

**CALL TO ORDER**

Mayor Paul Helenberg called the March 11, 2013 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**

Renay Dangleis, owner of The 'O', 123 Front Avenue SW stated that in January she received a \$700 utility bill. Ms. Dangleis explained that the city replaced the meter, which she stated was faulty. She is requesting council consider her request for an adjustment to her utility bill. She stated there have not been any changes to her building, or the services provided. There are no exterior faucets that could have been left on and she does not know why the consumption was so high. She noted that her monthly bill averages \$150-\$160. After the new meter was installed, her current bill is only \$138. Based on this new bill, she feels that she has been overcharged since last April; however she is more concerned with the \$700 bill received in January. She does not feel that she used the water and she stated that Dave Vorse, Public Works Director told her the meter was faulty. Mayor Helenberg stated the city ordinance does not allow for any adjustment unless there was a proven leak in the system. She stated that she would rather pay an attorney to prove the meter was faulty instead of paying for water that she did not use. Public Works Director Dave Vorse stated he has tested the meter in an attempt to resolve the issue. Results of that test were distributed to councilmembers. When meters go bad, they do not read as much.

Vorse corrected a statement made by Ms. Dangleis. He did not tell her the meter was faulty, he advised that the meter was less accurate. Vorse provided an overview of the testing results which compared the accuracy to that of a new meter. The old meter was 97.7% accurate at flows of 4.81 gpm and less accurate at lower and higher flows. At those flows, the meter was reading less than what it should be. He explained that the older meters work on a magnet principle and as they wear, corrosion affects the metal and the magnet does not catch everything. It is his understanding that based on industry-wide standards, it is literally impossible for a meter to read more. Vorse stated he has kept the meter in case city council wanted him to send the meter to a certified lab for testing. He stated that he does not know what this would cost. With the new meters, the city has the ability to determine exactly when the usage occurred.

In answer to Councilmember Queen's question, Vorse stated public works personnel noted the high reading when they installed the new meter this past January. Prior to January, the meter had been very consistent. In answer to Councilmember Davis' question, Vorse noted his staff was replacing the meter as part of the city's meter replacement program.

Vorse stated the old meter was manufactured in 1967, but was not installed by the city until the 1980's. In answer to Councilmember Queen's question, Mayor Helenberg noted that city

ordinance only allows for adjustments due to unusual circumstances in instances involving non-profit organizations. Councilmember Teter recommended the city send the meter to a certified lab to have it tested. Ms. Dangleis acknowledged that if the meter was not accurate, it would be to her favor; however she insisted that the meter was still bad. Vorse noted the meter is not considered bad; it is less accurate. By consensus, councilmembers agreed to send the meter to a certified lab to have it tested.

Dangleis stated she has paid \$150 toward the January bill, because she feels this was her average. She also intends to pay the current bill.

#### DEPARTMENT REPORTS

##### Police Chief Bob Heuer

Heuer noted the recent issue where a Kelso Police Officer was shot. He stated it is important to understand how these calls impacts and traumatizes officers and their families. Heuer states his support is through training; both firearms and defensive tactics. This training even extends to Castle Rock reserve officers.

Reported that officers have made another arrest relating to several recent prowler cases. There are a number of people involved in fencing the merchandise throughout the county. He felt that better communication between local agencies would have made the process easier to investigate.

#### COUNCIL AND AD HOC COMMITTEE REPORTS

1. Mayor Helenberg announced that the Girls Basketball team placed second in State competition and the High School Wrestling team placed third in State. He commended those student athletes for their accomplishments.
2. The Sand and Misery Challenge 5K obstacle course run was held last Saturday. This successful event had over 370 participants. Cowlitz Valley Runners were the organizers with proceeds from the event benefitting the Boy Scouts and North County Recreation.
3. On March 1<sup>st</sup>, the mayor attended a joint meeting between Clark County and Cowlitz County representatives to discuss impacts from the proposed Bonneville Power Administration (BPA) power line improvements.
4. Mayor Helenberg read the report submitted by Nancy Chennault summarizing recent community volunteer efforts. It was noted that volunteers are readying for the upcoming Spring Cleanup Day. The next meeting of the Castle Rock Economic Development team will be March 29<sup>th</sup>.

#### CONSENT AGENDA

1. Councilmember Queen made a motion, seconded by Davis to approve the minutes to the February 25, 2013 regular council meeting. By roll call vote, unanimous 'Aye'.
2. Councilmember Pingree stated he has reviewed vouchers for February invoices. He questioned the following expenses; over \$300 for embroidery costs and \$50 for wiper blades. Public Works Director Dave Vorse stated the cost for the embroidery included 24 articles of clothing. He has found that embroidery lasts longer than screen printing. Public Works personnel do not have any other form of identification and the embroidery work included the city logo and the employee's name. Chief Heuer responded to the question relating to the wiper blades citing they are high performance blades. The chief stated he would review this with his staff.

Councilmember Teter made a motion, seconded by Queen to approve payment of February invoices in the amount of \$319,783.44 as described on the Fund Transaction Summary as check numbers 43486 through 43589 for general expenditures, check numbers 23418 through 23468 for payroll expenditures, EFTPayroll2/28/2013 and EFTPayroll#2Feb2013 and adjustment number 272. By roll call vote, unanimous 'Aye'.

#### OLD BUSINESS

1. Donna and Jim Grose, Rod Run To The Rock, requested permission to hold this car show event in the downtown corridor on July 27, 2013 from 5:30 am to 4:30 pm. The event would include several street closures including Cowlitz Street West and First Avenue. Councilmembers noted that Front Avenue will be under construction and not available for their use. Mayor Helenberg announced that Mountain Mania Festival will not be held this year. He added that the festival will return in 2014 and if Mr. and Mrs. Grose intends to hold the car show next year, it must be in conjunction with the festival because the downtown area would not be available. By consensus, councilmembers approved for this year only, the street closure request for the Rod Run To The Rock event.
2. City Planner T.J. Keiran distributed a draft letter addressed to BPA outlining the city's official comments on the I-5 Corridor Reinforcement Project draft Environmental Impact Statement. He noted that this letter must be submitted by March 25<sup>th</sup> and requested councilmembers review and forward their comments to him prior to that date. Keiran provided a PowerPoint presentation outlining BPA's project and proposed route. He noted that the new 500 kW transmission line will include 150' towers that will bisect the city's urban growth and Utility Service area. BPA must complete an Environmental Impact Study (EIS) and follow the National Environmental Policy Act (NEPA) laws and Keiran has reviewed those portions of the study that affects Castle Rock.

Keiran stated approximately five years ago when BPA engineers met with former Mayor Larsen and city staff, they discussed a proposed substation to be located northwest of the

city; there were no lines proposed to go near the city's service areas. However when BPA publicized their recent study, the line next to Castle Rock was now their preferred alternative. He noted that organized groups on the Oregon side made a political stand when BPA was considering a route using existing right-of-way in that state. He felt this is a reason for BPA to look at locating the proposed line through southwest Washington.

Keiran stated BPA needs to obtain permits from the Army Corps of Engineers (ACOE). March 25<sup>th</sup> is the deadline to submit a written request to ACOE requesting a hearing to oppose Section 404 and Section 10 permits. At the same time, BPA also has initiated a March 25<sup>th</sup> comment deadline to accept written comments and mitigation requests to them for the EIS. BPA is required to provide written responses to each comment/mitigation request, however Keiran felt that BPA will comply by acknowledging impacts, make a few adjustments, issue a final EIS and then wait for any court challenge. Keiran is questioning how ACOE can issue permits prior to BPA's completion of the preliminary EIS comment period. Keiran stated Mayor Helenberg has been leading the local efforts, in conjunction with Castle Rock Chamber of Commerce, Castle Rock School District, Cowlitz County Commissioner Karnofski, property owners and Clark County officials.

Keiran stated at a recent meeting, Cowlitz County Commissioner Karnofski noted that the power is needed and Cowlitz County will not fight the route. Karnofski had suggested development of a park as mitigation and Mayor Helenberg told the commissioner this was not an appropriate mitigation alternative. Mayor Helenberg explained that he took this stance because he questioned how it is possible to mitigate for a lifetime. Helenberg stated the BPA line affects forest land, farm land and other personnel property. One park will not equate to this loss and the county does not even have the personnel to take care of their existing parks.

Keiran stated the city needs to justify our request that BPA select another option; preferably the 'Pearl Option' which crosses into Columbia County in Oregon. The draft letter to BPA outlines the city's stance, which focuses on mitigation alternatives to benefit Castle Rock as a municipality.

Keiran noted a frustration in reviewing the BPA EIS document is that much of their analysis only considers the 150' proposed easement; it does not consider impacts to adjoining communities or landowners. He spoke with the BPA geotech engineer today regarding their proposed siting of towers over an existing gas pipeline. Keiran also spoke with Williams Pipeline and they were not aware that BPA proposed installing 150' towers along a known landslide area adjacent to the existing pipeline. Keiran also has contacted various state agencies and found there has been little review of this project from those agencies.

Councilmembers reviewed the impacts to potential development within the city's Water

System service area. It is estimated the city will lose up to 70 new residential connections, with a potential impact of \$524,650. This impact does not include the loss from monthly customer usage; it is only based on connection losses. Keiran suggested the city request mitigation to extend services through the point of crossing.

Recreational impacts within the city limits will affect boaters, anglers, trail users and tourist-related businesses. The project may inhibit the city's plans to extend the existing trail further north. Keiran suggested mitigation of recreation impacts could include BPA funding a bridge over the Arkansas Creek to allow connection of the trail to the south of the city and also to request that BPA annually stock this stretch of river with salmon and steelhead.

Impacts to visual resources, especially along the State Route 504 Scenic Byway would adversely affect tourist related businesses. He suggests that BPA conduct a view impact analysis and provide funds for way-finding signage to inform visitors to viewing opportunities.

Keiran stated the EIS narrative there is nothing conclusive relating to health impacts. However the appendices of their report noted that exposures within the 3-4 mG range have been associated with development of childhood leukemia. At BPA's 75' easement, the magnetic radiation will average 12 mG and at their 150' easement line, the magnetic radiation exposure is still 4 mG. Keiran suggested as a mitigation measure, BPA be required to notify all individual property owners of potential health risks and give the property owner the option of requesting a wider easement until the level falls below 4mG. He cautions that the city does not want to require BPA to purchase the added right-of-way because that may further affect private property losses, which would ultimately further impact development within the city's water system plan.

Keiran noted there is not mention of any impacts to the pipeline. Mayor Helenberg stated there are two gas lines and a 14" petroleum line that allows transport of jet fuel. Within Cowlitz County, there have been two pipeline explosions that occurred in 1996 or 1997. Keiran stated there is an alternate route identified by BPA which would take them away from pipelines and slide area; however BPA stated this would be more expensive. Keiran stated the city should request that BPA select this bypass route to avoid potential harm.

Keiran contact the County Assessor's office and they are not prepared to determine what, or if there will be any property value impacts from the BPA proposal.

Mayor Helenberg stated he was contacted by a representative from Congresswoman Jamie Herrera Beutler's office. They offered to speak with BPA about re-opening the comment period for the stakeholders that participated in the recent Woodland area meeting. The mayor requested that Keiran provide the city's draft response to Congresswoman Beutler.

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Public Works Director Dave Vorse noted the Water System area was extended to include the proposed development near the Quick Road/Westside Highway area known locally as 'Whiskey Flats'. If this is not able to be developed due to the BPA project, the city will not have any prospects of extending the utility lines to the north because costs to add these utility lines would be too high. Vorse also stated he was surprised that BPA is willing to place their lines within known slide areas.

Mayor Helenberg added that the proposed BPA lines do not benefit Washington State, however we are being asked to accept the impacts. The need for added power is from Austin Corner south to Portland to avoid the possibility of brownouts for those areas. BPA has stated that at no time will this line provide power to this area.

John Keatley, local property owner spoke on the affects to his property. He feels the city should state that this is a public policy issue and does not belong in the urban growth reserve area. He feels it is imperative that the city's comments include the request for BPA to re-open the scoping. If the scoping is not re-opened, it is his understanding that BPA cannot even consider any alternative routes. He noted that if public policy shows that the BPA development is unsuitable within the urban growth reserve, then it would certainly be unsuitable for any future expansion of the lines, without creating further environmental damage.

Regina Agren, Westside Highway business owner, stated that less people living in the urban growth area will result in less tax dollars to support schools. In addition the development compromises high land values for riverfront property development. Lastly, the bank along the Cowlitz River is comprised of unstable dredge spoil material. BPA plans to remove many of those trees, which have grown along the river bank and are serving to stabilize erosion issues.

Councilmember Rose stated she is surprised by the stance taken by county commissioners. Keiran noted he will be attending a Cowlitz County Commission open meeting tomorrow night in Toutle to hear further discussion on the BPA issue. He noted that his comments have been shared with county staff members.

#### NEW BUSINESS

1. Dave Vorse provided an outline of utility upgrades that will be required prior to commencing with the upcoming street improvement projects. These include:

WATER MAIN REPLACEMENT	
STREET	SECTION
Little Avenue NE	Ramsey Street – McCoy Court

C Street SW  
First Avenue SW  
Fourth Avenue SW  
May Avenue NE

Front Avenue – First Avenue  
C Street – D Street  
Michner Street – south end  
Entire length

SEWER MAIN REPAIRS

Cherry Street NW  
Barr Street NW  
Sixth Avenue SW  
May Avenue NE

STORMWATER  
IMPROVEMENTS

Cowlitz View Court NW  
Cherry Street NW  
Warren Street SW  
Dike Drive SW

Vorse stated stormwater improvements on Cowlitz View Court began today. Public Works personnel will be completing the listed water and sewer upgrades, along with the Cherry Street NW stormwater improvements. Stormwater improvements for Warren Street SW and Dike Drive SW will be completed when funding resources are available.

2. Mayor Helenberg announced that Steve Harvey, Executive Director for Cowlitz-Wahkiakum Council of Governments will be retiring. A reception for Mr. Harvey will be held April 10<sup>th</sup> from 5:30 pm to 8:00 pm., in Longview.
3. Councilmember Rose stated representatives from the Cowlitz Black Bear baseball team had contacted her to obtain tourism information in the Castle Rock area.

ADJOURNMENT

There being no further business, Mayor Helenberg adjourned the meeting at 9:10 p.m.

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Mayor Paul Helenberg

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Clerk-Treasurer Ryana Covington