

CALL TO ORDER

Mayor Paul Helenberg called the August 27, 2018, 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: Art Lee, Earl Queen, Paul Simonsen and Ellen Rose. Lee Kessler arrived at 7:40 p.m.

Also present: Librarian Vicki Selander, Police Chief Scott Neves, City Attorney Frank Randolph, Public Works Electronic Specialist Brian Engkraf, City Engineer Tom Gower and Clerk-Treasurer Carie Cuttonaro.

OATH OF OFFICE

Police Chief administered the Oath of Office for Sergeant Charlie Worley. Sergeant Worley was congratulated by all.

The meeting was suspended at 7:34 p.m. for further congratulations.

Mayor Helenberg reconvened the regular session at 7:38 p.m.

BUSINESS FROM THE FLOOR

Yvonne Knuth, Castle Rock Fair Board Member, came with concerns regarding noise after midnight at the race track, along with safety and liability issues. Mayor Helenberg advised the new ordinance (Ordinance No. 2018-06) that is in the process of approval will help to alleviate any future concerns.

New Business Item #2 was moved to this point in time and discussed. Chief Neves asked if there were any specific questions. Knuth explained the Fair Board's main concern is the liability. Neves clarified the reason for this ordinance is to clarify what insurance is required by the event holders, and also gives the City more ability to review insurance documents. Knuth explained that part of the land used by the race track is owned by the Fairgrounds. She also stated that they no longer run their concession stand since the race track opened up their own and this cost them approximately \$3,000 in lost revenue this year. Neves stated this process, once approved, will prevent special use permits for alcohol from being approved for someone who then hires a third party to come in and run the event. This ordinance would also streamline the process for several departments, including Police, Public Works, Finance and Building and also includes Cowlitz Fire District 6. Mayor Helenberg stated that the Fairgrounds should be listed as an additional insured on the insurance. Councilmember Kessler added that the way the properties are shared creates a complicated issue that would be addressed through this ordinance. Kessler added that the Fair Board may want to seek their own legal counsel to protect themselves, based on the risks and that the City will do the best we can from our perspective with this ordinance, but it can't cover everything for all groups in the City. Councilmember Simonsen added that you can't sign liability off if you are negligent. City Attorney Frank Randolph clarified that insurance will usually cover negligence, but not intentional wrongdoing. Randolph added that you need to be careful what exemptions are included in any policy. He also added that AWC (Association of Washington Cities) is a great source for the City to send them documents and they'll advise if you may have a problem with any wording.

Councilmember Kessler made a motion, seconded by Lee to approve Ordinance No. 2018-06, an ordinance adding a new chapter 9.21 "Parades, Athletic Events and Other Special Events" to the Castle Rock Municipal Code, providing the permit procedure for special events, on first reading.

Further discussion: Councilmember Simonsen asked for clarification that the City would be listed as an additional insured on all insurance provided by event holders and what the requirements for medical response are. Police Chief Neves clarified that section 9.21.080 is the insurance section of the ordinance and details the insurance requirements and life safety issues. This includes Cowlitz Fire District 6 as part of the permitting process. In response to Simonsen's question, Neves stated the noise ordinance will be enforced as part of the permitting process. City Attorney Frank Randolph noted that if First Amendment rights are involved there is a counter balance that the City needs to be careful of in the early stages of the permitting process. An example would be a political or religious march. Neves stated one of the first questions in the permitting process covers the First and Fourteenth Amendments.

By roll call vote, unanimous 'Aye'.

#### DEPARTMENT REPORTS

City Attorney Frank Randolph

-reported the indigent defense has improved since 2010. Debra Burchett is currently running for judge.

Police Chief Scott Neves

-1<sup>st</sup> Annual Cornhole Tournament was well attended and went very well. Ran later than anticipated, but it was a good crowd and everyone was having fun.

-finished testing for reserve officers; looking at four entry level and one lateral reserve officer. If all pass background checks, we'll look into putting them into the January reserve academy and that will bring our reserve number to 10.

-National Night Out; letter from Sheriff Nelson thanking our department for participation commending Sergeant Worley for his work, making this evening a success. Yvonne Knuth added the vegetables from the garden at the elementary school was a hit with the kids.

Public Works Electronic Specialist Brian Engkraf

-reported update for the boat launch debris removal; a request to the Port of Longview was submitted asking for \$42,000 (a 25% match for the safety improvement project). We've contacted the Cowlitz County Search & Rescue dive team; most of their team members are also involved with wildland fire fighting and are not currently available due to the regional fires. They will contact us when they have enough staff to help.

-completion of the Clerk's Office remodel; few more items to finish up after staff decides where to put shelving. It was a good project and it went well.

City Engineer Tom Gower

-Huntington Ave S Overlay and Exit 49 Pedestrian Improvement Phase II projects went out to bid. Huntington bid opening is scheduled for September 6<sup>th</sup> and Exit 49 is September 13<sup>th</sup>.

Clerk-Treasurer Carie Cuttonaro –

-provided Cash and Investment activity; DOT Spoil Site Fund 170 is in the negative \$2,400 due to the delay of the land swap with DNR. It will be cleared up when the transfer is complete.

-provided expenditure and revenue reports with a comparison

Librarian Vicki Selander

-Excess Levy passed

Council and Ad Hoc Committees

## Mayor Helenberg

-1<sup>st</sup> Annual Cornhole Tournament had 77 teams; 40 kids. 1<sup>st</sup> place singles paid \$1,200; top eight places paid; 1<sup>st</sup> place doubles paid \$1,200; top eight places paid; kids 1<sup>st</sup> place paid \$50, 2<sup>nd</sup> place paid \$35, 3<sup>rd</sup> place paid \$25, 4<sup>th</sup> place paid \$10. Started playing at 11:30 a.m. and ended at 9:45 p.m. 13-14 vendors and everyone had a great time. There were two guys from Canada heading to Beaverton for a wedding. They stopped in Castle Rock for a coffee that morning, saw the Cornhole Tournament, decided the wedding was off, and they stayed and played Cornhole.

## Councilmember Art Lee

-received word back from PetSafe from the grant application; we were not selected for a grant for maintenance of the dog park.

## Nancy Chennault, Castle Rock Community Development Alliance

-America in Bloom; share the video made by Della Franklin – there were over 2,000 views as of this morning. Judging will be in two formats with two prizes; Peoples' Choice Award will be based on number of views; and merit/quality.

-Proven Winners representatives came into town last Thursday. Had a good walkthrough with them. They like what we've done with their plant material within the town and were proud of the Signature City designation. They asked what their monetary investment in the seven years they've supported the City. I did a quick calculation and between shrubs, perennials and flowers, it's somewhere between \$49,000 and \$52,000 that they have donated for baby plants at approximately \$0.44 per plant. We help them market their material. They recognize the commitment of the volunteers, the businesses, city leadership and the school district.

-America in Bloom Symposium is in Lexington, Kentucky September 27 – 29<sup>th</sup>. Deadline for registration is September 4<sup>th</sup>. Approximate costs are \$1,700 per person to attend the symposium. Public Works Director Dave Vorse had recommended in an email that Mayor Helenberg and Public Works Electronic Specialist Brian Engkraf attend the symposium this year. Helenberg agreed he would attend the symposium.

CONSENT AGENDA

1. Councilmember Queen made a motion, seconded by Rose to approve the minutes to the August 13, 2018 Regular Council Meeting. By roll call vote, unanimous 'Aye'.

OLD BUSINESS

1. Councilmember Kessler made a motion, seconded by Queen to approve Resolution No. 2018-10, a resolution accepting the Proven Winners® Signature City designation, on second reading. By roll call vote, unanimous 'Aye'.
2. Update on the boat launch was given earlier by Public Works Electronic Specialist Brian Engkraf. Mayor Helenberg adds that he is talking to a gentleman that has a dozer and if he might be willing to donate time and equipment to come down and pull a log out. Discussion with Councilmember Queen and Helenberg continued in regards to removing the log. Councilmember Kessler asked if the work could be done on a weekend. Helenberg responded that the Public Works crew would need to assist and that would cause overtime.
3. Discussion regarding the grant application to the WA State Transportation Improvement Board for the Huntington Ave S Overlay Project in the amount of \$117,000. City Engineer Tom Gower clarified

that the 13.5% match of the Design Phase would not be covered by this grant, but it would go toward the 13.5% match of the Construction Phase.

4. Discussion regarding the grant application to the WA State Transportation Improvement Board for the Exit 49 Pedestrian Improvement Phase II Project in the amount of \$35,700. This is the 13.5% match for the Construction Phase. City Engineer Tom Gower stated these grants should be awarded in September.

#### NEW BUSINESS

1. Councilmember Kessler made a motion, seconded by Queen to approve additional funds in the amount of \$196.71 to the Civil Service. Funds were needed to pay the Public Safety Testing bill for testing two candidates for sergeant. By roll call vote, unanimous 'Aye'.
2. \*This item was completed during *BUSINESS FROM THE FLOOR*.\*
3. Councilmembers reviewed a leak adjustment request submitted by Charles Fields, Fifth Ave SW, in the amount of \$374.50 for the July billing period. Mayor Helenberg asked if Public Works Electronic Specialist Brian Engkraf had looked this over. Engkraf responded this was the first he had seen the pictures, but that Public Works Director Dave Vorse had reviewed it. Clerk-Treasurer Carie Cuttonaro noted that Vorse had reviewed and signed the adjustment form.

Councilmember Kessler made a motion, seconded by Rose to approve the leak adjustment. By roll call vote, unanimous 'Aye'.

4. Councilmember Kessler made a motion, seconded by Rose to approve Huser Integrated Technologies for a sole source contractor for the downtown sound system. By roll call vote, unanimous 'Aye'.
5. Councilmember Queen made a motion, seconded by Kessler to accept the Huser Integrated Technologies bid for the downtown sound system in the amount of \$12,958. By roll call vote, unanimous 'Aye'.
6. Councilmember Kessler made a motion, seconded by Queen to approve the purchase of materials from H.D. Fowler Company in the amount of \$63,897.09 for the Dougherty Dr. Water Main Project. Purchase will be made by the Regional Water Fund. By roll call vote, unanimous 'Aye'.

#### ADJOURNMENT

There being no further business, Mayor Helenberg adjourned the meeting at 8:19 p.m.

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Mayor Paul Helenberg

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Clerk-Treasurer Carie Cuttonaro