

CALL TO ORDER

Mayor Paul Helenberg called the February 12, 2018, regular meeting of the Castle Rock City Council to order at 7:04 p.m., followed by the Pledge of Allegiance. The following councilmembers were present: Art Lee, Lee Kessler, Earl Queen, Paul Simonsen and Ellen Rose.

Also present: Librarian Vicki Selander, Chief Scott Neves, City Attorney Frank Randolph, Public Works Director Dave Vorse, and Deputy Clerk II Carie Cuttonaro.

OATH OF OFFICE

Mayor Helenberg commended Sergeant Neves for the example he sets for others, his compassion, and his community involvement. Mayor Helenberg stated Sergeant Neves has tackled many projects over the years for the City, is an asset to our community, and is very well respected. In 2011, the Castle Rock Police Department received an Exemplary Collaborative Award from the Washington Department of Health's Division of Behavioral Health and Recovery for its work on substance abuse prevention.

Sergeant Neves has also received many awards from the Castle Rock Police Department, including two for saving lives. Chief Neves has also served 25 years with Cowlitz 2 Fire and Rescue and remains a Fire Commissioner since 2012. He spends time with the Castle Rock Cub Scouts Pack 313 and serves as a board member to the Castle Rock CARE Coalition.

Castle Rock School District Superintendent Jim Mabbott stated Sergeant Neves has a relationship with staff at the schools that could not be better and will do anything for the kids of Castle Rock. Mabbott thanked and congratulated Sergeant Neves.

Sergeant Neves thanked Mayor Helenberg for giving him this opportunity and is extremely humbled by the trust that is being placed in him to run the department. Neves said, "It is truly an honor for me." Neves also thanked his wife and family for their constant love and support. He then thanked all of the men and women of the Cowlitz County emergency services, all of his brothers and sisters on the fire side. He thanked many for their leadership and words of wisdom. He also thanked the men and women of the Castle Rock Police Department; it has been a joy and an honor to work with some of the best people he has ever worked with and he is looking forward to adventures to come. He then thanked Chief Bob Heuer. Neves stated Heuer was a friend and mentor through most of his law enforcement career. Neves stated without Heuer's support and mentorship, he would not be the next Chief.

Mayor Helenberg proceeded with the swearing in for Sergeant Scott Neves as Police Chief. Chief Neves was congratulated by all.

The meeting was suspended at 7:16 p.m. for refreshments.

Mayor Helenberg reconvened the regular session at 7:42 p.m.

BUSINESS FROM THE FLOOR

Several citizens came to speak about the Humane Society of Cowlitz County. This is scheduled later in the agenda under New Business; #3. They were invited to speak at that time.

DEPARTMENT REPORTS

City Attorney Frank Randolph

-Indigent Defense Attorney statistics seem to be good.

Police Chief Scott Neves –

-Town Hall (part 2 of 3) was well attended. Part 3 is March 15, 2018 at 5:30 p.m. Light dinner will be provided.

-Received \$3,000 from the Traffic Safety Commission for a speed feedback sign. Will work with Public Works to put together a trailer to leave the sign out for extended periods of time. Sign will use solar power from existing system.

Public Works Director Dave Vorse –

-Annual Cowlitz Economic Development Council meeting scheduled for February 20, 2018.

-Received a four-year permit to remove silt at the boat launch that accumulates above water's edge. This will allow us to get both lanes operable. Still working on a ten-year permit that would allow removal of sand below the surface of the water.

City Planner Gregg Dohrn –

-In Dohrn's absence, Mayor Helenberg noted the proposed amendments to CRMC Title 17 Zoning includes the new matrix, and Ordinance 2018-02 which is included in New Business; #1.

Mayor Helenberg stated Clerk-Treasurer Ryana Covington is recovering well from her surgery and was in attendance during Chief Neves' swearing in. Covington will have upcoming treatments for 12 weeks beginning in April.

Council and Ad Hoc Committees

Mayor Helenberg –

-Annual meeting for Cowlitz Economic Development Council is coming up February 20, 2018. Good one to go to.

- Town Hall (part 2 of 3) was well worth the two hours. Helenberg thanked Castle Rock Police Department and Chief Neves for their participation in the event. There was a lot of valuable information shared.

Councilmember Paul Simonsen –

-Councilmembers Rose and Simonsen, and Public Works Director Dave Vorse met with Cowlitz County's Chief of Staff Axel Swanson about the Visitor Center Task Force recommendations from January 22, 2018 council meeting. Vorse stated they discussed several different funding options and Swanson is going to research if any of those options could work.

Nancy Chennault, Castle Rock Community Development Alliance (CRCDA) –

-2018 Annual Meeting for the CRCDA will be Monday, March 5<sup>th</sup> at 6:30 p.m., doors open at 6:00 p.m., in the Castle Rock Women's Club located at 206 Cowlitz St. W; past year review, meet new business owners, preview 2018 CRCDA programs, and community updates. Refreshments will be served.

CONSENT AGENDA

1. Councilmember Kessler made a motion, seconded by Rose to approve the minutes to the January 22, 2018 Regular Council Meeting Minutes. By roll call vote, unanimous 'Aye'.

2. Councilmember Lee reviewed January 2018 invoices received January 1<sup>st</sup> – January 31<sup>st</sup>, 2018, prior to the meeting. He did not note any discrepancies. Councilmember Lee made a motion, seconded by Kessler to approve January invoices in the amount of \$494,173.71 as described on the Fund Transaction Summary Report and further described as adjustment EFT 570-1/2018 and check numbers 49008 through 49092 for general expenditures; and adjustment numbers EFT Payroll Draw 1/15/18, NACHA Draw Batch #1884228, EFT Payroll 1/31/18, NACHA January Pay Batch #1886996; and check numbers 25172 through 25199 for payroll expenditures. By roll call vote, unanimous 'Aye'.

#### OLD BUSINESS

1. Mayor Helenberg tabled action on approval of Police Collective Bargaining Agreement until the next regular meeting.
2. Councilmember Kessler made a motion, seconded by Queen to approve Clerical and Public Works Collective Bargaining Memorandum of Understanding regarding medical insurance coverage changes. Tabled from Jan 22, 2018 meeting. By roll call vote, unanimous 'Aye'.
3. Councilmember Queen made a motion, seconded by Kessler to approve Resolution No. 2018-03, a resolution supporting the submission of an application for the creation of the Cowlitz-Wahkiakum Economic Development District, on second reading. By roll call vote, unanimous 'Aye'.
4. Mayor Helenberg tabled action on adoption of amended 2018 Salary Schedule. This item will be amended following the approval of Police Collective Bargaining Agreement.

#### NEW BUSINESS

1. Councilmember Lee requested clarification regarding non-permitted uses in residential areas. For example, Auto Repair, is the restriction strictly on businesses? Planning Commission Chairperson, Jana Gann clarified that it is intended for businesses only, not hobbyists.

Councilmember Kessler noted that the number of people with input on the cannabis/marijuana issue has decreased greatly, though he does have a few people speaking to him individually with strong opinions in both directions regarding the matter; but are not coming to the public meetings. Mayor Helenberg agreed and stated the Planning Commission did a good job selecting the zoning areas they are proposing. City Attorney Frank Randolph stated that there has been many discussions since July with good dialogue back and forth between the Council and the Planning Commission.

Councilmember Kessler stated that when the State Initiative came up, the majority of Castle Rock voters had voted against the initiative, but as of late, no one has been coming to the meetings. Gann informed the Council that no one had come to the public hearing.

Councilmember Rose inquired as to how much tax money from sales the City would receive. Mayor Helenberg informed that none of it would. Gann clarified that the City would receive the standard local sales tax.

Councilmember Kessler is concerned that it could cost the City more to oversee and administer than it would see in tax revenue, creating a net loss in the budget for the taxpayers. Chief Neves stated that West Side Highway has seen some calls, but not a huge increase. How much the State returns back to the cities is nowhere near what they return in alcohol sales. Our agency continues to

participate in compliance checks for alcohol because of that. He stated he does not know of any other agencies who do compliance checks in retail outlets for marijuana sales.

Councilmember Kessler asked who handles the permitting. Chief Neves stated it is the Liquor and Cannabis Board for the State.

Councilmember Kessler requested clarification on the level of legality. Chief Neves confirmed that it is currently illegal federally. Councilmember Rose questioned approving an ordinance that is against federal law. Kessler shares her concern.

Mayor Helenberg noted that due to time constraints, a special meeting would have to be held for a moratorium extension if this ordinance does not pass on second reading during Feb 26, 2018 Council Meeting.

Councilmember Lee made a motion, seconded by Queen to approve Ordinance No. 2018-02, an ordinance rescinding and re-adopting CRMC Title 17 Zoning, on first reading. By roll call vote, Councilmembers Kessler and Rose voted 'Nay', Councilmembers Lee, Queen and Simonsen voted 'Aye'.

2. Mayor Helenberg began discussion for staff evaluation of existing land use code fees. Currently, expenditures exceed the fees collected. Consensus for staff to evaluate.
3. Mayor Helenberg opened the floor for discussion on the Humane Society of Cowlitz County (Humane Society). Several members of the public came to share their concerns and views.

Tonya Hogg, Independence Court, Longview, stated that the Humane Society has closed their meetings to the public, and this has forced those with concerns to attend local city council meetings to have a voice. Hogg stated there have been animals in stray holding for extended periods of time. She stated the Humane Society does not make an effort to find the owner. She also stated that there has been a lot of cases where a pet owner has contacted the Humane Society looking for their lost pet (at times contacted daily), only to find two months later they see their pet is posted for adoption online, and by the time they get there, they find out their pet has been adopted out or even euthanized. Hogg explained that the Humane Society blames this on "breed discrepancy", whereas when an owner calls in and describes their pet, the records may indicate a different breed. She stated there is no effort to get up and go look at the animals with a picture for comparison and that most shelters post when a stray animal has been brought in, in an effort to find their owner. Hogg stated that the Humane Society keeps their stray holding "locked down like Fort Knox".

Leah Brown, Sheldon Lane, Rochester, stated she is the co-founder of a non-profit animal rescue that primarily supports Pierce County, but has done work with Cowlitz County for 4-5 years. Brown stated several volunteers have reached out to her organization and asked for help to take several animals out of the Humane Society. Concerns are: too many animals in the shelter, animals are not getting adopted out, and the animals have not been taken outside for weeks and use their live-in concrete kennels as their bathroom. The stray area is closed off and the animals are very isolated. One particular animal has developed social issues after having been left in stray hold for three months.

Mayor Helenberg questioned if the policies are by the Humane Society of Cowlitz County, and not the directors themselves.

Leah Brown responded to Mayor Helenberg's question stating that the same problems have existed through different directors.

Candy Katon, Tower Rd, Castle Rock, requests for the benefit of all animals well-being, that the City please help find answers to all the questions and concerns. Katon asked why the Humane Society is not in top-notch shape with all of the funding sources they receive. She is also asking the City to request a non-voting participant be placed on the Humane Society board, as part of our contract.

Ken Spring, Longview, shares the same concerns and is volunteering his own resources and time to help, reporting back to City Council.

Mayor Helenberg stated the Council has already entered into a contract with the Humane Society for 2018. Helenberg agrees it would be a good idea for the county and all cities to have a person on the Humane Society Board. Helenberg asked how they elect their board members. Tonya Hogg responded by stating that they elect their own seats with friends, or those who donate larger amounts to the Humane Society, but the elected who are based on donations are asked to step down if their donations decrease.

Councilmember Kessler asked of those who have seen the instances mentioned, have those instances been reported to law enforcement. Hogg responded with yes and no, that in one instance where law enforcement has received a report and responded, they would see the same animals in the same crates the next day, but there were two or three empty kennels, allowing them to talk their way out of getting into trouble. She also stated they have written letters to the Humane Society board. Kessler asked if the board had responded. Hogg replied the board had given the a letter to the director at the time and that they were called into a conference meeting and told the Humane Society would shut down the volunteer program if they ever tried something like that again, and that Hogg herself was restricted from volunteering again.

Councilmember Kessler stated that he and Mayor Helenberg had worked quite a bit with the Humane Society over the last several years on contract issues and though we are not investigators, some of the things that are being described are concerning.

Rebecca Rodriguez, La Center, a professional animal advocate for One Animal World. Rodriguez stated the Humane Society is within a couple hours in either direction from some of the most successful non-profit organizations in the country. She stated there is a saturation of animal professionals in the region, many of which have offered assistance. Rodriguez believes these issues come down to leadership. She states if these concerns are false, then it is the responsibility of the Humane Society to become transparent and prove these accusations to be false, but if they are accurate, to do what it takes to change, especially when receiving taxpayer dollars. Rodriguez commented on the fact the registration status with the Corporations and Charities Division of the Secretary of State has been closed involuntarily, because they failed to file a simple document and that was an oversight that should not have taken place.

Councilmember Kessler stated that the contract amount is based on the prior year's statistics and is an annual contract with a six month cancellation clause.

Mayor Helenberg stated the Humane Society wanted to increase the amount in the contract, but the statistics they were basing that on was the entire 98611 area, not just within city limits. The contract was negotiated based on city limits only.

Rebecca Rodriguez asked if the County's ordinances apply to the cities within Cowlitz County. Councilmember Kessler clarified that the County has their own contract which is modified to lesser services than the City. Kessler also stated that the City of Kalama does not currently have a contract with the Humane Society. Mayor Helenberg noted that the City of Kalama is looking for other options.

Councilmember Kessler stated the Humane Society is the only show in town, though this does not lessen any concerns.

Rebecca Rodriguez is offering to do an operation assessment at no charge, at the Humane Society.

Mayor Helenberg thanked everyone for their offers and is asking everyone to keep Council informed and that Council will do research as well.

Jim McCoy, Willow Grove, Longview, stated animals cannot take care of themselves. His main concern is the Humane Society is not accountable to anyone, and questions where the money they receive is going. McCoy requests everyone put pressure on the Humane Society's board.

4. Mayor Helenberg opened discussion for a quote from Mad Bird Design for a new website for the Visitor Center. Councilmember Kessler asked if this was a budgeted item. Helenberg confirmed it is not, but would come out of the lodging tax.

Councilmember Simonsen stated that the quote is good for 90 days and within that time we would have more information from Cowlitz County Chief of Staff Axel Swanson.

Mayor Helenberg tabled this item until the next regular meeting of February, 26, 2018.

5. Councilmember Kessler made a motion, seconded by Queen to approve Resolution 2018-04, a resolution requesting emergency repair work at the Pioneer Well, on an emergency only reading. By roll call vote, unanimous 'Aye'.
6. Councilmembers reviewed a leak adjustment request submitted by Eric Koreis, Kirby Ave NE in the amount of \$614.56 for December and January billing periods. Public Works Director Vorse stated the leak adjustment is within the ordinance. Councilmember Queen made a motion, seconded by Rose to approve the leak adjustment. By roll call vote, unanimous 'Aye'.

ADJOURNMENT

There being no further business, Mayor Helenberg adjourned the meeting at 8:59 p.m.

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Mayor Paul Helenberg

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City Deputy Clerk Carie Cuttonaro