

- 0005 Mayor Pro Tempore Earl Queen called the regular meeting of the Castle Rock City Council to order at 7:29 p.m., followed by the Pledge of Allegiance. The following councilmembers were present: Ray Teter, Glenn Pingree, Jack Reilly and Mike Mask.
- 0058 Mayor Pro Tempore Queen closed regular session at 7:30 p.m. for a fifteen minute Executive Session to discuss litigation. No action is anticipated.
- 0116 Mayor Pro Tempore Queen resumed regular session at 7:47 p.m.
- 0125 Councilmember Reilly made a motion, seconded by Pingree to approve the minutes of the January 11, 2010 Regular Council Meeting. By roll call vote, unanimous Aye.
- 0154 Clerk-Treasurer Ryana Covington noted a correction of the minutes for the January 19, 2010 Special Meeting that was pointed out by Councilmember Reilly.
- Councilmember Pingree made a motion, seconded by Reilly to approve the minutes of the January 19, 2010 Special Meeting, as amended. By roll call vote, unanimous Aye.
- 0252 Clerk-Treasurer Ryana Covington noted that a couple of gentlemen from the Masonic Lodge were in attendance to request approval for sign placement. However, they will contact the city planner prior to addressing the city council.
- 0286 City Attorney Tom O'Neill requests tabling consideration of Ordinance 2009-25, as legal descriptions have not been obtained for the land swap with the Nicholson family.
- 0352 Police Chief Bob Heuer stated he has administered the Oath of Office to two new reserve officers; Steve Davidson and John Musso. Officer Brandon McNew detailed that these are the first officers attending the in-house Castle Rock Police Academy. Each officer completed 440 hours of training. These officers received certification following completion of a Comprehensive Exam on January 20th. Chief Heuer noted that these volunteer reserves have full law enforcement authority. Councilmember Reilly commended these officers for volunteering their time to support the police force.
- 0588 Chief Heuer reports that two suspects have been taken into custody for burglarizing the Oasis Tavern, with a third arrest anticipated. Officer Jeff Gann was the point person in this investigation.
- 0647 City Engineer Mike Johnson requests approval of the engineering services proposal for the Water System Plan Amendment, which would add the West

Castle Rock system to the plan. Cost of the engineering services; \$4,600. Since the city has taken over the West Castle Rock system the Department of Health requires an amendment to demonstrate how this area will be serviced. The tasks included in this amendment are:

1. Update the system description;
2. Update the service area description;
3. Update the Capital Improvement Schedule;
4. Update the Water Quality Monitoring Plans;
5. Update figures and
6. Provide an internal Quality Assurance/Quality Control review of the amendment.

In response to a question from Councilmember Mask, Public Works Director David Vorse specified that this amendment cost was budgeted in the Regional Water Fund.

- 0726 Councilmember Reilly made a motion, seconded by Pingree to approve the engineering services proposal with Gray & Osborne, in the amount of \$4,600 for the Water System Plan Amendment to add the West Castle Rock system. By roll call vote, unanimous Aye.
- 0754 Public Works Director David Vorse requests tabling consideration of the Electrician/Control Specialist job description to provide the opportunity to verify Labor & Industry regulations.
- 0802 Councilmember Mask made a motion, seconded by Reilly to table consideration of the Electrician/Control Specialist job description. By roll call vote, unanimous Aye.
- 0823 Clerk-Treasurer Ryana Covington stated that she would provide the December Budget Report during the February 8th Regular Council Meeting. Covington summarized that the 2010 General Fund beginning fund balance is \$238,184 which is an increase of \$13,184 or approximately 5% over the estimated beginning fund balance of \$225,000.

In response to a question from Councilmember Reilly, Covington reviewed that the three grant funded projects from the DOT Spoils Site Fund require interim funding to avoid a negative balance. An interim loan capability was previously approved from the Swimming Pool Construction Fund. The grant funding agencies require that expenditures are paid before being eligible for reimbursement. This requirement creates a delay of up to a month before reimbursement is received by the city.

- 0934 Covington reports that the application has been submitted for Short Term Disability Insurance coverage through Hartford Life and Accident Insurance Company.

0977 Report of Meetings

All councilmembers attended the Special Council Meeting on January 19th to interview the candidates for the position of mayor.

Councilmembers Mask and Queen attended the Government Summit Meeting.

Councilmember Reilly attended a CAP Meeting to provide low barrier/drop-in shelter for the homeless.

- 1029 Councilmember Mask made a motion, seconded by Reilly to approve Resolution 2010-01 approving the Interlocal Agreement with the Association of Washington Cities (AWC) Risk Management Agency (RMSA) and its members, on second reading.

Discussion: In response to a question from Councilmember Mask, City Attorney Tom O'Neill specified that this agreement is acceptable although the recommended dispute resolution language was not included.

Vote: By roll call vote, unanimous Aye.

- 1077 Covington clarified that the Chamber of Commerce requests a Special Meeting with council, the planning commission and Jennifer Keene from the Council of Governments to begin implementation of the Castle Rock Business and Feasibility Plan. Mayor Pro Tempore Queen would prefer to schedule this meeting after a mayor has been appointed.

- 1161 Covington stated that an Audit Committee member is needed to replace Councilmember Yund and oversee January expenditures. Councilmember Teter volunteered for the position. Councilmember Reilly asked to be excused from the Audit Committee. Councilmember Pingree volunteered to replace Councilmember Reilly. The 2010 Audit Committee members are Councilmembers Teter, Pingree and Mask.

- 1244 Melvin Larsen, 2112 Larsen Lane, requests approval to remove 14 trees located within the city right-of-way. Vorse recommends removal as these trees are located under the overhead power lines and have been topped. City Engineer Mike Johnson agreed that it is not healthy to top trees; he also recommends removal.

In response to a question from Councilmember Mask, Mr. Larsen stated that he would assume responsibility for removal, both liability and financial. The trees will be cut leaving a 14 inch stump, then an excavator will be used to remove the stumps.

- In response to a question from Councilmember Mask, Vorse detailed that a call was placed for locates. The water main is approximately five feet from the trees and no problems are anticipated. However, a Right-of-Way Permit will be required of Mr. Larsen.
- 1421 Councilmember Mask made a motion, seconded by Teter to approve the removal of the 14 topped trees located in the city right-of-way abutting 2112 Larsen Lane, on the condition that a Right-of-Way Permit is completed and Mr. Larsen assumes all responsibility. By roll call vote, unanimous Aye.
- 1449 Vorse reports that an Annexation Committee has been formed with the exception of a representative from council. Councilmember Reilly volunteered to serve on this committee.
- 1472 Covington presented the Planning Commission's Annual Report of 2009. The Planning Commission spent the majority of their time working on the CAP Field of Dreams subdivision (Michner St SW), ABT Lois Dye Estates (Powell Rd) subdivision and the grant funded Site Plan Review Ordinance Amendment.
- 1539 Councilmember's considered the leak request from Bev Estes, Third Avenue SW. In response to a question from Councilmember Reilly, Vorse affirmed that there is no longer a leak at 833 Third Avenue SW.

Councilmember Reilly made a motion, seconded by Mask to approve a utility leak adjustment at 833 Third Avenue SW in the amount of \$1,457.58.

Discussion: In response to a question from Paul Helenberg, Councilmember Pingree clarified that the letter from the property owner stated that the maintenance person completed work on the broken pipes. Mr. Helenberg expressed concern that receipts were not provided to help verify that a leak was repaired.

Vote: By roll call vote, unanimous Aye.

- 1722 Covington pointed out that Mr. Wrzesinski did provide a parts receipt to help verify that a leak was repaired at 504 Michner Street SW.

Councilmember Mask made a motion, seconded by Reilly to approve a utility leak adjustment at 504 Michner Street SW in the amount of \$117.07. By roll call vote, unanimous Aye.

- 1766 Covington reviewed the documentation of events at 301 Buland Drive. On December 9th the Public Works Department confirmed that there was not a leak. On December 18th the meter reader noted a high usage and that the meter was off while a leak was being repaired. On December 28th the Public Works Department confirmed that there is no longer a leak. On January 19th the meter reader noted

another high usage and that the meter was not turning. On January 21st the Public Works Department confirmed that there was not a leak. The leak in December could not have had any effect on January's usage. This adjustment request is only for the high usage in December.

- 1888 Councilmember Mask made a motion, seconded by Pingree to approve a utility leak adjustment at 301 Buland Drive for December 2009 usage, in the amount of \$211.05.

Discussion: Councilmember Pingree cautioned that guidelines should be established for leak adjustments, such as, only one can be granted per year and receipts required as proof of repairs. Councilmember Reilly disagreed that the policy for a leak adjustment needs to be reviewed. However, he did agree that the policy for unusual circumstances should be better defined.

Vote: By roll call vote, unanimous Aye.

- 1969 Covington stated that past city policy provided that the mayor, mayor pro tempore and the city clerk-treasurer serve as city signators on the bank accounts. She noted that in the absence of a mayor, the city council had appointed interim signators, with their authorization terminating on January 31st. If a mayor is not appointed at tonight's meeting, the city council would need to take action to extend this authorization.

- 2011 Mayor Pro Tempore Queen opened the mayor selection process. City Attorney Tom O'Neill clarified that until February 28th, council has the authority to appoint a mayor to fill the vacancy until the November General Election. The criteria previously established by council narrowed the candidates to two. This process does not prohibit anyone from seeking the position during the November General Election.

In response to a question from Councilmember Pingree, Councilmember Reilly stated that this is not a nomination process, but rather a motion to appoint a mayor from the two candidates; Paul Helenberg and Ed Smith.

- 2113 Councilmember Teter made a motion, seconded by Pingree to appoint Paul Helenberg as mayor to complete the remaining term vacated by Barbara Larsen's resignation.

Discussion: Councilmember Pingree stated that any of the candidates would make a great mayor. He is proud of the community interest and participation that has taken place and hopes it continues.

Councilmember Reilly made a motion to appoint Ed Smith to the position of mayor. Point of order was call, as there was already a motion and a second on the

floor. City Attorney Tom O'Neill clarified that if approved, this motion would appoint Paul Helenberg to fill the position of mayor.

Vote: By roll call vote, unanimous Aye.

In response to a question from Councilmember Pingree, O'Neill specified that council has now appointed Paul Helenberg as mayor.

In response to a question from Councilmember Pingree, Covington clarified that with the appointment of a mayor, the city's authorized signators will be the mayor, mayor pro-tempore and the clerk-treasurer, as prescribed in past policy.

2318 Covington administered the Oath of Office to Paul Helenberg as the newly appointed mayor.

2378 There being no further business, Mayor Helenberg adjourned the meeting at 8:31 p.m.

Mayor Paul Helenberg

Clerk-Treasurer