

- 0013 Mayor Barbara Larsen called the regular meeting of the Castle Rock City Council to order at 7:30 p.m., followed by the Pledge of Allegiance. The following councilmembers were present: Khembar Yund, Greg Marcil, Earl Queen, Jack Reilly and Mike Mask.
- 0062 Councilmember Reilly made a motion, seconded by Queen to approve the minutes of the March 9, 2009 Regular Council Meeting. By roll call vote, unanimous Aye.
- 0093 Councilmember Marcil read a proclamation, on behalf of Mayor Larsen, declaring May 1, 2009 Silver Star Banner Day to honor the sacrifices made by our veterans and personnel in the armed forces.
- 0234 Mayor Larsen adjourned regular session at 7:35 p.m. and opened the Public Hearing to take comments on the developed "Draft" copy of the proposed Water Use Efficiency Plan.

Public Works Director David Vorse outlined the provisions in the draft proposed Water Use Efficiency Plan, which is required by the State of Washington to retain the current level of water rights. The goals of this plan is to ensure for the long term a safe, reliable supply of water, promote good stewardship of water resources and ensure efficient operation and management of the water system. The Water System Plan includes the collection of data, forecast demand, evaluate water efficiency measures, calculate distribution system leakage, and implement a program to meet goals. Water demand, future needs and peak needs will be determined from the data collected. The deadline to submit the first annual performance report is July 1, 2009. The city will then have an additional three years to meet distribution standards to reduce water loss to less than 10%. Vorse stated the primary reasons for water loss are older inaccurate meters, leaks and unmetered hydrant use.

The Water System Plan indicates that the current water use is 119 gallons a day per capita. The Water Use Efficiency Plan goal is to reduce water loss by 2% annually for the next ten years so that by 2019 the water loss is at 10% or less. To accomplish this supply goal the City will conduct water audits every three years, repair or replace leaky mains and services, replace old meters and require metering of all hydrant use other than that of the Fire Department. The Water Use Efficiency Plan demand goal is to reduce consumption by one gallon a day per capita for the next five years. To accomplish this demand goal the City will develop and initiate a school outreach program on water conservation, include water usage history on the monthly bills, use reclaimed water at the Wastewater Treatment Plant for landscape irrigation and equipment use, use drip irrigation at road side landscape areas and develop education on rainwater reclamation. City

Engineer Mike Johnson noted that all communities in Washington are currently going through this process.

- 1297 There being no public comment, Mayor Larsen closed the Public Hearing at 7:52 p.m. and resumed regular session.
- 1304 Police Officer Jeff Gann distributed an estimate outlining a cost of \$767.93 for video recording equipment to replace the audio cassette recording equipment currently used to record meetings. This estimate does not include microphones because he felt the new system would be compatible with the existing microphones. This system would provide a digital recording that would be stored on a hard drive. The system includes a DVR with hard drive, a camera, an audio channel and DVD recorder. In response to a question from Councilmember Queen, Gann explained that the camera would be stationary and mounted for a 72° field of view. In addition, this system has the ability to expand to four cameras.

In response to a question from Councilmember Mask, Gann indicated that the camera has a three year warrantee. The system has a standard format DVR and a universal camera.

In response to a question from Councilmember Mask, Covington specified that this expenditure would be taken from the General Fund Executive Department and it would require a budgetary amendment. Covington stated that she has completed research through Washington State Department of Archives regarding retentions requirements. According to the Washington State Local Government Common Records Retention Schedule a recording cannot serve as a permanent record of official proceedings, but rather the written minutes, following approval, serves as the permanent record for official proceedings.

In response to a question from Councilmember Marcil, Vorse clarified that the staff member currently transcribing the minutes takes notes while she observes the proceedings. She then transcribes the minutes by reviewing the recording with previous knowledge of the conversation. This information enables her to add details to the notes. A new recording system would not affect the time that is needed to become familiar enough with what occurred to transcribe a written record.

In response to a question from Councilmember Mask, Gann estimated that the software and equipment needed to transcribe proceedings into a written document would cost \$5,000 to \$10,000.

In response to a question from Councilmember Reilly, Gann noted that a DVD has a longer life then a cassette.

- 1894 Councilmember Queen made a motion, seconded by Marcil to approve the purchase of video equipment in the amount of \$767.93, for the purpose of recording official proceedings.

Discussion: Councilmember Mask noted that this purchase was not included in this year's budget and he suggested the council could delay decision on this motion by including in next year's budget.

Councilmember Yund stated he would like to delay this purchase until after Comcast has determined if they will televise these proceedings. Councilmember Queen indicated that he does not want to delay this purchase.

In response to a question from Councilmember Mask, Gann estimated that this equipment would take five to ten days for delivery. Covington specified that two readings are required before a budget amendment can be approved.

Vote: By roll call vote, Councilmember Yund Nay, the rest Aye, motion passed.

- 2094 Elmer Workes, 845 Woodard Avenue NE, requests a utility adjustment for February's usage. In response to a question from Councilmember Marcil, Mr. Workes indicated that after being notified of a high usage on February 25<sup>th</sup>, he discovered water running from an outdoor faucet. The faucet was not readily visible as it was winterized inside a bucket of insulation. In response to a question from Councilmember Reilly, Mr. Workes specified that the faucet had to be turned on by someone and then the bucket replaced. The Public Works Department determined that there is no leak at the residence.

- 2253 Councilmember Mask made a motion, seconded by Reilly to approve a utility adjustment for 845 Woodard Avenue NE in the amount of \$889.77, due to unusual circumstances. By roll call vote, unanimous Aye.

In response to a suggestion from Councilmember Mask, Mr. Workes specified that he will disable this faucet in the winter so that it cannot be turned on.

Tape 1 of 2

Side B

- 2495 City Attorney Tom O'Neill recommends council reconsider Ordinance 2009-01. He has received word from Mr. and Mrs. Arthur indicating that they are not interested in purchasing the vacated alley, after learning the fair market value. To take action, this issue will need to be removed from being tabled from an earlier meeting.
- 2592 In response to a question from Councilmember Mask, O'Neill reports that prior to the next council meeting, he will file a lawsuit against the aquatic lands appraiser hired to assess the land value of the city-leased DNR property located on the west side of the Cowlitz River.

- 2615 In response to a question from Councilmember Queen, Public Works Director David Vorse specified that the street light control key for the CAP Subdivision was delivered as required for the subdivision approval.
- 2675 Police Chief Bob Heuer reports that Castle Rock did not qualify for stimulus funding as the qualifications were based upon population and the crime rate. Heuer will continue searching for funding options.
- 2771 In response to a question from Councilmember Queen, Heuer noted that the vehicle repaired by Councilmember Marcil is running great.
- 2795 City Engineer Mike Johnson reports that the painting contractor on the Water Treatment Plant (WTP) Improvement Project determined that lead dust was present at the site, likely due to surface preparation that was being completed on the filter tanks and piping. Testing of personnel for possible elevated lead levels were negative. The contractor has prepared a Lead Health and Safety Plan to identify procedures to complete surface preparation and cleanup. In addition, the painting contractor has prepared a cost proposal to mitigate this issue. The estimated cost for this change order is \$175,000 to \$200,000.

Johnson stressed that this project needs to move forward quickly, as the City's only current source of water (until completion of the project) are the city's wells. During the summer months, system demands are greater than the wells can produce.

Currently this project has a contingency budget of approximately \$72,000. The City recently applied for an additional \$300,000 in project funding through the Drinking Water State Revolving Fund. However, the draft list of funded projects rated the City's project too low to obtain funding. An Emergency Loan may be available through the Public Works Trust Fund (PWTF) or a USDA Rural Development loan may be available. Johnson felt it is not likely that this project would qualify for an Emergency Loan through the PWTF, as these funds are set aside for losses due to natural disasters. Vorse has contacted Cowlitz County who indicated that an internal fund loan may be available between Cowlitz County and the Regional Utility Board.

As the site already requires containment and cleanup, Johnson recommends a complete sandblasting of the filter tanks and piping to remove any lead containing paint; estimated cost of \$175,000 to \$200,000. This would prevent lead issues from arising again in the future. In response to a question from Mayor Larsen, Johnson specified that the tanks have extensive corrosion and if the old paint is covered with a new coat, paint would begin coming off within a couple of years. A power tool cleaning of the most corroded areas would extend the life of the new coat of paint an estimated ten years, but after that time the city would have the expense of dealing with the lead once again.

In response to a question from Councilmember Mask, Johnson estimated that the cost for a power tool preparation in the most corroded areas and cleanup would be \$150,000 to \$175,000 and in the future you would have the expense of containment and cleanup of the lead dust, a second time. The estimated cost of containment, recoating the old paint and cleanup is \$80,000 to \$90,000. This procedure would only last a couple of years before this expense would recur. The estimated cost to replace the filter tanks is \$1.4 to \$1.5 million.

Councilmember Yund feels that a complete sandblasting to remove the lead paint is the only viable option. Additional funding must be secured. Johnson recommends moving forward with the project using the existing funds. The expenditures could be reimbursed by an USDA Rural Development loan. However, Cowlitz County may provide an intern loan.

In response to a question from Councilmember Mask, Johnson clarified that for a \$300,000 loan from USDA Rural Development with a 4.5% interest rate over a 20 year loan term the annual payment would be \$23,063. This would increase water rates by approximately 80¢ a month for each equivalent residential unit.

Councilmembers Reilly and Queen stated they felt there is no option but to move forward with this project.

In response to a question from Councilmember Mask, Johnson specified that if a \$300,000 loan is received; the additional \$100,000, over the cost of the paint project, could be used for the HVAC improvements that are needed for ventilation of the filter room.

- 3545 Councilmember Reilly made a motion, seconded by Queen to move forward with sandblasting the filter tanks at the Water Treatment Plant, on a time and material basis, with the amount not to exceed \$200,000 and to submit a loan application for \$300,000 to cover the costs incurred. Funding for the Water Treatment Plant Improvement Project will be pursued through the Public Works Trust Fund, USDA Rural Development and Cowlitz County.

Discussion: In response to a question from Councilmember Queen, Johnson explained the no one expected to find lead paint at the Water Treatment Plant because the plant was last rehabilitated in 1984, using paint that was not lead based. Most likely the issue was the result of some of the 1970 paint not being removed during the 1984 project. During the current project, a field test was performed for lead, but none was detected. Recent laboratory tests show that there were trace amounts of lead in some of the paint and the power tool grinding released those trace amounts into the air.

Johnson stated there are two sets of two filter tanks. One set was constructed in 1970 and the other in 1984.

Vote: By roll call vote, unanimous Aye.

Vorse reiterated, that time is of the essence on this project. If the Water Treatment Plant is not back online by June, water rationing could be needed. The sole source of water has been the wells since mid December. He noted that problems have already been encountered, which resulted in the well being taken offline for a period to allow the water level to return.

In response to a question from Councilmember Queen, Vorse affirmed that in the early 1980's, the wells were the City's only water source for three years. Since that time the water service area has expanded to add Toutle and west of Castle Rock.

- 3838 Johnson reports that ownership of the downtown parking lot property is convoluted. The property that was originally believed to be the City's access alley across private property, was not accurate. Ted Bredfield, the owner of the property west of the Exhibit Hall parking area has agreed to a perpetual easement in exchange for paving the parking spaces east of Bredfield's TrueValue Hardware. This easement would provide a better alley to the city parking area and would be of benefit to the entire downtown business area. Paving the additional parking spaces would require approximately 40 tons of asphalt. The current cost for asphalt is \$80 per ton. This would increase the project cost by approximately \$3,000.

In response to a question from Councilmember Mask, Vorse clarified that Mr. Bredfield indicated that he plans to remove the truck trailers on this lot and replace them with a metal pole building. This easement provides six feet on the west side of his lot and six feet on the north side to be used as a right-of-way for public access. City Attorney Tom O'Neill noted that the easement specifies that no building, wall, fence, rockery, trees or structure of any kind shall be erected or planted, nor shall any fill material be placed within the boundaries of the easement area.

- 4034 Councilmember Yund made a motion, seconded by Marcil to approve the perpetual public access easement through Castle Rock Outlot 23 and the change order for the Downtown Parking Improvement Project in the amount of \$3,000. By roll call vote, unanimous Aye.

- 4053 City Engineer Mike Johnson requests approval of the Riverfront Trail North Extension Project Engineering Services Agreement in the amount of \$69,300. This project will pave and light the trail from the Shintaffer ramp north to the terminus of the levee where a fishing/viewing platform will be located. The trail will continue north along SR411 to connect with the pedestrian passage over the railroad bridge. The project also includes lighting the Riverfront Trail west from the end of Mosier Road up to the Sports Complex. This project is funded with a

grant from the Washington State Recreation and Conservation Office Washington Wildlife and Recreation Program.

Johnson further explained that the City has also received a \$67,000 grant from the Washington State Transportation Improvement Board Transportation Enhancement Program to repair damage to the Riverfront Trail, from the Shintaffer ramp south, to be used following the Army Corps of Engineers Levee Improvement Project. This engineering services agreement does not include trail repair after the levee project, which would require a separate agreement. Vorse added that the Corps has not yet officially stated that they are moving forward with the levee project. Vorse is preparing to complete both Riverfront Trail projects this year, following the Corps project.

In response to a question from Councilmember Mask, Councilmember Marcil stated that the Nicholson family has agreed to trail improvements along their property, if a barrier is in place to prevent vehicular access. Vorse reports that he is meeting with the Corps tomorrow to discuss aspects of the levee project and whether the required tree removal can take place as part of that project. No match is required from the City for these trail projects.

- 4194 Councilmember Mask made a motion seconded by Queen to approve the Riverfront Trail North Extension Project Engineering Services Agreement in the amount of \$69,300. By roll call vote, unanimous Aye.
- 4243 In response to a question from Councilmember Mask, Vorse reports that last week signage was posted at the Boat Launch Project site as part of the environmental review process. A proposal for the Whittle Creek mitigation phase is being prepared. A bid request for the in-water work is also being prepared to retain a contractor to be ready to begin construction on August 1<sup>st</sup>.
- 4281 In response to a question from Councilmember Queen, Vorse clarified that although the Corps has not officially stated that they will do the levee project, they have indicated that this project would be scheduled for July or August. Vorse stated the project is needed to retain levee certification for FEMA flood map designation.
- 4328 Vorse expressed gratitude to Councilmember Marcil as he is rebuilding the top end of the lift truck. The cost for parts will be the only expense taken from the Street Fund for repair of this equipment as Councilmember Marcil is donating his labor.
- 4355 Councilmember Queen requests that Vorse organize a group to cleanup and repair the shelter roof at the Lions Volunteer Park during the Chamber of Commerce Spring Cleanup Day, on April 18<sup>th</sup>. Councilmember Queen noted that Councilmember Mask and he have volunteered the labor but not materials to do the required work. Vorse pointed out that Park Funds are not available to purchase

roofing materials. Councilmember Queen suggests advertising to solicit volunteers and material donations.

Vorse specified that Cleanup Day is a project organized by the Chamber of Commerce. Cleanup Day Project Manager Carolyn Kennington has sent flyers to the Ministerial Association to notify their congregation of the upcoming event. The Cleanup Day Committee has sent out notices in the Friday Folders at school, to local businesses, to the Senior Center and to the Ministerial Association requesting volunteers and special projects to be identified. This event also is advertised on the city's Reader Board each year. Councilmember Queen suggests using the Reader Board to request a donation of materials.

Councilmember Marcil reports that he has received a donation of four new replacement planters for this park. Covington added that the Chamber is providing a \$20 certificate from the Castle Rock Nursery for use during May to pay for planter plants.

- 4609 Councilmembers reviewed the February Fund Summary Report. Covington stated currently General Fund disbursements are exceeding the year-to-date receipts by \$51,640.85. Other funds exceeding the year-to-date revenues are: Street, Exhibit Hall, Local Criminal Justice (due to vehicle purchase), DOT Spoil Site (awaiting reimbursement for Boat Launch expenses), Water/Sewer Operating, Regional Water (project funding reimbursement was received on March 12<sup>th</sup> in the amount of \$478,938) and Stormwater Management.

In response to a question from Councilmember Reilly, Covington explained that the Exhibit Hall is funded by the Hotel/Motel Tax revenues; which receives lower revenues during the winter months.

- 4736 Covington requested council direction regarding issues to be submitted for voter approval during the primary election. Councilmember Marcil would like a committee to research the viability of submitting a police services public safety levy for voter consideration. Councilmember Mask cautioned that the possibility of passage is low in this financially bleak year. Councilmember Marcil would like voter input before services are cut due to budget issues. Councilmember Yund noted that the committee would need to meet with the Library to avoid competing for funds. Councilmember Mask believes that a public safety levy should be considered for the General Election, to avoid competing with the Library during the Primary Election. Councilmember Yund suggested that if it appears that voters will support a public safety levy, then it would save expenses to run both levies during the same election. Councilmembers Yund, Marcil and Mayor Larsen will form this committee. Councilmember Mask suggests that this committee should include one of the newer councilmembers, as the senior members may not run for reelection. With this taken into account, Councilmembers Queen, Marcil and Mayor Larsen will form this committee.



- Covington advised that if a measure is to be placed on the ballot for the Primary Election then there must be a second reading by the April 27<sup>th</sup> Regular Council Meeting.
- 0082 Covington stated that on April 8<sup>th</sup>, representatives from Washington State Archives will assist the clerk-treasurer's staff in sorting through old documents to determine which documents can be disposed of. In response to a question from Councilmember Mask, Covington explained that she just recently learned that the wall heater installed in the archives room does not work. This next week she will be contacting the electrician to assess the situation.
- 0324 Librarian Vicki Selander reports that the Online Hardware Update Grant from the Bill and Melinda Gates Foundation is administered by the Bibliographic Center for Research. Due to the required match of \$1960, the Friends of the Library decided not to pursue this grant. However, a private individual has come forward to donate \$2000 so that the library can qualify for the match, due by March 1<sup>st</sup>. The Library has now received \$5850 for the first year of this two-year grant. The Library is not required to participate the second year, if a 50% match is not available. This year's grant will allow purchase of three computers, peripherals, software and supplies which must be purchased by July. Next year's grant will allow the purchase of two more computers.
- 0541 Covington detailed, on behalf of Exhibit Hall Director Rita Baxter, that the Exhibit Hall will participate in the interactive online 2009 Washington Adventure Map. This site is sponsored by the Northwest Attractions Council, a member of the Governor's Task Force on 2010, to maximize Washington tourism before, during and after the upcoming 2010 Winter Olympics in Canada.
- 0635 Report of Meetings  
Councilmember Yund attended a 911 Council meeting.
- 0681 Councilmember Yund noted that Ordinance 2006-02 pertaining to firework permits, specifies that organizations must submit a Letter of Intent between February 1<sup>st</sup> and March 31<sup>st</sup>, to request approval for a permit. Based upon population, the number of permits to be issued is two. Covington added that the Fire Chief has not yet approved either of the two applications that have been received, although the sites are the same as in the past and no issues are anticipated.
- 0765 Councilmember Queen made a motion, seconded by Mask to approve the Castle Rock Eagles 2009 Fireworks Permit Application, pending approval from the Fire Chief. By roll call vote, unanimous Aye.

- 0788 Councilmember Yund made a motion, seconded by Reilly to approve the Chamber of Commerce request for sponsorship of the Spring Cleanup Day event on April 18<sup>th</sup>, for liability insurance coverage and \$500 to be used for printing of notices. By roll call vote, unanimous Aye.
- 0819 Councilmember Yund made a motion, seconded by Reilly to approve the Castle Rock Lions Club 2009 Fireworks Permit Application, pending approval from the Fire Chief. By roll call vote, unanimous Aye.
- 0835 Councilmembers reviewed the proposed amended parking ordinance. City Attorney Tom O'Neill noted that the reference to the 1978 Ordinance 469 should be deleted from proposed Ordinance 2009-02.
- 0883 Councilmember Mask made a motion, seconded by Queen to approve Ordinance 2009-02 amending CRMC 10.16.010, Section 2 pertaining to parking time limits on city streets where official signs so designate, with the reference to Ordinance 469 deleted, on first reading. By roll call vote, unanimous Aye.
- 0901 Councilmember Yund made a motion, seconded by Reilly to deny approval of Ordinance 2009-01, the vacation of the alley located between lots 6 and 7, block 4 of the Atrims Addition, on second reading.
- Discussion: City Attorney Tom O'Neill specified that the expense for staff time spent on this street vacation request is not recoverable. An ordinance amendment would be necessary to recover costs incurred as a result of this request.
- Vote: By roll call vote, unanimous Aye. Ordinance 2009-01 was denied.
- 1022 Councilmember Queen noted that a public works employee recently resigned his position with the city to take other employment. Councilmember Queen suggests that any future plans to replace personnel must be brought before Council. In response, Mayor Larsen advised that she will impose a hiring freeze to be in effect until budget issues are resolved.
- 1072 There being no further business, Mayor Larsen adjourned the meeting at 9:21 p.m.

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Mayor Barbara Larsen

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Clerk-Treasurer Ryana Covington