

CALL TO ORDER

Mayor Paul Helenberg called the November 26, 2018 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: Art Lee, Lee Kessler, Earl Queen, Paul Simonsen and Ellen Rose.

Also present: Librarian Vicki Selander, Police Chief Scott Neves, City Attorney Nicole Tideman, Public Works Director Dave Vorse, City Engineer Tom Gower and Carol Ruiz, and Clerk-Treasurer Carie Cuttonaro.

DEPARTMENT REPORTS

## Police Chief Scott Neves

- working with City Attorney on the Indigent Defense and Prosecuting Attorney contracts. Indigent Defense is completed at the current price. The current Prosecuting Attorney, Fred Johnson, is retiring but will continue to provide services until a suitable replacement is found.
- Festival of Lights is coming up, along with the Shop with a Cop, both on December 8<sup>th</sup>.

## City Engineer, Tom Gower

- update on the Powell Rd Overpass Repair: contractor was able to successfully replace the concrete slope protection along Interstate 5. They flushed the water line and the City will be taking a sample tomorrow to make sure it passes the bacteriological tests. We still need to put together a punch list, but we don't expect a lot. WSDOT is indicating they will require some erosion control on the slopes, which wasn't included in the original contract, so we'll make sure they are satisfied.

## City Engineer, Carol Ruiz

- update on the Huntington Ave S Overlay Project: the contract was essentially complete per the WSDOT/FHWA requirements and a letter was sent to the contractor informing them the project is substantially complete. A letter including punch list items that need to be addressed was also sent. Some of those items have been addressed but we are still working on some others. We hope to get those done in the next week or so. WSDOT has driven the site and given their verbal and written acceptance of the project. The City has not accepted it as complete, as we will wait until the punch list items are complete. In response to Councilmember Simonsen's question regarding the striping, Gower stated there are two coats of paint and beads were included. The striping passed inspection. Simonsen added the fog line between Pleasant Hill Rd and the I-5 South On-Ramp seems to come out into the lane further than it used to. It will get worn off by cars driving over it. It appears cars now need to turn a bit to the left before making the right turn, just to stay inside the line.

## Clerk-Treasurer Carie Cuttonaro

- provided the Expense, Revenue, Comparison and Cash Investment Activity. Street Construction Fund is awaiting reimbursement from WSDOT/FHWA for the Huntington Ave S Overlay Project.

Council and Ad Hoc Committees

## Mayor Paul Helenberg

- had a meeting with Port of Longview Commissioner Jeff Wilson. We were turned down for the money we needed for the match for the boat launch.
- small shop Saturday was successful. Everyone he talked to said it was the busiest day they'd had for that day so far. A lot of people attended. Good weather.

-CRCDA Representative Nancy Chennault couldn't make it tonight, and didn't have much to report, but sent a message that she wanted to make sure the 2019 registration for the America in Bloom was included in the budget. Mayor Helenberg confirmed it is.

Maddie Neves, Student Representative

-parent-teacher conferences ended the first week of November

-healthy you surveys were given out two weeks ago

-All-District Patriotic Concert was held on November 6<sup>th</sup>. There were two new music teachers in the district, so this event looked a little bit different than in years past.

-2018 fall sports are almost over; 1 runner, Jaren Keogh, competed in the Tri-Cities.

-Volleyball came home with a 5<sup>th</sup> place trophy in the state tournament.

-FFA sent three Castle Rock Alumni to Indianapolis, Indiana for the National Convention.

#### CONSENT AGENDA

1. Councilmember Queen made a motion, seconded by Rose to approve the minutes to the November 05, 2018 Budget Workshop Meeting. By roll call vote, unanimous 'Aye'.
2. Councilmember Kessler made a motion, seconded by Queen to approve the minutes to the November 13, 2018 Regular Council Meeting. By roll call vote, unanimous 'Aye'.
3. Councilmember Queen made a motion, seconded by Rose to approve the minutes to the November 19, 2019 Special Council Meeting. Councilmembers Lee, Queen, Simonsen and Rose voted 'Aye'. Councilmember Kessler abstained.

#### OLD BUSINESS

1. Councilmember Queen made a motion, seconded by Lee to approve Ordinance No. 2018-07, an ordinance authorizing the City to participate in the Volunteer Firefighters' and Reserve Officers' Relief and Pension Act program, on second reading. By roll call vote, Councilmembers Lee, Queen Simonsen and Rose voted 'Aye'. Councilmember Lee abstained.
2. Councilmember Kessler made a motion, seconded by Rose to approve Resolution No. 2018-12, a resolution adopting a fee schedule for certain land use, planning, zoning, environmental and right-of-way permit applications, on second reading. By roll call vote, unanimous 'Aye'.
3. Councilmember Queen made a motion, seconded by Kessler to approve Ordinance No. 2018-09, an ordinance amending sections of Castle Rock Municipal Code Chapter 5.16 Business Licenses and Occupation Tax – Generally, to define “engaging in business” and comply with the model ordinance threshold established by Engrossed House Bill 2005, on *second\** reading. By roll call vote, unanimous 'Aye'.

*\*This item was erroneously listed as first reading instead of second reading in the Agenda. Excerpt from the November 13, 2018 Regular Council Minutes: New Business Item #6: Councilmember Kessler made a motion, seconded by Simonsen to approve Ordinance No. 2018-09, an ordinance amending sections of Castle Rock Municipal Code Chapter 5.16 Business Licenses and Occupation Tax – Generally, to define “engaging in business” and comply with the model ordinance threshold established the business license fees to include business license threshold language, on first reading. By roll call vote, unanimous 'Aye'.*

4. Councilmember Queen made a motion, seconded by Kessler to approve Resolution No. 2018-13, a resolution amending the business license fees to include business license threshold language, on *second\** reading. By roll call vote, unanimous 'Aye'.

*\*This item was erroneously listed as first reading instead of second reading in the Agenda. Excerpt from the November 13, 2018 Regular Council minutes: New Business Item #7: Councilmember Rose made a motion, seconded by Kessler to approve Resolution No. 2018-13, a resolution amending the business license fees to include business license threshold language, on first reading. By roll call vote, unanimous 'Aye'.*

5. City Engineer, Carol Ruiz stated the bid opening was September 13, 2018. Clark & Son's Excavating, Inc. was low bidder. The information was sent to WSDOT and was found to have met the requirements for the UDBE (Underutilized Disadvantaged Business Enterprise) and they concur with the recommendation that Clark & Son's Excavating, Inc. be awarded the project in the amount \$299,584.44. This amount is higher than the engineer's estimate, however upon further review, the cost for the street lights was more than shown in the first bid from a couple years ago. Only the materials were included, no labor or profit, causing the cost to more than anticipated. Public Works Director Dave Vorse stated that the Cowlitz County Commissioners and Castle Rock City Council approved to move \$50,000 from the Huntington Avenue S Overlay Project to this project. There is now sufficient funding for this project.

Councilmember Kessler made a motion, seconded by Rose to award the bid to Clark & Son's Excavating, Inc., in the amount of \$299,584.44 for the Exit 49 Pedestrian Improvement Project, Phase II. By roll call vote, unanimous 'Aye'.

6. This item is tabled until the results from the quantitative assessment of the dredge spoils is available.
7. Information item: Public Works Director Dave Vorse stated the Clark & Son's Excavating, Inc. has been made aware of the punch list items for the Huntington Ave S Overlay Project. City Engineer Tom Gower stated once the punch list items are completed, a recommendation will be made at that time.

Councilmember Simonsen asked for clarification on punch list item #1: *Reinstall Castle Rock Population sign (with a new post) near Station 58+50 LT that was broken as part of construction activities. Contractor shall provide and install a 4 in. x 4 in. x 12 ft. pressure treated post painted white. Sign to be provided by the City of Castle Rock.* Clarification: The sign was not damaged, just the post. Our population has increased by three. Vorse stated we are above pre-eruption population.

#### PUBLIC HEARING

Mayor Helenberg closed regular session at 7:47 PM to convene a Public Hearing to take public testimony on the proposed budget for fiscal year ending December 31, 2019, including a proposed 3% increase in water, sewer and stormwater utility rates. No public comment was offered. Mayor Helenberg closed the Public Hearing at 7:48 PM and resumed regular session.

NEW BUSINESS

1. City Engineer Carol Ruiz stated there is a location where the curb on the road and a driveway meet that prevents drainage to occur. In order to rectify the issue, the proposal is to cut a section of the pavement out and replace it with drain rock; no pipe will be used. The inspector noticed that water was getting trapped on the other side of the driveway as well, due to flat grade and the overlay. Both sides of the driveway will be corrected with approval of Change Order #3 in the amount of \$3,271.97. WSDOT has reviewed and approved the change order.

Councilmember Kessler made a motion, seconded by Rose to approve Change Order #3 in the amount of \$3,271.97 for the Huntington Ave S Overlay Project. By roll call vote, unanimous 'Aye'.

2. Mayor Helenberg stated the cost for animal control increased 20% for 2019, 5% for 2020 and 5% for 2021. Kelso City Manager Steve Taylor and Cowlitz County Chief of Staff Axel Swanson negotiated the new contracts.

Councilmember Kessler made a motion, seconded by Queen to approve the agreement for animal control services with Humane Society of Cowlitz County. By roll call vote, unanimous 'Aye'.

3. Mayor Helenberg stated a loan is necessary from the Swimming Pool Construction Fund to the DOT Spoil Site Fund until the dredge spoils can be sold. It is expected to begin selling the dredge spoils in 2019.

Councilmember Queen made a motion, seconded by Kessler to approve Ordinance No. 2018-10, an ordinance amending the budgetary appropriations and authorizing an interfund loan for fiscal year ending December 31, 2018 for the City of Castle Rock, Washington for DOT Spoil Site and Swimming Pool Construction funds, on first reading. By roll call vote, unanimous 'Aye'.

4. Clerk-Treasurer Carie Cuttonaro stated this ordinance is necessary to capture budgetary amendments that includes anticipated revenues and expenditures through December 31, 2018.

Councilmember Queen made a motion, seconded by Rose to approve Ordinance No. 2018-11, an ordinance amending the budgetary appropriations for fiscal year ending December 31, 2018 for the City of Castle Rock, Washington to include the following funds: General (Executive Department, Finance, Parks, Planning, Non-Departmental), Building Department, Visitor Center, Street Construction Capital, Water/Sewer Operating, Regional Sewer, and Regional Water Capital Improvement, on first reading. By roll call vote, unanimous 'Aye'.

5. Councilmember Kessler made a motion, seconded by Lee to approve Resolution No. 2018-14, a resolution relating to setting rates and minimum charge for water and sewer services to City of Castle Rock customers, and amending Resolution No. 2017-08, on first reading. By roll call vote, unanimous 'Aye'.

6. Councilmember Kessler made a motion, seconded by Queen to approve Ordinance No. 2018-13, an ordinance amending, in part, City of Castle Rock, Washington, Municipal Ordinance No. 2016-12, stormwater management services by amending charges for all classifications, on first reading. By roll call vote, unanimous 'Aye'.

7. Councilmember Queen made a motion, seconded by Lee to approve Ordinance No. 2018-12, an ordinance adopting the budget of the City of Castle Rock, Washington for the fiscal year ending December 31, 2019, on first reading. By roll call vote, unanimous 'Aye'.
8. Councilmember Kessler made a motion, seconded by Rose to approve and give signing authorization to the final Service Level Agreement for Emergency Communications and Dispatch Services with Cowlitz 911 (Cowlitz County 911 Public Authority), and to terminate the current agreement. By roll call vote, unanimous 'Aye'.
9. Mayor Helenberg stated we have a replacement for Indigent Defense Services. Mayrie Grimm, along with other attorneys at Longview Public Defenders will continue providing the services Debra Burchett previously provided and at the same compensation. Longview Public Defenders is providing indigent services for most of the cities in Cowlitz County.

Councilmember Kessler made a motion, seconded by Queen to approve the Professional Services Agreement for Indigent Defense Services with Longview Defenders, PLLC. By roll call vote, unanimous 'Aye'.

Added Item #10. Castle Rock Police Guild is requesting to place blue lights on the Hemlock trees in front of City Hall and run them year-round, in memory of fallen officers. Approval by consensus.

#### ADJOURNMENT

There being no further business, Mayor Helenberg adjourned the meeting at 8:01 PM.

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Mayor Paul Helenberg

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Clerk-Treasurer Carie Cuttonaro