

CALL TO ORDER

Mayor Paul Helenberg called the October 08, 2018 regular meeting of the Castle Rock City Council to order at 7:31 p.m., followed by the Pledge of Allegiance. The following councilmembers were present: Art Lee, Lee Kessler, Earl Queen, Paul Simonsen and Ellen Rose.

Also present: Librarian Vicki Selander, Police Chief Scott Neves, City Attorney Frank Randolph, Public Works Director Dave Vorse, City Engineer Tom Gower, CRCDA Representative Nancy Chennault, and Clerk-Treasurer Carrie Cuttonaro.

DEPARTMENT REPORTS

City Engineer, Tom Gower

-Powell Rd Washout Repair project update: Excavated material under the overpass and hauled that away. Wednesday they will be hauling new material to build back up. On the upper side, they've pulled out the existing asphalt and poured the straddle thrust block to hold it all together while they replace the existing water line. They exposed the existing thrust block and removed part of that, with the rest of that to be removed tomorrow.

-Huntington Ave S Overlay project update: Slow start; they've met and are discussing the limits of the grinding and working through some submittals in terms of crack sealing and other repair work.

Librarian Vicki Selander

-Library will be staying open late (until 7:00 or 8:00 p.m.) on Halloween to join other organizations, churches and businesses. They have a Halloween party and trick-or-treating.

Council and Ad Hoc Committees

Mayor Paul Helenberg

-Went to Lexington, Kentucky for the America in Bloom Symposium. Proud to come back with the #1 City under 3,000 population category award, which includes a plaque. We were nominated in a few other categories with cities up to 300,000 population. Proud to be nominated in those categories amongst 80 other cities, ranging from 200 to 300,000 or more population. The video submitted by Della Franklin was only 200 votes short of winning. The city that won that award had a population of 76,000. The speakers always mention Castle Rock when they refer to things you should do. We're proud to be where we're at and that we are well recognized across the United States.

Councilmember Paul Simonsen

-attended the SW WA Regional Transportation Planning Organization meeting Friday in Cathlamet. The meeting was uneventful for the most part, as the transit (buses) were there promoting their position on the board, looking for new buses since they believe their equipment is all outdated and costing the tax payers money. One of the things that had been brought up was the Complete Streets. Simonsen asked where our process is. Public Works Director Dave Vorse stated we have submitted to four of the six nominating agencies that can nominate your ordinance. Simonsen stated you get extra points for having an ordinance for Complete Streets. Vorse stated the ordinance was passed in December of 2017. In December of this year, it's open for a grant of \$250,000 to \$500,000. Simonsen stated they will call for new projects on October 19, 2018. Judith Perez and Rick Keniston were there and I had worked with them before. Once they found out I was from Castle Rock, they told me that working with Dave Vorse is the biggest pleasure they have in southwest Washington. They really like working with Vorse and they spoke highly of him.

CRCDA Representative Nancy Chennault

-adding to what Mayor Helenberg said about the America in Bloom Symposium: There were seven of us that were able to go, great community-wide effort and representation across the board. There were four volunteers, Brian Engkraf from the Castle Rock Public Works Department, Mayor Paul Helenberg, and Julia Collins from the Castle Rock High School – she was the only representation from a school district in the whole symposium of 300 people that were in attendance. We had the honor of doing a presentation on our volunteer program, and Linda Staudinger did a presentation on the booklet for the bloom hunt. They've also asked that I write a letter for a column in their newsletter that will be out the middle of October about how we retain our volunteers for the "Water Wizards of Fertilizer Friday", which is a group that goes out and makes sure all the plants are watered and fertilized. It was a nice representation and it was nice to be recognized for all of the little things that we do. Laura Kunkle, Executive Director for the America in Bloom, she told me she really wanted to win the silent auction package Castle Rock put in, and she got it. She emailed me the morning after winning wanting to secure her dates to come to Castle Rock for a visit. She wants to come in the spring, at the anniversary of the Mt. St. Helens eruption.

-Mayor Helenberg added that he was talking to the Parks Director from the City of Lexington. I asked him what is budget was every year. He answered about \$22 - \$25 million. They have about 110 baskets and some planters along the streets that they take care of. They have about 39 people that take care of parks, not counting the carpenters, plumbers, electricians or other maintenance staff. Dave stated his motto is "We've done so much for so little for so long, we can do anything with nothing forever."

BUSINESS FROM THE FLOOR

Mayor Paul asked the two ladies in attendance if they had anything they would like to discuss. Charlotte Bradley, 614 2nd Ave SW first asked what is the population of Castle Rock. Mayor Helenberg stated it is about 2,200. Bradley then stated she had purchased a tree that she was hoping the City could plant for her between the sidewalk and the street, noting that it was within the right-of-way. She bought the tree from a list that was approved to be planted in that specific area. Public Works Director Dave Vorse stated we allow residents to plant trees into the right-of-way, that the City doesn't have a budget to plant the trees with the root barrier and other materials required for planting, unless Council approves. We allow residents to plant them, with the understanding that once the tree is planted, it becomes a City tree. Councilmember Queen asked what kind of tree she purchased. Bradley stated it is about 8' tall. Councilmember Lee asked how big the tree will get. Councilmember Queen, looking at the tree's tag, stated it can get up to 50' tall in 100 years. The purpose of the tree is to shade the house in summer. Councilmember Lee shared his concern about the size of the tree and the width of the right-of-way. Vorse stated what matters is the width of the strip between the sidewalk and the street. Bradley stated it is between 4-6'. Vorse stated we use the Vancouver approved tree list, which is specific to the width of the strip available. Bradley stated this tree is within the list approved for the area she would like to have it planted. Councilmember Kessler confirmed that what Bradley is asking is that the City plant the tree for her. He explained there are costs involved with that. Vorse stated there are requirements that need to be met during the planting, such as root barrier, which is a fabric material that keeps the roots from going sideways, preventing future issues for the sidewalk or street infrastructures. Sometimes there are requirements for how the tree will be watered. Sometimes other materials are necessary, such as stakes used to hold the tree up for the first winter or two, for wind resistance. Vorse noted the developer on Joann Dr. approached the City to have us plant the trees. The City was reimbursed the cost of planting the trees by the developer. We have not done this before for anyone else. City Attorney Frank Randolph stated that the City needs to be consistent. Councilmember Kessler asked if Bradley needs the tree to be planted for her because of the digging. Bradley stated yes, and because it's on City property. She wants it done right. Councilmember Kessler asked if needed to

pay fees, would she be able. She stated she is looking for the City's permission to plant the tree on City property. She went on to say she would like someone from the City to plant it, but ultimately is looking for permission. Mayor Helenberg stated if we assisted in the planting, we could make sure the root barrier is installed correctly. Vorse stated that the City needs to be consistent, reiterating Randolph's earlier comment. Helenberg agreed; but would rather the tree be planted right, than have to return in 15 years and cut it down. Councilmember Lee explained that was the reason he asked what the size it was going to be, because once it starts to grow and the root barrier isn't working, it will uproot the sidewalk and that becomes Bradley's responsibility to replace the sidewalk. Bradley responded by saying that's why she's here tonight. Councilmember Kessler asked if it was a slow-growing tree. CRCDA Representative Nancy Chennault responded that it isn't. Bradley stated it is on the approved list. Councilmember Kessler asked Vorse what the impact would be on the crew. Vorse stated if you can hand dig a hole big enough in 30 minutes, root barrier would cost approximately \$30. Bradley stated she would be willing to pay that. Kessler added that it's better to avoid trouble down the road, but Public Works is strapped for time. Vorse stated it just means something else just won't get completed. Mayor Helenberg suggests Bradley coordinate with Vorse and that Bradley purchases the root barrier and soil needed for the planting.

Councilmember Queen made a motion, seconded by Kessler, that if the tree Bradley purchased is on the approved list, to have Public Works assist with the planting of the tree according to City specifications. By roll call vote, unanimous 'Aye'.

Patty McVay, Front Ave SW, wanted to say that since 2005, she is committed to Castle Rock, contrary to anything you might read in the paper. She would also like to thank the City Council and department heads.

CONSENT AGENDA

1. Councilmember Queen made a motion, seconded by Kessler to approve the minutes to the September 24, 2018 Regular Council Meeting. By roll call vote, unanimous 'Aye'.
2. Councilmember Lee reviewed the September invoices prior to the meeting. Councilmember Queen made a motion, seconded by Rose to approve the September 2018 invoices in the amount of \$427,500.04 as described on the Fund Transaction Summary Report and further described as adjustment number EFT's 610-8/2018, 611-8/2018, 613-9/2018, 614-9/2018, 615-9/2018, 616-9/2018, 617-9/2018 and check numbers 49663 through 49749 for general expenditures; and adjustment numbers EFT Payroll Draw 9/15/18, NACHA Draw Batch #1951814, EFT Payroll 9/30/18, NACHA September Pay Batch #1957077 and check numbers 25348 through 25365 for payroll expenditures. By roll call vote, unanimous 'Aye'.

OLD BUSINESS

1. Public Works Director Dave Vorse gave an update that he was expecting to have a confirmation letter, but has not received that letter yet. He did however, receive a phone call last Thursday from the CEO of the Transportation Improvement Board notifying that the TIB will match with federal funds up to \$117,000, which is the 13.5% on the Huntington Ave S Overlay project. This grant money will allow us to complete the project using hardly any of the money we received from Cowlitz County. We may actually be able to return some of the money we are borrowing from the County. If we receive the letter confirming this, then we will have funds other available that relates to Old Business Item #2.

2. Public Works Director Dave Vorse continued from Old Business Item #1. The bids came in on the Exit 49 Pedestrian Improvement Phase II project \$50,000 higher than funding allowed. The TIB match noted in Old Business Item #1 may allow us to shift funds received from the County for the Huntington Ave S Overlay project over to the Exit 49 Pedestrian Improvement Phase II project. We are also pursuing with WSDOT to see if they will allow our crew to install bases, pedestals and light poles. City Engineer Tom Gower is working with the contractor to see what kind of relief this would be on the overall bid. The contractor would continue to pull the wire and hook everything up. We will have all options flushed out by the next Council meeting. At this time, we request Council consensus to approve a request to the County for a fund shift between the two projects. Council consensus to move forward with the request.

3. Councilmember Queen made a motion, seconded by Kessler to approve the payment arrangement request as submitted.

Mayor Helenberg stated it seems that we had approved a request once before. City Attorney Frank Randolph stated that the City can approve this request, but needs to be consistent and what you do for one, you need to do for all. Randolph will draft an agreement if Council approves. Clerk-Treasurer Carie Cuttonaro clarified that we will still need to obtain approval from the owner even if Council approves the request for the tenant, and that \$520 has already been paid on the bill, leaving a balance owing of \$996.91. Randolph stated his understanding is that this bill is a result of a leak that occurred that did not qualify for a leak adjustment. Cuttonaro confirmed. In response to Randolph's question, Cuttonaro stated the request is for equal payments of the remaining amount due over a five-month period, to be paid on top of their regular monthly bill. Vorse clarified that if the bill goes unpaid, disconnection would take place and the owner would be responsible for any remaining amount due. If the current tenant leaves the residence, a new tenant will not receive service until the ending balance is paid on the account. Mayor Helenberg asked Randolph to draft an agreement. Councilmember Kessler added that he doesn't think any of the councilmembers would want to get into a situation where they're telling someone to "pay this amount that you don't have, or we'll shut your water off for something that is no fault of their own". It is ludicrous to him that we wouldn't find a way to help people out in this type of situation.

Charlotte Bradley stated that she had experience a similar situation with a leak about a year ago. She became aware of it once she received the first bill that captured the leak. At the point you receive the bill, it is approximately 10-15 days after the reading, which means the leak has bridged over into the next month's reading as well.

Vorse added that the only time we can catch leaks is during the regular monthly reading and that there is a responsibility on the residents to also watch their consumption history provided on their monthly bills. Councilmember Queen asked if we notify residents if we note a leak. Vorse stated once we are aware of it, we do.

Councilmember Kessler asked for clarification regarding a leak that is covered under the adjustment policy, do we adjust the sewer as well. Vorse responded that the adjustment is only applied to the sewer charge.

Mayor Helenberg explained that it was not uncommon to have people at council meetings asking for adjustments when it was a toilet that was running. The policy was re-written based on other policies within the county to exclude certain types of leaks.

Councilmember Kessler questioned why we would continue billing the sewer charge when this wasn't a sewer cost to the City. Mayor Helenberg stated that a visual leak, like a faucet outside, you can't start giving leak adjustments for. People who fill their pools would request an adjustment each time. Residents have a responsibility to fix a visual leak.

Councilmember Lee stated it appears to him that the tenant is willing to make the payments and the alternative is that we disconnect service, the tenant moves out, the bill goes to the owner, and if they don't pay the bill, the property can't be rented again, so this would be affecting more than one person, by not allowing this extension. It will need to be revisited to add a higher dollar limit to an extension request, which will limit the number of requests. This is an extraordinary amount.

Councilmember Rose inquired if the leak was fixed by the owner or the tenant. Cuttonaro stated it was an outside fixture that had broken or wasn't turned all the way off.

Vorse suggested that if Council approves an extension greater than the 60 days, it should only apply to water bills that are in excess of \$1000 or so.

Vote on the motion above, unanimous 'Aye'.

Mayor Helenberg added that we should have a future discussion to add a limit to extensions and approve on a case by case basis.

NEW BUSINESS

1. City Engineer Tom Gower clarified the Change Order #1 for the Huntington Avenue S Overlay project in the amount of \$5,760 is to allow funding for the two portable changeable message signs placed on the north and south end of the project area. The signs were needed to notify motorists to plan for additional travel time and/or adjust travel routes during construction. This is an additional cost to the traffic control that was already included in the project cost. Gower confirmed with WSDOT that this cost is reimbursable under the grant. There is funding available.

Councilmember Kessler made a motion, seconded by Rose to approve Change Order #1 for the Huntington Avenue S Overlay project. By roll call vote, unanimous 'Aye'.

2. Public Works Director Dave Vorse stated he once again went to the Port of Longview to request the designing and engineering of the safety project. They were much more favorable, but haven't signed anything yet since the Port is currently going through its budget process. The Port's Commissioners seem to agree that it needed to be funded and that they would fund it.

The Recreation and Conservation Office (RCO) has grants out now for the construction and we need to apply for that now with a decision to be received in February of 2019. If we don't do this, it will be two more years before we would have another opportunity. Staff at RCO was encouraging us to apply for the construction money now, that way as soon as we get the permit from the Army Corps of Engineers, we would already have money to go ahead and start the project. This is a standard resolution to apply for the RCO grants.

Councilmember Kessler made a motion, seconded by Lee to approve Resolution No. 2018-11, a resolution authorizing submitting an application for grant funding assistance to the Recreation and Conservation Office for the boat launch construction grant, on first reading. By roll call vote, unanimous 'Aye'.

3. Bid results were received for the Chemical Procurement for the water treatment plant. Public Works Director Dave Vorse noted that all items have a price increase from the prior year for a total increase of approximately \$1,900. Vorse recommended awarding the bids to the following low bidders:
 - a. Aluminum Sulfate to Chemtrade for \$1.4985 per gallon
 - b. 12.5% Sodium Hypochlorite to Cascade Columbia Distribution for \$7.45 per gallon
 - c. Sodium Flouride to Cascade Columbia Distribution for \$1.165 per pound
 - d. Chlorine to JCI Jones Chemicals Inc for \$3.00 per pound.

Councilmember Kessler made a motion, seconded by Queen to award the bids as presented. By roll call vote, unanimous 'Aye'.

4. Chief Scott Neves requested to procure an Off-Road Vehicle (ORV) for use between the Police Department and Cowlitz County Fire District 6. Both departments have experienced Issues over the years accessing the areas behind the skate park and across the river from the Delameter access area. Both departments don't have the ability to get into some of those places. We've recently had issues with transient populations at the end of the walking trail and on the walking trail itself. An opportunity to buy a used ORV from United Rentals has come up and we have discussed a partnership with Cowlitz County Fire District 6 to share the cost. We request \$3,500-\$4,000 to purchase the ORV. The funds are available in the Local Criminal Justice Fund, by special use tax, so it would not impact the general fund. The ORV would also allow us access to the area behind the motorcycle track, as well as assist with the Sand and Misery obstacle course. This is a four seater. We're still working out the configuration with the fire department. They want to be able to carry out patients out of areas they can't get an ambulance into. We're looking for a configuration that will put a backboard on the unit to put a patient on. This is a good opportunity for us and we have an excellent working relationship with Cowlitz District 6. The ORV's run around \$12,000 and this one is priced around \$7,300 with tax. As part of the agreement that is still being worked on, the fire department will provide all maintenance to the vehicle with their people in-house.

Mayor Helenberg stated that he happened to be at United Rental and the salesman told him that they will put new tires on the unit and go through it before releasing it, at no charge.

Neves stated that Sergeant Worley and Fire Chief Bill LeMonds from District 6 had been down and inspected the unit. It's in really good shape and is very clean. It is my understanding that it spent most of its life at one of the mills transporting and hasn't been ran hard or ran off-road.

Councilmember Kessler made a motion, seconded by Simonsen to approve the purchase of the ORV in conjunction with the Cowlitz County Fire District 6. By roll call vote, unanimous 'Aye'.

5. Mayor Helenberg wanted to remind everyone that two years ago there was a proclamation naming October 15th as Ken Davis day. Ken passed away and we should fly the flags at half-staff in honor of Ken and all the ex-business owners and mayors who have passed away.

6. Councilmember Simonsen asked that the Huntington Ave S Overlay project is supposed to be done by State specifications. City Engineer Tom Gower stated that is correct. Simonsen then clarified that unless there are special provisions in the agreement, paving cannot continue past October, which those special provisions are included in this agreement. In response to Simonsen's question about paving below pavement temperatures of 55 degrees, Gower stated that we need to wait and see what the weather will be like before making any decisions. Simonsen had noticed on the south end of Huntington, the places for grind out are all marked in white paint, but up to the north end, the cracks and alligator cracks are not marked out. In response to Simonsen's question if all of the cracks and alligator cracks will be ground out and re-paved before the overlay, Gower stated that it was dark when he came through so he didn't see for himself, however he knows the surveyors were onsite and marked the approximate locations. Simonsen stated it only takes a year for the cracks and alligator cracks to reflect through the overlay if they are not repaired properly. Gower stated he will take a look at the plans. He also stated a subcontractor will be providing crack sealing and that there will be inspectors from Gibbs & Olson onsite during the entire project. The project can be suspended if the weather doesn't cooperate.

ADJOURNMENT

There being no further business, Mayor Helenberg adjourned the meeting at 8:27 p.m.

Mayor Paul Helenberg

Clerk-Treasurer Carie Cuttonaro