Jan Brending said she is requesting authorization from the city council to enter into a professional services contract with Anderson Perry in the amount of \$500. She said Anderson Perry will prepare amended "Records of Examination" for the four applications the city has before the Klickitat County Conservancy Board. Brending said Anderson Perry will include the information from the report prepared by Aspect consulting regarding the connectivity of Bingen's wells to White Salmon's wells.

Terry Trantow moved to authorize the city to enter into a professional services contract with Anderson Perry in the amount of \$500 to amend the "Records of Examination" for the four water rights applications the city has before the Klickitat County Conservancy Board. Sandi Dickey seconded the motion and it was unanimously passed.

Mail Boxes within Rights-of-Way

Jan Brending said she has been informed by the Washington State Department of Transportation that regulation of mail boxes within the right-of-way of Highway 14 within the city limits is under the city's jurisdiction. She recommended that if the city does allow mail boxes within the right-of-way that they use WSDOT's requirements for mail boxes.

Tad Connors said the only information he could find dealt with liability issues.

The city council and staff discussed the issue and agreed not to pursue it unless it is brought up again.

Depot Street Lease

Jan Brending said Wilcox and Flegel would like to lease a portion of Depot Street for a drive-through espresso stand. She said she would like to know the city council's position on the issue. Brending noted the council recently voted not to lease property to another individual as the city does not want to become a landlord.

The city council discussed the difference in leasing property to the Gorge Museum for a community service versus leasing property for a private enterprise. There was consensus of the city council they did not want to lease portions of Depot Street as it is important to maintain the street and any potential parking areas and because the city does not want to be landlords.

Gorge Heritage Museum

Jan Brending said she has not received any questions from the Gorge Heritage Museum to pass on to CIDA. She said she has reviewed the plans submitted by CIDA. She said the plans include two alternatives for the exterior access and two alternatives for the access to the basement and bathroom remodel. Brending provided revised exterior drawings submitted by CIDA that show a cover on the back

access. She said she will continue to try to set up a meeting with the museum to discuss the plans. Brending said she would like to recommend the council accept the project as complete at a future council meeting in March or April.

Sewer Line Replacement – Public Works Board Technical Assistance

Jan Brending said the city has been selected for technical assistance from the Washington Public Works Board. She said she met with staff today and they will provide assistance in developing an action plan to amend the interlocal agreement with White Salmon and to develop a sewer plan. Brending asked the council for authorization to have the mayor sign a memorandum of understanding with the Public Works Board.

Terry Trantow moved to authorize the mayor to the sign the memorandum of understanding with the Public Works Board for technical assistance. Laura Mann seconded the motion and it was unanimously passed.

Mayor's Update and Council Comments

Block Parties

Laura Mann asked if the city had any requirements for block parties.

Jan Brending said the council had previously discussed setting up requirements for block parties but decided to address them on a case-by-case basis.

Laura Mann said she may be interested in holding a block party in the future.

Port Annexation

Laura Mann asked whether the city has considered annexing the port into the city.

Jan Brending and Brian Prigel said yes.

The city council and staff discussed the pros and cons regarding port annexation. It was noted that the port would continue to own the property and operate as a political subdivision. Brending said if the port were to be annexed the city would most likely establish a development agreement accepting the port's master plan. She said the port is currently zoned for industrial development.

The city council and staff discussed the concern that if Insitu cannot build a campus that the business might feel the need to move out of the area.

Jan Brending said she would like to try to arrange a meeting between city, county, port and governor representatives with representatives of Insitu and Boeing to discuss the issue. She said she has heard a lot of concerns at different levels about Insitu moving out of the area.

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 March 3, 2009. The council by unanimous vote does approve for payment the following list: checks 10976-10993 totaling \$62,3534.01. Current – \$55510.30; Street - \$1717.25; Water - \$1947.55; Sewer - \$164.59; Treatment Plant - \$3014.32.

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 March 3, 2009. The council by unanimous vote does approve for payment the following list: payroll checks 10962-10972 totaling \$18237.71. Current - \$7859.87; Street - \$1921.81; Water – \$2693.81; Sewer - \$712.13; Bingen Treatment Plant - \$5050.09.

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 March 3, 2009. The council by unanimous vote does approve for payment the following list: checks 10961, 10973-10975 totaling \$2302.70. Current – \$2257.90; Water - \$7.80; Sewer - \$37.00.

At 8:55 p.m. the city council adjourned.

City Clerk

Mayor