

BINGEN CITY COUNCIL MINUTES

January 5, 2010

The meeting was called to order by Mayor Betty Barnes at 7:00 p.m. Council members present: Clinton Bryan, Sandi Dickey, Laura Mann, Catherine Kiewit. City Administrator Jan Brending was present. City Attorney Tad Connors was present by telephone. Audience: Bruce Brending, Kabe Grant, David Spratt, Anthony Coulter, Jesse Burkhardt, Roy Barnes, Casey Wagner, Robert VanderKloot.

Oath of Office

Jan Brending swore in Betty Barnes as mayor of the City of Bingen.

Jan Brending swore in Clinton Bryan, Sandi Dickey, Laura Man, and Catherine Kiewit as council members of the City of Bingen.

Approval of Minutes – December 15, 2009

Changes to the minutes of the December 15, 2009 city council meeting were noted as follows:

Page 2, 3rd paragraph should read as follows: “Dana Scheffler said he feels that although the communities are different he feels they are more alike than they are different.”

Laura Mann moved to approve the minutes of the December 15, 2009 city council meetings as corrected. Clinton Bryan seconded the motion and it was unanimously passed.

Public Hearing – Variance Request 2009-001, Kabe and Roberta Grant

Betty Barnes opened the public hearing for the variance application submitted by Kabe and Roberta Grant who have requested a variance from the requirement that a nonconforming use cannot be enlarged or increased.

Betty Barnes asked if anyone objects to the mayor or city council members’ participation on the hearing. There were none.

Betty Barnes asked council members to place on the record any communications held with the proponent or any opponents.

Sandi Dickey said she spoke with Kabe Grant approximately 3 months ago when he called and asked her what he should do. Dickey said she told Grant that she was fairly new to the council and referred him to Betty Barnes.

Clinton Bryan said he also spoke briefly with Grant and then sent him to Betty Barnes.

Betty Barnes said she also spoke with Kabe Grant. She said he asked what his chances or odds were in getting a variance. Barnes said the entire council makes the decision on whether or not to grant a variance and that she was not sure how the members of the council would vote.

Jan Brending read five letters of support for the variance into the record: Sven Bergstrom, Bo VanderKloot, Emily Parlin, Sara Whitner, and Kathy Hanley.

Jan Brending reviewed the staff report. She said the applicant is requesting a variance that would allow an existing accessory structure that does not meet the minimum rear-yard requirement to be enlarged by 128 square feet.

Kabe Grant presented information to the council regarding his variance request. Grant said he is asking the council to use its power to grant the variance. He said the shed is for the most part complete and it would be a hardship on his family to remove the additional 128 square feet. Grant said the ordinance is not a law but a requirement in which the council can provide some flexibility.

David Spratt, Fire Chief – City of Bingen, testified that the main reason for setback requirements is for fire protection.

Casey Wagner testified that he is a neighbor and that the new shed is great improvement and the city council should allow the variance.

Robert VanderKloot testified that he is also a neighbor and wrote one of the letters submitted into the record. He testified that the addition to the shed would not change the setbacks.

Tad Connors, Attorney – City of Bingen, noted that an ordinance is a law of the City of Bingen. He said when the city sits in a quasi-judicial manner it is not setting policy. Connors said the council must look at the application and determine if there is something about the Grant property that would make the enlargement necessary. He said it is not the time for the council to determine whether or not the ordinance is good policy.

Betty Barnes closed the public hearing.

The city council deliberated.

The council voted unanimously to deny the variance request submitted by Kabe and Roberta Grant in that it does not meet the criteria for approval of a variance.

Catherine Kiewit asked if any of the variance fee is refundable. Jan Brending said no.

Jan Brending noted there is a need to address setback requirements for small accessory structures. She also recommended a simple application process whereby anyone doing any type of construction would be required to fill out a simple application to determine what type of permits may be needed for the project. Brending said review of proposed construction projects could prevent similar situations from occurring again in the future.

Appointment of Mayor Pro Tem

Sandi Dickey nominated Laura Mann as Mayor Pro Tem. Catherine Kiewit seconded the motion and it was unanimously passed.

Resolution 2010-002, Authorizing Signers on Financial Accounts

Jan Brending noted the city has an ordinance that authorizes the city's financial account signers as the mayor, mayor pro tem and the clerk. She said she is recommending that the deputy clerk be added in case the clerk is not available.

Betty Barnes said the ordinance should be updated to include the deputy clerk.

Catherine Kiewit moved to approve Resolution 2010-002, Authorizing Signers on Financial Accounts. Sandi Dickey seconded the motion and it was unanimously passed.

Resolution 2010-001, Recognizing Achievements of Brian Prigel

Laura Mann moved to approved Resolution 2010-001, Recognizing Achievements of Brian Prigel. Catherine Kiewit seconded the motion and it was unanimously passed.

Certificate of Appreciation – Chips Bar and Grill

Betty Barnes said that she had asked Jan Brending to develop a certificate of appreciation of Chips Bar and Grill for the work they do in keeping up the landscape bed in front of their business. There were no objections from the council to present the certificate to Chips Bar and Grill.

Council members asked that a certificate of appreciation also be developed for Beneventi's Pizza in support of all the work and funding the business provides to the community.

Discussion of Preliminary Goals for 2010

Council members provided a list of preliminary goals:

- Sign ordinance update
- Flower bed/downtown maintenance
- Zoning ordinance update – accessory structures and density
- Sewer and water agreements
- Water loss issue and water self-sufficiency
- Park maintenance
- Seeking grant funding
- Infrastructure planning (water, sewer, streets, etc.)
- Recognitions
- Block party policy
- Pedestrian connection between Bingen and White Salmon

- Bike lanes
- Web page update
- Streets

Betty Barnes said she has discussed with Jan Brending the idea of holding a “Budget 101” workshop to help council members better understand the city’s budget. The city council agreed to hold a special workshop on the 2nd Tuesday of February.

Betty Barnes said the council will prioritize the goals for 2010 at its next meeting.

Betty Barnes introduced Anthony Coulter a new council member for the City of White Salmon.

Old Business

Student Council Member

Betty Barnes provided an update to the city council on the search for a student council member from Columbia High School. She said she is asking for resumes from interested students who will then attend the next city council meeting to be interviewed by the city council. Barnes said that in speaking with the high school councilor that it seems appropriate for each term to be ½ of the school year. She said she proposes that the council choose 2 individuals. Barnes said the alternate will then replace the first student in the second half of the year.

It was agreed to develop a resolution establishing the student council position for the next council meeting.

Snow Removal/Right-of-Way Maintenance Ordinance(s)

The city council discussed whether to pursue a policy or ordinance addressing snow removal. The council agreed to have Jan Brending and David Spratt develop a policy and associated public information to be reviewed by Betty Barnes.

Jan Brending noted that a right-of-way maintenance ordinance could be addressed in late winter/early spring.

Reduction in Water Meter Size

Jan Brending said that with implementation of the new water rates there may be some property owners who will request a reduction in their meter size to save money. Brending said she has spoken with Mike Wellman and Dean Nygaard about how to determine the appropriated size meter for the current use of the property. She said the Uniform Building Code has a method that can be used to determine the appropriate meter size and that Dean Nygaard has agreed to review applications for a reduction in meter size. Brending said she recommends that where possible an orifice plate be used to reduce the flow of water at the meter instead of actually replacing the meter. In addition, if approved, the property owner will pay for the cost of installing the orifice plate or new meter.

Catherine Kiewit moved to approve the proposed process for reducing water meter size with an application fee of \$35.00. Laura Mann seconded the motion and it was unanimously passed.

Mayor’s Update and Council Comments

Bingen-White Salmon Police Department – Vehicle Purchase

Betty Barnes said the meeting minutes of the Joint Police Committee meeting included a discussion of the purchase of new vehicles for the police department.

Bruce Brending said the City of White Salmon is holding a hearing to gather public input on purchasing 4 vehicles through a 5-year lease/purchase program. Bruce Brending and council members discussed the need for purchasing new vehicles.

There was a consensus of the council to authorize the mayor to write a letter supporting the purchase of 4 vehicles through 5-year lease/purchase program.

Bruce Brending noted that Justice, the department’s K-9, has recently been used for narcotics purposes in both Bingen and White Salmon. Brending said he believes the dog will be a positive tool in the community.

Klickitat County CDBG Grant Application – Micro-Loan Funds

Jan Brending said Klickitat County is submitting a CDBG grant application for micro-loan funds to be used for small businesses in Klickitat County. She said the county would like a letter of support from the city.

There was a consensus of the council to authorize the mayor to sign a letter of support for Klickitat County's CDBG grant application for micro-loan funds.

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 January 5, 2010. The council by unanimous vote does approve for payment the following list: checks 11904-11913 totaling \$50759.29. Current - \$46834.54; Street - \$465.75; Water - \$1552.80; Sewer - \$1407.79; Treatment Plant - \$498.41.

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 January 5, 2010. The council by unanimous vote does approve for payment the following list: payroll checks 11870, 11873-11882 totaling \$11125.96. Current - \$4480.94; Street - \$1150.62; Water - \$1666.13; Sewer - \$440.68; Bingen Treatment Plant - \$3387.59.

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 January 5, 2010. The council by unanimous vote does approve for payment the following list: payroll checks 11914 totaling \$8154.90. Current - \$3706.84; Street - \$1078.84; Water - \$1172.94; Sewer - \$163.79; Bingen Treatment Plant - \$2032.499.

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 January 5, 2010. The council by unanimous vote does approve for payment the following list: checks 11871-11872, 11883-11899 totaling \$43685.69. Current - \$5711.49; Street - \$1794.51; Community Development - \$2429.99; Park Construction & Maintenance - \$20,000.00; Water - \$11612.19; Sewer - \$324.87; Treatment Plant - \$1812.64.

At 9:55 p.m. the city council adjourned.

City Clerk

Mayor