

CALL TO ORDER

Mayor Paul Helenberg called the November 14, 2016, regular meeting of the Castle Rock City Council to order at 7:31 pm., followed by the Pledge of Allegiance. The following councilmembers were present: Art Lee, Lee Kessler, Ellen Rose, and Earl Queen.

BUSINESS FROM THE FLOOR

Myron Nelson, President of Castle Rock Senior Center announced that their centerpiece entry at the annual United Way "Power of the Purse" meeting was voted as the best centerpiece. The theme was 'Out of This World'. Nelson stated that Barbara Haines and her husband created the centerpiece that featured a space ship made from pie tins and titled it 'Beam Me Up'. Barbara Haines displayed the winning centerpiece and award.

CITY COUNCIL APPOINTMENT

Councilmember Kessler made a motion, seconded by Queen to approve and appoint Paul Simonsen to fill City Council Position No. 4 vacancy. By roll call vote, unanimous 'Aye'.

Clerk-Treasurer Ryana Covington administered the Oath Of Office to Mr. Simonsen. Simonsen was seated and assumed duties of the position.

Mayor Helenberg stated that Simonsen will need to resign his position on the Castle Rock Civil Service Commission and the city will need to seek an eligible person for that commission appointment.

DEPARTMENT REPORTS

Deborah Johnson, Planner: distributed a draft document showing two options for amending the C-1 zoning to allow some light manufacturing. Mayor Helenberg requested that he would prefer the most direct option, because there have been at least three opportunities to site new businesses in the city; however current zoning restrictions have required them to look at options outside of the city. Johnson stated the mayor has requested this amendment take precedence over the work to amend the marijuana ordinance.

Public Works Director Dave Vorse reported Washington State Department of Natural Resources (DNR) will conduct a Public Hearing on November 16th at 6:00 p.m. in the Castle Rock Senior Center to take testimony on the proposed land swap between DNR and the city. He stated the issue may be ready for council review in December. Vorse noted this has been a twelve-year project.

Vorse also requested council approval for Brian Engkraf to travel to Sacramento, California to attend training on fluoridation. Vorse stated he was notified tonight that Mr. Engkraf has been awarded a scholarship sponsored by the Washington Dental Service Foundation, which will pay for a portion of the travel and hotel; the training is free. Training includes techniques, reporting requirements and new EPA rules. Councilmember Kessler made a motion, seconded by Rose, to approve travel to California for Brian Engkraf to attend training on fluoridation. By roll call vote; unanimous 'Aye'.

Mayor Helenberg - reported he spent three days working with department supervisors on the 2017 proposed budget. He stated the proposed budget is now balanced, with concessions made by all departments. He felt the budget was fair for all and he thanked department supervisors and Sergeant Neves for their work. The mayor stated a budget workshop will be held this week with city council to review the 2017 proposed budget.

Mayor Helenberg also reported that Councilmember Art Lee and Public Works Director Dave Vorse attended the AWC Legislative Meeting in Woodland on November 3rd. This meeting was well attended and also included the cities of Camas and Washougal. One major issue discussed was the lack of funding for the Public Works Trust Fund account by State legislators. The State has taken out over \$1.5 billion dollars and reallocated it to other needs. Those funds were initially intended to assist cities to fund infrastructure upgrades.

Councilmember Art Lee attended the Justice and Hope Award Ceremony. He congratulated Chief Heuer and other officers receiving awards during this event.

Budget Workshop meeting Mayor Helenberg asked the city clerk to schedule a budget workshop meeting on November 22nd at 4:30 p.m. to discuss and review the 2017 proposed budget. The meeting will be held in the Castle Rock Senior Center.

Nancy Chennault – CEDC Representative – reported NW Innovations completed their environmental presentation today. Cowlitz Economic Development Council (CEDC) is actively following this process.

Chennault also announced that CEDC will hold their annual Washington State Legislative Forum on November 16th from 5:30 p.m. to 7:30 p.m. at the Expo Center.

Festival of Lights committee is conducting a fundraiser to provide lighting for all of the hemlock trees. She noted there are now 44 hemlock trees and all contributions would be appreciated. The goal is to upgrade all Christmas tree lights to LEDs.

Small Shops Saturday will be held on November 26th. There will be over eighty places to shop in Castle Rock, including over 58 vendors. There will be two bazaars held on that day; located at the Exhibit Hall and Parkers Steakhouse. Jana Gann is the chairperson for this event.

CONSENT AGENDA

1. Councilmember Queen made a motion, seconded by Lee to approve the minutes of the October 24, 2016 city council meeting. By roll call vote; unanimous 'Aye'.
2. Covington noted that Councilmember Lee had reviewed October vouchers prior to this meeting; no issues were noted. Councilmember Queen made a motion, seconded by Rose to approve payment of October invoices in the amount of \$392,036.09 as described on the Fund Transaction Summary report and further described as check numbers 47604 through 47708 for general expenditures and check numbers 24852 through 24872 for payroll expenses, adjustment number EFT 470-10/16, EFT Payroll Draw 9/15/16 and EFT Payroll 9/30/16, NACHA Payroll Draw #1799755 and Payroll Month End NACHA Batch#1802706. By roll call vote; unanimous 'Aye'.

OLD BUSINESS

1. Councilmember Kessler made a motion, seconded by Queen to adopt Resolution No. 2016-08, a resolution to deem the 1979 GMC lift truck and 717 John Deere Commercial Mini-Frame mower as surplus property, on second reading. By roll call vote; unanimous 'Aye'.
2. Councilmembers reviewed the proposed amended contract with Humane Society of Cowlitz County to provide animal control services for fiscal year 2017. Councilmember Kessler made a motion to

approve the one-year contract without the patrol clause.

Discussion: Councilmember Lee asked if the city attorney has reviewed the contract. Attorney Frank Randolph stated he was not provided with the actual agreement to review. Mayor Helenberg stated all other provisions of the initial contract remain; with the exception of two amendments as outlined in the October 14th proposal letter. Councilmember Lee questioned the verbiage that allowed the Humane Society to reasonably exceed prices set in the master fee schedule to reflect changes in the industry. He felt this allowed the Humane Society too much of an 'open check'. In answer to Randolph's question, Helenberg stated this was only a one-year contract. Randolph felt it was unusual to have a contract that included provisions to increase fees. Mayor Helenberg agreed this clause should be stricken. Councilmember Kessler noted the proposed contract amendment provided for an 'either' 'or' clause. The city could agree to allow the Humane Society to set all impound and boarding fees – or- allow them to reasonably exceed prices set in the master fee schedule as needed to reflect changes in the industry. Kessler stated he would like to amend his motion to include the verbiage to allow the Humane Society to set all impound and boarding fees. He does not support approving their ability to reasonably exceed prices. Mr. Randolph questioned their timing for setting impound and boarding fees and suggested these should be set by January 1st for the ensuing year. Kessler stated during negotiations with the Humane Society, they indicated a desire to obtain contract consistency for all of their contracted cities. Randolph stated of the two choices; the city would be in better position to agree to allowing impound and boarding fees to be set by the Humane Society; but suggested the contract require those fees to be established by the Humane Society at the beginning of each fiscal year.

Mayor Helenberg requested the city attorney contact the Humane Society to discuss the city's concerns and to prepare a counter-proposal for council consideration.

Councilmember Kessler's motion died due to lack of a second.

3. Councilmember Queen made a motion, seconded by Lee to adopt Ordinance No. 2016-08, an ordinance fixing the estimated amount to be raised by Ad Valorem taxes for the 2017 fiscal year budget in accordance with 84.55.120 RCW, on second reading. By roll call vote, unanimous 'Aye'.
4. Councilmember Queen made a motion, seconded by Lee to adopt Ordinance No. 2016-09, an ordinance adopting an updated Shoreline Master Program; amending portions of Chapters 18.08 and 18.10 of the Municipal Code; and repealing Ordinances 400 and 2016-02 and Chapter 18.12 of the Castle Rock Municipal Code, on second reading. By roll call vote; unanimous 'Aye'.
5. Councilmember Queen made a motion, seconded by Lee to adopt Ordinance No. 2016-10, an ordinance reducing the speed limit to 35 miles per hour within the City limits of State Route 411, between mileposts 12.01 and 11.86, on second reading. By roll call vote; unanimous 'Aye'.

NEW BUSINESS

1. Councilmembers reviewed proposed Ordinance No. 2016-11, which would provide for a non-exclusive telecommunication franchise with Astound Broadband LLC. Clerk-Treasurer Ryana Covington advised that Cascade Networks contacted her last Friday and provided notification that they have sold to Astound Broadband, effective November 30th. Cascade Networks provided this proposed ordinance to the city and requested council adoption to allow the new owners to obtain the franchise required by the city. Covington stated she has provided a copy of this proposal to the city attorney and public works director for their review. City Attorney Frank Randolph stated he has

not had the opportunity to compare this proposal with the existing franchise agreement for Cascade Networks. City Council tabled further discussion until the city attorney and public works director can review and make recommendation for adoption.

2. Councilmember Queen made a motion, seconded by Lee to approve Resolution No. 2016-09, a resolution approving the Interlocal Agreement with the Association of Washington Cities (AWC) Risk Management Service Agency and its Members, on first reading. By roll call vote; unanimous 'Aye'.
3. Councilmember Queen made a motion, seconded by Lee to approve Resolution No. 2016-10, a resolution authorizing submitting application for grant funding assistance to Recreation and Conservation Funding Board from the Boating Facilities Program (BFP) as provided in Chapter 79A.25 RCW, WAC 286, on first reading. By roll call vote; unanimous 'Aye'.
4. Vorse stated the city has received a request from North County Recreation to approve retrofit of the trail lights as part of the city's retrofit rebate program with Cowlitz Public Utilities (PUD). The city is currently participating in a retrofit rebate program offered by the PUD. PUD is paying the city to change out the trail lights to LED. Some of the trail lights are on North County Recreation property. If council approves, the city will upgrade the 17 lights on North County property; which will allow all of the lights to be completed at the same time. Vorse stated there will be no cost to the city. Councilmember Lee asked if the timers will be fixed at the same time. Vorse stated this will also be done. Councilmember Queen made a motion, seconded by Rose to allow the city to retrofit the North County trail lights as part of the city's PUD rebate project. By roll call vote, unanimous 'Aye'.

OTHER BUSINESS

Councilmember Simonsen asked how the city estimates costs for chip seal projects. Vorse stated the cost is based on Cowlitz County rates and the square footage of the streets. Vorse stated the estimate includes a 2% inflation factor for future planned projects. Simonsen suggested it might be less expensive if the city purchases the rock for those projects and only bids for the paving. Vorse stated Cowlitz County does all of the bidding for road project at one time and the city accepts the bid that the county has awarded. Vorse offered to review the adopted Street Maintenance Plan with Mr. Simonsen.

Simonsen also questioned if he could have an opportunity to meet with the engineer working on the hydrology study at the boat launch. He stated that several years ago, barbs were placed in the river to deflect the current. Behind the barb would create a place for the sediment to gather. Vorse stated that Option 8 included a barb; however the Corps of Engineers will not allow barbs or rock riprap because it was too big of an imprint on the river. The city then looked at using pilings; which changed the cost estimate from \$50,000 to \$500,000 for the project. Vorse described the theory used by the hydrologist; that seeks a medium between slowing the flow and reducing sediment. Mayor Helenberg explained the agencies involved in the permitting process. Vorse stated that options 7 and 8 are open for modification. He has already submitted a grant proposal to Recreation Conservation using Option 7; however the grant cycle allows for modification of the design if needed. City Engineer Tom Gower stated the hydraulic engineer has already modified the original design to allow for velocity to reduce sediment accumulation at the launch. Vorse explained to Councilmember Simonsen how the boat launch site was selected and the State and Federal agencies involved in that decision. Mayor Helenberg stated the city also needs to be concerned over protection of private property.

Councilmember Lee asked if the city has obtained the permit to clean up debris at the launch. Vorse stated he has already submitted a permit to allow the city to repair the damaged piling. A second

permit application is ready to be submitted for approval of the Boat Launch Maintenance Plan. Mayor Helenberg added the city has a temporary permit to work at the launch; which will expire March 2017. Vorse stated the temporary permit will allow the city to remove sediment accumulation, if needed. But it does not allow the city to enter the river for silt removal. It does allow the city to remove tree and root wads; and the city is currently working to remove a root wad at the launch.

In answer to Councilmember Simonsen's question; Vorse stated Option 8 did include barbs, however instead of riprap, the design used pilings. The Corps of Engineers will not allow rock riprap, even though fisheries support that option because it develops salmon habitat.

ADJOURNMENT

There being no further business, Mayor Helenberg adjourned the meeting at 8:42 p.m.

Paul Helenberg, Mayor

Ryana Covington, Clerk-Treasurer