

CALL TO ORDER

Mayor Paul Helenberg called the December 11, 2017, regular meeting of the Castle Rock City Council to order at 7:30 pm., followed by the Pledge of Allegiance. The following councilmembers were present: Art Lee, Lee Kessler, Earl Queen, Paul Simonsen and Ellen Rose.

Also present: Public Works Director Dave Vorse, Acting Chief Scott Neves, Clerk-Treasurer Ryana Covington, Librarian Vicki Selander, City Attorney Frank Randolph

BUSINESS FROM THE FLOOR -

Eric Daniels, Boy Scouts Troupe 313 request council permission to use city property for the May 12, 2018 Sand and Misery Run. Daniels also is notifying the city of their intent to sell fireworks in 2018.

Mayor Helenberg reminded them to make sure to complete the paperwork and provide liability insurance coverage for both of those events.

Councilmember Queen made a motion, seconded by Kessler to allow the Boy Scouts to use city property for the May 12, 2018 Sand and Misery Run. By roll call vote, unanimous 'Aye'.

DEPARTMENT REPORTS

Acting Police Chief Scott Neves -

-reported that twenty students from Castle Rock and Toutle area took part in the annual Shop With A Cop.

- invited councilmembers to participate in the annual December 15<sup>th</sup> 'Dodge The Cops' dodge ball game at the Middle School. The game will be held from 5:30 p.m. to 7:30 p.m.

- working with the Sheriffs Office, CARE Coalition and Pathways 2020 to host a Town Hall meeting regarding the opioid epidemic in Cowlitz County. The first Town Hall meeting is scheduled for January 18<sup>th</sup> at the Lutheran Church.

- on December 21<sup>st</sup>, Neves will be assisting the Lions Club with their annual toy giveaway held in conjunction with the Food Bank.

Mayor Helenberg stated he spoke with Sheriff Nelson regarding replacement of police radios. Neves stated the county is changing to a digital format. In 2019 all radios across the county will need to be changed to meet federal P-25 universal radio compliancy in the digital spectrum. Cowlitz County Sheriff's office intents to apply for a federal grant, which the city could participate in.

Public Works Director Dave Vorse –

- announced that Cowlitz County Commissioners voted to approve amendments to the Urban Growth Boundary agreement.

City Planner Gregg Dohrn -

- reported on the status to amend the city's regulations on marijuana. Last September, city council took action to extend the moratorium for a period of six months. The Planning Commission will meet on Wednesday to finalize their recommendations for amending the city's regulations on marijuana. In January, the Planning Commission will hold a Public Hearing to receive testimony on their formal final draft recommendations and will forward all public comments and their final recommendations to City Council for action. City Council has the option to approve, amend or reject the Planning commission recommendations and they should have four to six weeks for review. Dohrn stated if City Council is not

able to complete this process prior to the March deadline, they still have the option to extend the moratorium an additional six months. He cautioned that extension of a moratorium is allowed as long as there is a good faith effort to amend the proposed regulations. A moratorium is not intended to be a de facto way to prohibit something without taking action on it. Every time a moratorium is extended, increases the chances of someone taking court action against the city.

Covington cautioned that City Council would need to be ready to take formal action on the Planning Commission's formal recommendations and proposed Ordinance at the February 12, 2018 regular city council meeting. Enactment of an ordinance requires two readings. The ordinance then is effective five days after publication. This would need to be completed in February prior to expiration of the existing moratorium in March.

Dohrn stated the Planning Commission may be amending their recommendation based on the joint meeting with city council held earlier this year. He stated that marijuana regulations must address four different aspects of the State licensed business: production (growing), processing (extraction, baking), retail sales and personal use (Collectives). Of the four aspects, Collectives are the most controversial and can create enforcement issues for the local entity. According to State law, the city can prohibit any or all of these, but must have a solid basis for their decision. Dohrn stated the Planning Commission will also be evaluating what zones, if any, would be appropriate for State licensed marijuana business operations. City Council will receive a copy of the public hearing comments, the Planning Commission's final recommendations, including public comments and have the ability to ask questions of legal counsel or the city planner prior to their February meeting. Dohrn stated city council also will be provided with minutes from the Planning Commission discussion.

Randolph stated he supports the process proposed by Mr. Dohrn, with information being disseminated to city council well before their February council meeting.

Clerk-Treasurer Ryana Covington –

- provided the November Cash Balance Report. She noted that an overage within the Street Fund. This overage was the result of grant funding that paid for new streets signs, but did not cover costs for the posts. A budgetary amendment will be requested to resolve this issue by increasing the TBD contribution for this project.

Council And Ad Hoc Committees –

Mayor Paul Helenberg -

- announced he will be hosting a Christmas barbecue at the City Shop building on December 13<sup>th</sup> at noon. He invited councilmembers to join city personnel.  
- December 9<sup>th</sup> was the Festival of Lights. An estimated 3,000 people attended the event. The mayor thanked city personnel and volunteers for their hard work in planning this successful event.

Councilmember Ellen Rose -

- announced that the Lodging Tax Advisory Committee has approved \$7,000 to be awarded to the Festival of Lights Committee for the 2018 event.

#### CONSENT AGENDA

1. Mayor Helenberg tabled review and approval of the November 27, 2017 city council minutes until the next meeting.

2. Councilmember Lee reviewed November payment vouchers prior to this meeting. He did not note any discrepancies. Councilmember Rose made a motion, seconded by Queen to approve November invoices in the amount of \$444,393.13 as described on the Fund Transaction Summary Report and further described as adjustment number EFT 557-11/17 and check numbers 48839 through 48915 for general expenditures and adjustment number EFT Payroll Draw 11/15/17, NACHA Draw Pay Batch#1872122, EFT Payroll 11/30/17, NACHA August Pay Batch# 1874507 and check numbers 25138 through 25154 for payroll expenditures. By roll call vote, unanimous 'Aye'.

#### PUBLIC HEARING –

Mayor Helenberg closed the regular session and opened the Public Hearing at 7:45 p.m., to take testimony on the proposed budget for fiscal year ending December 31, 2018 and Capital Facilities Plan, including a proposed 4% increase to water and sewer rates and a 5% increase in utility tax rate for water, sewer and stormwater business operations. Covington noted the proposed budget total is \$8,616,899. Documents available for public review include: Estimated Revenue Report for 2018, Estimated Expenditure Report for 2018, Capital Facility Plan and Mayor's Budget Message dated December 11, 2017 outlining proposed revenue sources, budget cost impacts and capital projects. There being no comment offered, Mayor Helenberg closed the Public Hearing at 7:57 p.m. and resumed the regular council meeting.

#### OLD BUSINESS -

1. Councilmember Queen made a motion, seconded by Kessler to adopt Ordinance No. 2017-06, an ordinance amending Ordinance No. 2015-10 increasing the compensation for mayor and city councilmembers, on second reading. By roll call vote, unanimous 'Aye'.
2. Councilmember Kessler made a motion, seconded by Queen to approve Ordinance No. 2017-04, an ordinance amending Castle Rock Municipal Code, Section 6.06.120 'Dog and Cat Registration Fees', on second reading. By roll call vote, unanimous 'Aye'.

Mayor Helenberg announce that he has received the new contract from Humane Society of Cowlitz County for provision of 2018 animal control services. The rate is \$8850/year.

3. Councilmember Queen made a motion, seconded by Kessler to approve Ordinance No. 2017-07, an ordinance renaming the Exhibit Hall Fund to the Visitor Center Fund, on second reading. By roll call vote, unanimous 'Aye'.

#### NEW BUSINESS

1. Councilmember Kessler made a motion, seconded by Queen to approve renewal of the contract with Burchett Law Offices for indigent defense services. There are not changes to the contract cost. By roll call vote, unanimous 'Aye'
2. Councilmembers reviewed the proposed Capital Facility Plan update. Acting Police Chief Neves stated Table 8 needs to be amended to correct the projected year for that project. Vorse stated all phases need to be shifted by one year. Councilmember Kessler made a motion, seconded by Rose to approve the Capital Facility Plan, including noted amendments. By roll call vote, unanimous 'Aye'.
3. Councilmember Kessler made a motion, seconded by Rose to approve Ordinance No. 2017-08, an ordinance amending Fund 621 Amy Thompson Library Fund to allocate the residual fund balance to Fund 130 Library Fund, on first reading. Mayor Helenberg noted the balance is \$ .12. By roll call

vote, unanimous 'Aye'.

4. Councilmember Kessler made a motion, seconded by Rose to approve Ordinance No. 2017-09, an ordinance to repeal Fund 110 Arterial Street Fund and Fund 621 Amy Thompson Library Fund as obsolete, on first reading. By roll call vote, unanimous 'Aye'.
5. Councilmember Rose made a motion, seconded by Lee to approve Ordinance No. 2017-10, an ordinance amending several funds relating to allocations for the current 2017 fiscal year, on first reading. By roll call vote, unanimous 'Aye'.
6. Councilmember Kessler made a motion, seconded by Rose to approve Ordinance No. 2017-11, an ordinance amending Castle Rock Municipal Code Chapter 5.50 Water Business Tax, Section 5.50.020 Imposed to increase the tax from 10% to 15%, on first reading. By roll call vote, unanimous 'Aye'.
7. Councilmember Kessler made a motion, seconded by Rose to approve Ordinance No. 2017-12, an ordinance amending Castle Rock Municipal Code Chapter 5.54 Sanitary Sewer Service Business Tax, Section 5.54.020 Imposed to increase the tax from 10% to 15%, on first reading. By roll call vote, unanimous 'Aye'.
8. Councilmember Kessler made a motion, seconded by Rose to approve Ordinance No 2017-13, an ordinance amending Castle Rock Municipal Code Chapter 5.56 Stormwater Utility Service Business Tax, Section 5.56.020 Imposed to increase the tax from 10% to 15%, on first reading. By roll call vote, unanimous 'Aye'.
9. Councilmember Queen made a motion, seconded by Rose to approve Resolution No. 2017-08, a resolution amending utility rates for water and sewer service, on first reading. By roll call vote, unanimous 'Aye'.
10. Councilmember Queen made a motion, seconded by Rose to approve Ordinance No. 2017-14, an ordinance adopting the budget for fiscal year ending December 31, 2018, on first reading. By roll call vote, unanimous 'Aye'.
11. Councilmember Queen made a motion, seconded by Rose to approve Ordinance No. TBD-2017-01, an ordinance adopting the budget for fiscal year ending December 31, 2018 for the Castle Rock City Transportation Benefit District, on first reading. By roll call vote, unanimous 'Aye'.
12. Councilmembers reviewed a leak adjustment request submitted by L.G. Properties, Mt. St Helens Way NE in the amount of \$3,116.96 for September and October billing periods. Public Works Director Vorse stated this line serves four businesses and one residential unit within the complex. An exterior water supply line broke and pictures of the pipe were provided for council review. Vorse stated this is a one-inch line and the line has now been repaired. Councilmember Kessler made a motion, seconded by Lee to approve the adjustment requested by L.G. Properties in the amount of \$3,116.96 for the months of September and October billing periods due to a leak. By roll call vote, unanimous 'Aye'.

#### ADJOURNMENT

There being no further business, Mayor Helenberg adjourned the meeting at 8:15 p.m.

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Paul Helenberg, Mayor

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Ryana Covington, Clerk-Treasurer