

## CALL TO ORDER

Mayor Paul Helenberg called the April 9, 2012 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, Glenn Pingree, Earl Queen, Mike Davis and Ellen Rose.

## BUSINESS FROM THE FLOOR

1. Rick Twaro, resident at 239 Second Avenue SW, stated he would like the city council to reconsider their decision regarding his request to have a tree removed from in front of his house. The tree is located on B Street, within city right-of-way and Mr. Twaro feels the tree is a nuisance and creates a possible hazard from falling branches. Twaro stated that he knew that the public works director had the tree inspected and the inspector did not find the tree to be unhealthy. Mr. Twaro questioned this finding, and noted that the tree base is full of concrete that he put into the tree to stabilize it. In addition, the roots of the tree continue to push up his sidewalk and he feels the city ordinance designates the city as responsible for the sidewalk repair. Mr. Twaro suggested that if the city allow the tree to be removed, he would replace the damaged concrete and replant a smaller tree in it's place. The cost to remove the tree is \$400.

In answer to Mayor Helenberg's question, Public Works Director Dave Vorse stated city policy requires the property owner to repair the sidewalk, if there is a tripping hazard. The city notifies landowners of any issues and allows time for them to make the repairs. There have been some trees that the city has deemed responsibility for; this tree is not one of those listed.

Vorse noted that problems occur with trees in the right-of-way when landowners plant the trees and those trees either outgrow the area or outlive their life expectancy. Art Champ, from Champs Tree Service looked at the tree and deemed it was not a hazard or a dying tree. Mr. Champ has over thirty years of experience. Vorse noted this is an elm tree and it is not uncommon for that species to shed branches.

Councilmember Queen suggested there is a person who will remove trees in exchange for the wood. Vorse stated that person would not qualify for working on city right-of-way because they are not bonded or licensed. Mr. Twaro stated he is a licensed general contractor and suggested that the person could work for him, under his license and insurance.

Vorse noted that city council had decided not to arbitrarily allow people to request trees to be removed. In answer to Councilmember Teter's inquiry, Vorse stated public works have just completed their sidewalk assessments and Mr. Twaro's sidewalk is not a

hazard at this time. Mr. Twaro noted that he fixed the sidewalk about three to four years ago and last year he patched it. Councilmember Davis stated he did not feel it was fair to the property owner to be held accountable for repair of the sidewalk, and then to be denied permission to remove a tree that has been damaging the sidewalk.

Mayor Helenberg stated he is against cutting down trees just because someone is tired of cleaning up after the tree. However since last meeting, the mayor has looked at the issue and would not be opposed to removing the elm tree, provided another tree is planted as a replacement. Mayor Helenberg stated his preference would be to prune the tree instead of removing it.

Councilmembers stated if the tree is pushing up the sidewalk, something other than pruning must be done to remedy the problem.

City Attorney Frank Randolph stated a general contractor can be bonded for various types of jobs. Mr. Twaro confirmed that he is bonded over \$1 million dollars and that his insurance carrier would cover any damages. Mr. Randolph stated this should be sufficient to cover any claims and provide coverage for the city.

Vorse stated the city does have a tree preference list that is used by the City of Vancouver for trees allowed in city right-of-way. He recommends a type of replacement tree be chosen from that list.

By consensus, councilmembers agreed to allow the tree to be removed by Mr. Twaro. Covington informed Mr. Twaro that the city needs to be included as an additional insured when Twaro submits his application for work on right-of-way.

Mr. Twaro confirmed that he would be removing the tree at his own cost, repairing the sidewalk and replanting a replacement tree. Since Mr. Twaro is removing the tree at his own cost, he will be allowed to retain the wood for his own use and disposal.

#### DEPARTMENT REPORTS

- City Attorney Frank Randolph - No report
- Public Works Director David Vorse – No report
- City Planner T.J. Keiran – Not present
- Police Chief Bob Heuer – Not present; attending a conference.

- Clerk-Treasurer Ryana Covington – No report
- Librarian Vicki Selander – No report
- Exhibit Hall Director Karen Johnson – No report

#### COUNCIL AND AD HOC COMMITTEE REPORTS

##### Mayor Paul Helenberg

- Reminded councilmembers of the Special City Council Workshop meeting to be held tomorrow at 6:00 p.m. in the Senior Center to discuss street funding alternatives.

There is also a meeting scheduled for Wednesday, at 6:30 p.m. pertaining to the Safe Routes To School sidewalk project. This meeting is intended to inform the public on the proposed plan and answer questions pertaining to that project. The meeting will be held at the elementary school, in the back portables.

- Councilmembers – No report.

#### CONSENT AGENDA

1. Councilmember Queen made a motion, seconded by Teter to approve the minutes of the March 26, 2012 Regular Council Meeting. By roll call vote, Councilmember Pingree abstained, with the remaining councilmembers voting 'Aye'. Motion passed.
2. Clerk-Treasurer Ryana Covington reported that Councilmember Teter has reviewed the March invoices.

Councilmember Teter made a motion, seconded by Queen to approve payment of March invoices in the amount of \$399,292.56, as described in the March 2012 Fund Transaction Summary Report as check numbers 42402 through 42494 for general expenses, check numbers 22868 through 22915 for payroll and adjustment numbers 221, 222, 223 and EFTP payroll 3/30/2012.

Discussion: Councilmember Pingree thanked staff for making an effort to try to purchase locally. Councilmember Teter added that he feels the city should look into having only one cell phone plan for the entire city. Councilmember Pingree concurred. Mayor Helenberg stated he would look into this. By roll call vote, unanimous Aye.

3. Councilmember Teter made a motion, seconded by Pingree to approve the Gray and Osborne Engineering Supplemental Agreement #1 for the Safe Routes To School Project in the amount of \$2,250 to provide archaeological/historic survey of the project corridor. By

roll call vote, unanimous 'Aye.

#### OLD BUSINESS

- Diane Swanson, CARE Coalition Coordinator stated that one of the objectives for this organization is to reduce youth access to prescription drugs. Their strategy is two-fold; to provide a drop box for unused medication that is provided in an environmentally friendly manner. This gets unused medications off of the shelves and away from children. The second strategy is a media campaign to raise awareness about the drug drop box and its location. Swanson stated several months ago, Ryana Covington was asked if the CARE Coalition could purchase a drop box and place it in the corridor at City Hall. Swanson stated they were told that certain dimensions had to be met. One of the CARE Coalition members took the dimensions, including height and width. CARE Coalition then purchased the drop box and now they are being told that the box needs to be moved because of a safety issue. In answer to a question from Covington, Swanson stated that Police Officer Charlie Worley was the person who spoke with Covington. Swanson stated at the last coalition meeting, the general consensus was to bring the issue to city council for their direction. Swanson asked if city council would assist in resolving where the drop box should be located. In answer to Mayor Helenberg's question, Ms. Swanson stated a drug drop box is already located at the Castle Rock Pharmacy; however the CARE Coalition wanted to provide two locations. Mayor Helenberg stated the configuration of the building offers no security for the drop box. He is not worried about people coming in to use the drop box, however he does have a concern over someone trying to steal the contents. He fully supports the program; however the lobby is not the appropriate location for the drop box. Mayor Helenberg suggested the box be located upstairs, near the police department office. Until work is done on City Hall to upgrade security in the building, the lobby is the wrong location for a drug drop box. Covington noted two agencies that also participate in the drug drop box program. The City of Rainier, Oregon located their drug drop box in their City Hall lobby, but it is only available for use during the annual national campaign. On that date, a police officer is assigned to guard the box and an evidence officer is assigned to remove the contents at the end of the day. The City of Oceanside, Washington locates their drug drop box at the police department counter. Their drop box is designed like a mailbox, which inhibits a person from reaching any of the contents. Personnel is available during their business hours, otherwise the lobby is locked.

Covington stated it is unfortunate that she is the one who needs to express concern over building security. Issues of placing a drug drop box in front of glass doors create an opportunity for a security risk; especially when nobody is in the building. Since the police are members of the CARE Coalition it is unfortunate that security was not considered during the planning process. Covington stated that she was informed by Sgt. Neves that the CARE Coalition had voted to place a box in the lobby of City Hall. At that time, Covington advised

that she opposed placing the box in the lobby and was told that the CARE Coalition had decided on the location.

Councilmember Rose asked why the city needed to have two locations. Swanson stated she felt it would be nice to have two locations. Councilmember Pingree, also a member of the CARE Coalition, stated he initially supported placing the drop box in the lobby; however he had not considered security issues.

Swanson stated she would ask the Senior Center if they would support locating the box in their area.

- Mayor Helenberg noted that letters of intent to sell fireworks have been submitted by the Lions Club, Eagles Club and the Boys Scouts. Covington explained that CRMC Chapter 5.32 requires organizations intending to sell fireworks to submit a letter to city council because the city restricts the number of allowed stands. Once approved by the city council, the organizations must then submit a formal application, which is reviewed and approved by Fire District #6. After which the city can issue the license to the organization. By consensus, city council approved all three letters of intent.

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- Proposals were solicited to supply the equipment and labor needed to do the upland work at the boat launch. Upland work includes the following:
  - ground work and site preparation for concrete work and surrounding landscape areas;
  - assist with construction of a concrete block masonry restroom to include the knowledge to set door frames within the masonry block wall;
  - assist with installing utilities and plumbing fixtures;
  - assist with construction of a large picnic shelter;
  - ability to finish flat concrete work such as floors and sidewalks is preferred, but not required.

Work would be completed on an 'as needed' basis between April 16, 2012 and October 31, 2012. Vorse announced that the city received four bids, with Colf Construction, Woodland, WA as the low bidder. Summary of bids received:

Contractor	Small Excavator Utility Installation	Road Grader Concrete Prep	Skidsteer Concrete Prep	Laborer utility/Carpentry
Colf Construction	\$75/hour	\$80/hour	\$68/hour	\$58/hour
Markea Trucking	\$80/hour	\$100/hour		
Bishop Contracting	\$80/hour	\$100/hour	\$80/hour	\$62/hour
Big River Construction	\$104/hour	\$115/hour	\$115/hour	\$61.16/hour

Vorse estimates hours for the equipment at approximately 20 hours each and for the laborer at approximately 40 hours; for a total contract value of \$6,700.

In answer to Councilmember Teter's question, Vorse stated that Colf Construction has completed projects for Cowlitz County and is currently the low bidder for the county's South Silver Lake Construction project.

Councilmember Queen made a motion, seconded by Teter to accept Colf Construction as the low bidder. By roll call vote, unanimous 'Aye'.

- Vorse requests approval to purchase a used 1999 International Vac-Con from the City of Longview. The maintenance records on the vehicle have been reviewed and the vehicle still has value to the city. This machine is larger than the current machine owned by the city. Vorse stated he felt the city's current vehicle has a value of around \$2,000. The purchase would be funded from the Stormwater Capital Reserve Fund.

Councilmember Pingree made a motion, seconded by Queen to approve purchase of the 1999 International Vac-Con for an amount not to exceed \$10,000, excluding taxes and licensing. By roll call vote, unanimous 'Aye'.

Vorse noted the price of the Vac-Con is preliminary at this time, and he would not be able to confirm the final asking price from the City of Longview until next week.

- Jacob Rutledge, partnering and working with Castle Rock Christian Church, requested permission to post signs on city right-of-way for an event planned for April 20th. Invisible Children, a non-profit organization wants to bring public awareness to promote removal of Joseph Kony, the Lord's Resistance Army (LRA) leader in Africa. Rutledge explained that in 2011 the federal government signed a bill to send troops to train with the Ugandan army. The goal for this national event is to post one million posters and signs to bring attention to

the issue regarding Kony. Mr. Rutledge would like to have 200 – 300 posters throughout the community. These signs would not be only on city property, but also at businesses and on private property. Signs would be taken down on April 28<sup>th</sup> by the church youth group. Councilmember Pingree stated the city has allowed signage to be posted at two locations on city right-of-way; one at the south end of town and one at the north end of town. In answer to Mayor Helenberg's question, Joel Royce, Castle Rock Christian Church Youth Pastor showed a sample of the sign to be posted. City Attorney Randolph advised that the city also has a sign ordinance that must be adhered to.

In answer to Mr. Rutledge's question, Councilmember Pingree stated the city does not have jurisdiction to approve posting of signs on telephone poles or on state right-of-way.

Councilmember Davis stated the size of signage that the city has approved for other organizations is up to a 4' x 8' sign. He suggests Mr. Rutledge stay within that dimension.

Councilmember Pingree made a motion, seconded by Teter to allow two signs to be posted on city right of way in the same area that has been allowed for other organizations; of those, one sign to be posted at the north end of the city and the other at the south end. Signs not to exceed 4' x 8' in dimension. By roll call vote, unanimous 'Aye'.

Mayor Helenberg asked Mr. Rutledge to contact the public works direction for the exact locations.

- Councilmembers reviewed the leak adjustment request submitted by Kari Ablinger, Pioneer Avenue NE in the amount of \$212.01. Councilmember Teter made a motion, seconded by Pingree to approve the request as submitted. By roll call vote, unanimous 'Aye'
- Councilmember Queen asked who is responsible for cleaning debris after a traffic accident occurs. This afternoon there was a vehicle accident on A Street and debris was left at the accident scene. Vorse stated Washington State Department of Transportation is responsible for clean-up after an accident that occurs on a state highway. If they are not available, public works will assist them. Mayor Helenberg suggested that next time the police department contact public works when such a situation arises.
- Daily News reporter, Barbara LaBoe announced that she has been reassigned to cover state-wide news events. The Daily News has assigned Natalie St. John to cover city events. Mayor Helenberg thanked Ms. LaBoe for her coverage of Castle Rock events over the past years.

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 Ryana Covington