

### CALL TO ORDER

Mayor Paul Helenberg called the November 10, 2014 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: Ray Teter, Lee Kessler, Earl Queen, Mike Davis and Ellen Rose.

### PUBLIC HEARING

Mayor Helenberg closed regular session and opened the Public Hearing at 7:40 p.m. to take public testimony on a proposed increase in property tax (Ad Valorem), including review of revenue sources and proposed expenditures for fiscal year ending December 31, 2015 for the city's current expense budget (General Fund). Clerk-Treasurer Ryana Covington noted that copies of the 2015 estimated revenue sources and proposed expenditures for this fund were made available to the public and elected officials. In addition, copies of the Cowlitz County Assessor Preliminary Report for City of Castle Rock 2014 levy for 2015 taxes were also provided. Covington noted if the city were to tax at the highest lawful levy, the dollar increase over the current assessment would be a total of \$3,563; which is a 1% increase as allowed by State law. Covington noted that sales and use tax revenues have shown an increase in 2014; however this revenue source is directly dependent on the viability of businesses in the city. She noted the 2015 proposed budget includes a 1% increase in property tax assessment, based on discussion at the October 18<sup>th</sup> budget workshop meeting.

In answer to a question proposed by Mr. Don Miller, the mayor estimated this increase in Ad Valorem tax would cost taxpayers with houses valued at \$150,000 a total of \$3.50 additional for the year.

There being no further public testimony, Mayor Helenberg adjourned the Public Hearing and reconvened regular session at 7:46.

### DEPARTMENT REPORTS

#### City Attorney Frank Randolph –

1. Requested council direction on the contract proposed by Debra Burchett for indigent defense services. He noted with the new rules imposed on all agencies from Washington State Supreme Court; he felt this contract is the best means to meet those new regulations. Randolph recommended city council approve the contract and authorize the mayor to sign on behalf of the city. In answer to Councilmember Queen's question, Randolph stated this new contract increases the cost of Burchett's services by \$300 per month; for a total of \$2,000/month. Randolph cautioned there could also be other mandated costs for services such as investigations or interpreters, which are unforeseen at this time and not included as part of the monthly contract costs. Councilmember Teter made a motion, seconded by Kessler to enter into a contract with Debra Burchett for 2015 for indigent defense services and to authorize the mayor to sign the contract. By roll call vote, unanimous 'Aye'.

2. Randolph stated he has completed his research to create an off-leash area for dogs to be located in the High Banks area; between the Cowlitz River and Westside Highway. The city's liability insurance carrier did not have issues with this proposal and they recommended two sets of signage; one advising of the leash-free designation and another sign designating the use to be at the public's own risk. Randolph stated he could draft an ordinance amending the current municipal code to allow this use. In addition, he will exclude dangerous dogs and habitual offenders from the use. Randolph stated Cowlitz County Humane Society will not be responsible for managing the off-leash area. If issues arise and complications occur; Randolph suggested city council could always change the ordinance back. By consensus, councilmembers authorized the city attorney to develop an ordinance to allow for a designated off-leash area.

Dave Vorse, Public Works Director– reported Waste Control has now provided receptacles for glass recycling at the city's recycling area.

#### BUSINESS FROM THE FLOOR

Paul Youmans, representing Pathway 2020 advised that May 20, 2015 will be the release date for the Community Report Card. Emphasis issues will be evaluating housing and poverty levels in our county. This report will be available electronically and include search and browse capabilities.

Mr. Youmans also announced that the Head Start program will be doubling in size for the Castle Rock area. The program will be offered five days per week; six hours per day. Lower Columbia College was awarded a grant which enabled expansion of this program. Applicants will need to meet income guidelines and will include meals, and some medical care. Youmans stated he will be attending the next council meeting to request permission to erect temporary signage on city right-of-way to encourage enrollment. Notices have also been placed around town, at the community food bank and distributed through the schools. The program will begin January 5<sup>th</sup>.

#### Council and Ad Hoc Committee Reports

1. Mayor Helenberg provided a report in response to a recent newspaper article regarding the number of businesses not paying for licensing in the city limits. Helenberg stated there are currently 57 businesses that have not renewed their 2014 business license. Of that total, 37 are contractors that only re-apply for licensing when they are working within the city limits, ten are no longer in business, two business have not paid in the last four years (both businesses have the same owner), one business that has not paid in two years. So at this time, there is less than \$1,000 in outstanding fees not paid; which is a minimal impact to the city's budget. Patty McVay stated there are new owners for the large property located at the end of Larsen Lane and she stated they were renting storage units and doing weekly garage sales on that property.

2. Councilmember Kessler attended a joint meeting between representatives from Cowlitz Fire Protection District #6, Castle Rock police department, the public works director, clerk-treasurer and the mayor regarding assessment of assets and liabilities pertaining to the purchase of a city server. A follow-up meeting will be held this Wednesday. Mayor Helenberg commended Sergeant Neves for coordinating this process.
3. Councilmember Queen attended 911 Council budget meetings for the 911 service contract. He credited Chief Heuer and Sergeant Neves with saving the city approximately \$15,000 in service fees proposed for 2015. Chief Heuer stated the new CAD system software that was installed for the 911 center went from incident to event based reporting. The county knew the formula for assessing costs between the agencies would need to be amended because now the system also tracked non-dispatched events such as patrolling the boat launch and business checks. Heuer stated the city's typical call rate is 2400 to 2500 dispatched calls per year. With this new system, the city's call rate increased to over 4,000 generated events and it became apparent that the county's formula to assess distribution of services fees between agencies was not workable. Chief Heuer and Sergeant Neves met with the E-Board, Deanna Wells the 911 manager and the 911 Council to discuss this issue; which resulted in an adjustment to the city's 2015 service fee assessment. Chief Heuer stated he has also instituted a change in policy on how his officers track non-dispatched events.
4. Mayor Helenberg reported on November 14<sup>th</sup>, Dave Vorse will be representing the city at a joint meeting with Congresswoman Jamie Herrera-Beutler.
5. Mayor Helenberg reminded councilmembers of the upcoming Cowlitz Economic Development Council Annual meeting. Councilmembers can notify the Finance office if they would like to be registered for the event.
6. Nancy Chennault reported that the task force evaluating uses for the Exhibit Hall building are on schedule to make their presentations to city council on December 8<sup>th</sup>. She also reported that the original copies of The Advocate Newspaper have been turned over to city librarian Vicki Selander. Selander will now be responsible for their care and storage.

#### CONSENT AGENDA

1. Councilmember Queen made a motion, seconded by Davis to approve the minutes to the October 27, 2014 special council budget workshop meeting. By roll call vote, unanimous 'Aye'.
2. Councilmember Teter made a motion, seconded by Davis to approve the minutes to the October 27, 2014 regular council meeting. By roll call vote, unanimous 'Aye'.
3. Councilmember Rose reviewed October invoices and no issues were noted. Councilmember Queen made a motion, seconded by Rose to approve the October expenses in the amount of \$654,138.78 and further described as check numbers 45356 through 45437 for general expenditures and check numbers 24260 through

24288 for payroll expenses, adjustment number 380-10/14, EFT Payroll Draw 10/15/14 and 10/31/14 and NACHA Batch#1683317 and 1686554. By roll call vote, unanimous 'Aye'.

#### OLD BUSINESS

1. Councilmembers reviewed proposed Ordinance No. 2014-07, an ordinance amending appropriations for Civil Service an additional \$175 to refund test fees to seven applicants. In answer to Councilmember Kessler's question, Covington stated additional information was requested of Chris Koehler, Civil Service Secretary/Examiner, and only a list of applicants and the test fee paid was provided. Mr. Koehler initially noted that the additional amount requested was to cover costs in case another civil service test was required this year. Kessler noted that city council has already approved an additional allocation of \$500 this fiscal year; for a total allocation of \$1,000. Councilmembers reviewed the year to date expenditures incurred by the Civil Service Board and noted that they have expended \$1101.41 as of this date. In answer to Councilmember Kessler's question, Covington noted that \$550 in test fees was received; and this amount was used to offset the initial budget amendment.

Councilmember Kessler made a motion, seconded by Queen to amend Ordinance No. 2014-07 to reflect a budgetary amendment in the amount of \$277 to cover both the current overage and the test fee reimbursement request, on second reading. By roll call vote, Councilmembers Teter, Kessler, Queen and Davis voted 'Aye'. Councilmember Rose voted 'Nay. Motion carried.

2. Covington distributed amended revenue and expenditure appropriations for fiscal year 2015. She noted amended appropriations include the 911 dispatch service fee, and reallocation of two public works positions. Covington noted the first reading of the 2015 budget is scheduled for November 24<sup>th</sup> and recommended that if councilmembers have any pending issues, or need an additional workshop to discuss issues; this be scheduled and resolved prior to the budget hearing date. In answer to Councilmember Kessler's question, Covington stated amendments can be made to the ordinance at first reading, however if issues pertaining to staffing levels or significant changes in appropriation amounts are made, the ordinance would need to be revised and an additional reading would be required. Councilmember Kessler stated he still had concerns over hiring a public works position to fill the current position vacancy; especially with a tight budget.

Councilmember Kessler made a motion, seconded by Queen to not review the budget and to amend the proposed 2015 budget to eliminate the additional public works position intended to fill the current vacancy.

Discussion on the motion: Mayor Helenberg explained that the budget allocation for this position is 50% from the Water Fund, 45% from the Sewer Fund and 5% from General Fund (Parks Department). Covington stated the total cost for this position (salary and

benefits) is \$79,756; with cost distributions as outlined by the mayor.

Public Works Director Dave Vorse explained that his department gave up two positions in 2014; which was 25% of his staff. If city council decides not to reinstate the position, he would ask council to evaluate 2015 proposed projects to determine priorities. In answer to Mayor Helenberg's question, Mike Johnson, city engineer estimated the value of the water and sewer infrastructure at \$30 million to \$100 million dollars. Helenberg stated that he understood Kessler's concern; however the city has infrastructure that needs ongoing maintenance, utility mains to be replaced and street projects to complete. If preventive maintenance issues are allowed to slide, it could be more costly to fix if repairs are needed. Councilmember Kessler stated he finds it difficult to add, and then eliminate employee positions. The city has a lot of training and time invested in their employees. Kessler suggested deferring allocation for that position until June 2015. This would allow a better evaluation of funding availability and council could amend the budget if funds allow. Councilmember Kessler would like to know what is not happening versus what needs to happen. Vorse stated the city laid off two public works employees January 2014. This was the first time in 22 years of his tenure as Public Works Director that this was needed. He noted work on mains will begin in February. In answer to Councilmember Kessler's question, Vorse explained that the city needed to secure capital to allow replacement of water mains to coincide with the street upgrade projects. A loan application was submitted for those projects and still has not been resolved. The city chose to lay off the two positions to allow the infrastructure upgrades to proceed.

Vote on the above motion: Councilmembers Kessler and Queen voted 'Aye', and Councilmembers Teter and Rose voted 'Nay'. Councilmember Davis abstained, noting that he would need to have more information before he is able to make a decision. City Attorney Randolph stated the mayor is entitled to break a tie of the council. Mayor Helenberg also abstained from breaking the tie. Motion did not pass.

Councilmembers scheduled a budget workshop for November 17, 2014 at 6:15 p.m. to allow for further discussion. Meeting will be held at the Senior Center, 222 Second Avenue SW.

3. Mayor Helenberg noted the Humane Society director has provided the reports requested by city council relating to calls and dog licensing.

Councilmember Kessler made a motion, seconded by Rose to renew the contract with Humane Society of Cowlitz County for 2015 in the amount of \$7,000. By roll call vote, unanimous 'Aye'.

#### NEW BUSINESS

1. Councilmembers considered a request submitted by the public works director to authorize removal of the maple tree located in the east parking lot of City Hall due to

potential liability and aesthetics. Mayor Helenberg stated that Nancy Chennault has informed him there are issues with the health of this tree. Vorse stated removal of this tree will eliminate a liability with falling branches and will provide additional parking spaces for this lot.

Councilmember Rose made a motion, seconded by Davis to authorize removal of the maple tree. Discussion: In answer to Councilmember Kessler's question, Mrs. Chennault stated several limbs are dead and the tree has the potential to cause liability concerns during a storm. She estimated the age of this tree to be between 50 and 60 years old. Kessler suggested contacting the school to see if there is an interest in giving the wood to their wood shop class. Vote on the motion; unanimous 'Aye'.

2. Clerk-Treasurer Covington submitted a memorandum requesting council approval to deviate from policy outlined in Castle Rock Municipal Code relating to the collection process for delinquent accounts for the month of November. She noted the timing of Thanksgiving holiday and the regular billing cycle do not provide enough time to mail delinquency and disconnect notices to customers. Covington proposed mailing the delinquency notices to customers on November 21<sup>st</sup>, with a due date of December 1<sup>st</sup> at noon. Those accounts still delinquent will be mailed a shut off notice, advising their service will be disconnected on December 11<sup>th</sup> if not paid. Councilmember Kessler made a motion, seconded by Teter to approve this request. By roll call vote, unanimous 'Aye'.
3. Councilmember Kessler made a motion, seconded by Davis to approve Ordinance No. 2014-08, an ordinance establishing the Ad Valorem tax rate for collection in 2015, on first reading. By roll call vote, unanimous 'Aye'. Motion carried.
4. Mayor Helenberg and Councilmember Teter participated in negotiations with Teamsters Local No. 58 Police bargaining. Helenberg stated he felt the proposed contract represents the best interest of both the city and the bargaining unit members. Term of the contract is two years and includes a 2.5% cost of living increase, percentage increases for obtaining listed certifications and outlined pay for assigned stand-by. Copies of the proposed contract were provided to city councilmembers prior to this meeting. The mayor also outlined changes to uniform allowances and OIC coverage. Councilmember Teter made a motion, seconded by Rose to accept the proposed contract with Teamsters Local No. 58 for the Police bargaining unit. By roll call vote, unanimous 'Aye'.
5. City Engineer Mike Johnson requested council approval of the engineering service proposal to evaluate the Water Treatment Plant backwash infiltration basin to ascertain the feasibility of expansion. Johnson explained that currently the city is required to obtain a NPDES permit to discharge into the river. The amount of this permit is \$3,568

annually. The new permit has been issued with significant changes to monitoring requirements, which will create additional costs to the city. In response to the city's request, Gray & Osborne have submitted a proposal to evaluate and conduct pilot infiltration tests of the soils in the area adjacent to the existing infiltration pond to develop an estimated size of the required basin expansion. Estimated cost for the engineering proposal is \$3,568. Funding for this project will come from the Regional Utility Fund. Councilmember Kessler made a motion, seconded by Davis to approve the engineering proposal as submitted. By roll call vote, unanimous 'Aye'. Motion carried.

#### ADJOURNMENT

There being no further business, Mayor Paul Helenberg adjourned the regular meeting at 8:47 p.m.

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Mayor Paul Helenberg

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Clerk-Treasurer Ryana Covington