

# BINGEN CITY COUNCIL MINUTES

November 15, 2011

The meeting was called to order by Mayor Betty Barnes at 5:00 p.m. Council members present: Laura Mann, Sandi Dickey, Catherine Kiewit, Clinton Bryan. Council members absent: Maria Perez. City Administrator and City Attorney Tad Connors were present. Audience: Tony Domish, Ben Mitchell, John Newman, Clyde Knowles, Mark Peppel, David Presser.

## **Public Comment**

### ***Clyde Knowles, City of White Salmon***

Clyde Knowles provided a copy of an e-mail to city council members regarding Washington state statutes.

Catherine Kiewit asked what is the context in which the information is being provided.

Clyde Knowles said he is providing the Bingen council members information about the law.

## **Approval of Minutes – November 1, 2011**

Changes to the minutes of the November 1, 2011 regular council meeting were noted as follows:

Page 6, 6<sup>th</sup> paragraph, 1<sup>st</sup> sentence should read as follows: “Catherine Kiewit said she appreciated getting the e-mail from Domish about the search warrants and arrests.”

Laura Mann moved to approve the minutes of the November 1, 2011 regular council meeting as corrected. Catherine Kiewit seconded the motion and it was unanimously passed.

## **Public Hearing – 2012 Budget and Property Taxes**

Betty Barnes opened the public hearing on the 2012 budget and property taxes. No public comment was provided.

### ***2012 Law Enforcement Budget***

Sandi Dickey provided a review of the Joint Police Committee meeting. She said that the agenda only allowed a discussion of the 2012 law enforcement budget. Dickey said the committee talked about several options for reducing the budget including reducing the clerk to half-time and providing less than 24/7 coverage. She said White Salmon said it would take a couple of weeks to get the numbers together for a flat-rate proposal. Dickey said the committee also discussed holding a joint council meeting so that everyone could hear the information about any possible budget reductions and the flat-rate proposal together.

Betty Barnes said Bingen did receive some information regarding the costs associated with providing 20/7 coverage and reducing the clerk to half-time. She said that under the 2008 amended interlocal agreement, the City of Bingen needs to respond by Thanksgiving to the City of White Salmon regarding the proposed 2012 law enforcement budget. Barnes said she and Jan Brending have provided a list of concerns or issues that relate to the proposed 2012 budget.

Catherine Kiewit said there seems to be some discrepancy in information from White Salmon about whether fixed costs are 88% or 38% of the law enforcement budget.

Tony Domish said the 88% includes salaries and benefits. He said that \$2,500 is allocated for new uniforms and safety gear for a new hire in early 2012.

Catherine Kiewit said some of the concerns and issues seem too detailed to bring in front of the whole council. She said she feels slightly uncomfortable in picking apart the law enforcement budget.

Clinton Bryan said at the Joint Police Committee meeting, the committee specifically asked if there was any way to reduce the budget.

Laura Mann asked if members of the police committee are interested in reducing the budget.

Clinton Bryan said he does not believe White Salmon is interested in reducing the budget. He said White Salmon seems more interested in discussing a flat-rate.

Laura Mann said she is interested in determining how to get to January 1<sup>st</sup> with an approved budget. She noted that White Salmon intends to go out for a police levy in 2012.

Jan Brending said the levy would only pay for White Salmon's share of the law enforcement costs.

Catherine Kiewit said it is her understanding that the police chief does not patrol.

Tony Domish said that is correct.

Clinton Bryan said the police chief can patrol but only in very certain circumstances such as when no one else is available or if notice is less than 24 hours.

Tony Domish said a non-bargaining officer can not do bargaining officer work.

Betty Barnes said she objects to Bingen paying a portion of funds that are dedicated to an animal impound facility.

Tony Domish and the council discussed funds allocated for the purchase of firearms. Domish said it is his preference to have officers use department issued firearms. He said he does not know how many officers are using department issued firearms. Domish said he hopes to turn the shotguns into less than lethal weapons that would allow bean bags.

Laura Mann said she is trying to understand how the budget has been developed. She asked if the White Salmon city council supports the proposed budget.

Catherine Kiewit said White Salmon does not seem interested in reducing the budget or interested in reducing line items.

Sandi Dickey said there were things that were proposed for the Joint Police Committee meeting agenda that were not allowed to be discussed.

Betty Barnes said no one in White Salmon seems interested in talking about scheduling – that they would prefer to discuss a flat-rate.

Jan Brending provided a review of the memorandum regarding issues and concerns related to the proposed 2012 law enforcement budget. She noted that she believes the \$2,300 budgeted for equipment rental is for the copier in the police department office.

Tony Domish said that is correct.

Laura Mann said she does not have a problem in finding out the answers to the issues or concerns.

Sandi Dickey said she has the same concerns.

Betty Barnes said she would like to suggest to White Salmon that they take a closer look at the proposed reduction options submitted at the police committee meeting. She said she does not believe the proposed budget is sustainable into the future and that obviously both cities cannot afford 24/7 coverage any longer.

The city council discussed possible responses to White Salmon regarding the 2012 law enforcement budget.

Laura Manna asked if the Bingen council is comfortable with the level of the budget and can it be sustained.

Clinton Bryan said he would like to tell White Salmon that Bingen is looking for a solution for sustaining law enforcement services into the future and that Bingen would like to work with White Salmon.

Mark Peppel said White Salmon will be talking about the police budget tomorrow evening and believes it will be an open discussion.

John Newman said he applauds the Bingen council for paying attention to the budget. He said making decisions comes down to priorities and where to place dwindling resources in the future.

Catherine Kiewit moved to send a letter to White Salmon stating that the City of Bingen does not approve the proposed law enforcement budget; that it continues to have concerns and questions about the budget (include the list of concerns and issues); that Bingen is willing to work with White Salmon to come up with a more sustainable position for the law enforcement budget; and that Bingen would like to see a 5.3% reduction in overall costs, including overhead, attributed to law enforcement. Sandi Dickey seconded the motion and it was passed unanimously.

**Proposed Ordinance 2011-07-594, Determining the Amount to be Raised by Advalorem Taxes for the Year 2012**

Jan Brending reviewed the proposed ordinance and resolution regarding property taxes for 2012. She said the proposed 1% increase will provide an additional \$1,865.61 in property taxes in 2012.

Laura Mann moved to adopt Ordinance 2011-07-594, determining the amount to be raised by advalorem taxes for the year 2012. Catherine Kiewit seconded the motion and it was unanimously passed.

**Proposed Resolution 2011-005, Regarding Property Tax Increase**

Laura Mann moved to adopt Resolution 2011-005, regarding property tax increase. Sandi Dickey seconded the motion and it was unanimously passed.

**Proposed Ordinance 2011-06-593, Adopting Bingen Municipal 5.10 – Utility Taxes**

Jan Brending reviewed the proposed ordinance regarding utility taxes. She said the ordinance consolidates utility tax codes into one place. Brending said the taxes for electric, natural gas, cable, and telephone remains at 6%. She said the ordinance adds taxing water, sewer and garbage with water and garbage at 6% and sewer at 10%.

Laura Mann asked if the utility providers will be notified. She said there may be more than just two garbage haulers hauling garbage in Bingen.

Jan Brending said she will be sending a copy of the ordinance to the utility providers. She said she will check with the Washington Utilities and Transportation Commission regarding garbage haulers in Bingen.

Jan Brending noted that there needs to be a correction on page 1, section 1 – the codes will be repealed February 1, 2012 not January 31, 2012.

Laura Mann noted that there are several other corrections: page 7, section d should read “Adjustments made to a billing or to a customer account or a telecommunications company accrual account in order to reverse a billing or a charge that has been made as a result of third party fraud or other crime and was not properly a debt of a customer.” And page 11, section 5.10.100 change “director” to “administrator.”

Laura Mann moved to adopt Ordinance 2011-06-593, repealing Bingen Municipal code 5.08, 5.12, and 3.14 and adopting Bingen Municipal Code 5.10, utility taxes as corrected. Sandi Dickey seconded the motion and it was unanimously passed.

**Proposed Agreement – Washington Gorge Action Programs, Youth Center**

The city council discussed the proposed agreement with Washington Gorge Action Programs related to services provided by the youth center. It was noted that this is the agreement previously used.

Catherine Kiewit moved to accept the proposed agreement with Washington Gorge Action Programs for providing \$3,000 to the youth center in return for the performance of services to Bingen. Clinton Bryan seconded the motion and it was unanimously passed.

**Proposed Interlocal Agreement – City of White Salmon – Development of Joint Wastewater System Plan**

Jan Brending said the proposed interlocal agreement puts into writing that which the two cities have already agreed to related to the development of a joint wastewater system plan. She said after the interlocal agreement is signed Bingen will sign a professional services contract with Gray & Osborne.

Laura Mann moved to authorize signing the interlocal agreement with White Salmon for the development of a joint wastewater system plan. Clinton Bryan seconded the motion and it was unanimously passed.

**Proposed Interlocal Agreement – City of Goldendale – Animal Control**

Jan Brending said the proposed interlocal agreement extends the current contract for 3 years at the same rate of \$15,000 per year.

Sandi Dickey moved to authorize signing the interlocal agreement with the City of Goldendale for animal control services. Catherine Kiewit seconded the motion and it was passed unanimously.

**Attorney Services Contract Review – Connors & Lanz**

Betty Barnes said she has discussed the current contract with Tad Connors and that he is happy with the rates provided in the contract.

Jan Brending asked if the contract needed to be changed to identify “Connors & Lanz.”

Tad Connors said no.

The city council agreed to continue the contract.

**Treasurer’s Report – October 2011**

Laura Mann moved to accept the Treasurer’s Report for October 2011. Sandi Dickey seconded the motion and it was unanimously passed.

**Mayor’s Update and Council Comments**

***Christmas Lights***

Betty Barnes said that the Bingen-White Salmon Business Partners will be putting up lights on the street trees in Bingen. She said individuals who want to donate lights will bring them to city hall. Barnes said the city will not be spending money on the lights.

***1<sup>st</sup> Independent Bank***

Jan Brending reported that Sterling Bank has purchased 1<sup>st</sup> Independent Bank.

***Joint Council Meeting***

Betty Barnes said a tentative date for a joint council meeting to discuss the law enforcement budget and possibly a flat-fee contract has been identified for Tuesday, November 29. She asked the council if they are interested in attending a joint council meeting.

Catherine Kiewit said she is open to meeting with White Salmon however she has been disappointed with the agenda for joint meetings in the past and not being able to accomplish anything. She said having an agreed upon agenda and having answers prepared ahead of time is a condition.

Laura Mann said she is open to meeting and agrees with having a specific agenda.

There was a consensus of the city council to attend a joint council meeting on November 29<sup>th</sup>.

**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 November 15, 2011. The council by unanimous vote does approve for payment the following list: checks EFT, 14789-14816 totaling \$19782.68. Current –\$4898.70; Street - \$825.852; Park Construction & Maintenance - \$130.96; Water - \$10103.28; Sewer - \$377.37; Treatment Plant - \$1022.32; Water Construction & Maintenance - \$2424.20.

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 November 15, 2011. The council by unanimous vote does approve for payment the following list: payroll checks (11/15/2011) EFT, 14785-14788, totaling \$14073.43. Current – \$5972.78; Street - \$1727.93; Water - \$1744.55; Sewer - \$270.12; Treatment Plant - \$4358.05.

At 8:59 p.m. the city council adjourned.

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City Clerk

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Mayor