

CALL TO ORDER

Mayor Paul Helenberg called the August 10, 2020 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 via phone: Art Lee, Paul Simonsen, and Ellen Rose. Councilmember Lee Kessler arrived at 7:34 and Councilmember Earl Queen arrived at 7:40, experiencing technical difficulties.

Also present: Police Chief Scott Neves, City Attorney Frank Randolph, Public Works Director Dave Vorse, City Engineer Tom Gower, and Clerk-Treasurer Carie Cuttonaro.

Please note:

- 1. This meeting was a call-in meeting due to Washington State Governor issued Proclamation 20-28 which includes temporarily prohibiting in-person public attendance at meetings subject to the Open Public Meeting Act (OPMA). Call-in instructions were provided on the Agenda.*

AGENDA APPROVAL

Councilmember Rose made a motion, seconded by Simonsen to approve the Agenda. Councilmembers Lee, Simonsen and Rose voted 'Aye'. Councilmembers Kessler and Queen were absent. Motion passed.

BUSINESS FROM THE FLOOR

Karen Whittemore, 529 2nd Ave SW, stated there is a rooster which crows morning, afternoon and evening residing at 542 3rd Ave SW, disturbing the peace. Requests resolution since this is against City code. Police Chief Scott Neves stated enforcement would be handled through the Humane Society, and will follow-up Tuesday.

DEPARTMENT REPORTS

Police Chief Scott Neves

-sad duty to report a drowning of a 24 year old Tualatin man yesterday. Due to the quick action of EMS, bystanders and Officer Zimmerman, they were able to save one brother, but not the other. During the water rescue, Officer Zimmerman's taser was destroyed and we will be placing a request for insurance reimbursement. Sad day for Officer Zimmerman and staff of Cowlitz County Fire District #6.

-following the water rescue, while on his way home, Officer Zimmerman assisted the Cowlitz County Sheriff's Office who was in pursuit of an armed, wanted subject on Delameter Rd. The subject's tires were spiked and continued running on all rims, heading for West Side Hwy at a high rate of speed. Out of concern for traffic, Officer Zimmerman positioned his police car to protect citizens and in the process his car was struck and the vehicle was damaged by the fleeing felon. Officer Zimmerman was okay, but there are issues with the vehicle.

City Engineer Tom Gower

-gave a quick update on Dougherty Dr project; received a plan from the contractor last week and that plan matches the discussion that was help the previous week regarding the asphalt. They plan to grind the existing asphalt as close to the guardrails and would leave no more than six inches at the edge. They will repave it back with one and one-half to two inches of asphalt and may need some pre-level as well. They did request to close the road as they did during construction and if that is approved, it will reduce the number of days needed from nine to five or six. The City is agreeable to taking a look at that and asked for more specific information on the days that they want to do that work, because there will be some coordination with the property owners to complete this work.

Clerk-Treasurer Carie Cuttonaro

-appears the Library Excess Levy is failing in the Primary Election. The next count will be released on August 14th. Elections estimates there are 300 ballots remaining to count. This has been a huge turnout. Currently, the count is 421 yes, 343 no, with 55.1% approving. 60% majority is required to pass. Consensus is to leave the Library Excess Levy in the General Election.

-received a request from Abbey LaBerge, District Secretary at Cowlitz County Fire District #6 to build a life jacket loaner board in either the parking lot next to the Skate Park or at the Lion's Pride Park in hopes that people will grab a life jacket on their way down to the river. They want to partner with Safe Kids Lower Columbia to provide free life jackets and already have multiple boards at Willow Grove and Woodland. They are asking permission to place the boards on City property. They are not requesting and funding. Councilmember Kessler made a motion, seconded by Queen to approve the request to place a life jacket board in both locations; parking lot next to Skate Park and at Lion's Pride Park. Motion carried by roll call vote, unanimous 'Aye'. Councilmembers Lee, Kessler, Queen, Simonsen, and Rose voted 'Aye'. Motion passed.

Council and Ad Hoc Committees

Mayor Helenberg

-will be speaking online at the America in Bloom Symposium; one of four mayors across the United States that they invited to do this.

Councilmember Kessler

-met with Police Chief Scott Neves and Public Works Director Dave Vorse to discuss a designated sleeping area. Vorse added that they discussed potential areas and are checking them out, and that as we understand it, cities have to provide a place for someone to sleep. We expect to follow-up at the next meeting. Neves added that they are trying to get some language put together which addresses the Court of Appeals decision, to make sure we are in compliance with the law.

CONSENT AGENDA

Meeting Minutes & Invoices

1. Approve the minutes of the July 27, 2020 Regular Council Meeting.
2. Approve the July 2020 invoices as described in the Fund Transaction Summary Report, in the amount of \$551,888.96.

Councilmember Kessler made a motion, seconded by Simonsen to approve the Consent Agenda. Motion carried by roll call vote, unanimous 'Aye'. Councilmembers Lee, Kessler, Queen, Simonsen, and Rose voted 'Aye'. Motion passed.

Due to technical difficulties (forced computer shutdown), Mayor Helenberg recessed the regular meeting for 10 minutes at 7:55 PM. Mayor Helenberg resumed the regular meeting at 8:05 PM.

OLD BUSINESS

1. Water Facilities Reimbursement Agreement with Fatpup, LLC.

This item is tabled until the next Regular Council Meeting.

NEW BUSINESS

1. Professional Services Agreement with Mark C. Scheibmeir for Hearings Examiner.

Mayor Helenberg stated that the previous Hearings Examiner had retired. Clerk-Treasurer Carie Cuttonaro added that we've been pretty lucky without one for a while, as we haven't had any

requests that would require one. Mr. Scheibmeir is currently the Hearings Examiner for the City of Kelso and he is willing to be the City of Castle Rock's for the same price. City Attorney Frank Randolph added that Mr. Scheibmeir is an outstanding attorney and has been a Hearings Examiner for a while, including doing some difficult things for the County and believes he is qualified. Mayor Helenberg added that costs for a Hearing Examiner are reimbursed by the applicant.

Councilmember Kessler made a motion, seconded by Rose to approve the Professional Services Agreement with Mark C. Scheibmeir for Hearings Examiner. Motion carried by roll call vote, unanimous 'Aye'. Councilmembers Lee, Kessler, Queen, Simonsen, and Rose voted 'Aye'. Motion passed.

- 2. Benjamin Held III, 644 6th Ave SW, requests a utility adjustment for a leak due to stress on the PVC coupling that failed.

Public Works Director Dave Vorse stated that a leak adjustment had previously been granted, but Mr. Held III had additional concerns that the leak was due to the equipment, or box, had put added pressure that caused the break. Vorse did further investigation and spoke to the plumber, took pictures and agreed there was evidence inside the box that it had put pressure on the valve, which put pressure on the coupling, on Mr. Held III's side. Recommend additional leak adjustment is approved. This is a unique situation where the box had settled and put pressure on the valve, which scarred the concrete blocks. Typically, the boxes are centered when installed. There is enough evidence to suggest that this caused the leak.


Councilmember Kessler made a motion, seconded by Simonsen to approve the leak adjustment. Motion carried by roll call vote, unanimous 'Aye'. Councilmembers Lee, Kessler, Queen, Simonsen, and Rose voted 'Aye'. Motion passed.

- 3. *Added Item* Mayor Helenberg requested Council's approval to endorse CRCDA's letter asking everyone to error to the side of safety for the good of our entire community by wearing a mask and by practicing social distancing. Approval by consensus.

ADJOURNMENT

There being no further business, Mayor Helenberg adjourned the meeting at 8:18 PM.


Clerk-Treasurer Carrie Cuttonaro


Mayor Paul Helenberg