

0007 Mayor Barbara Larsen called the 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: Khembar Yund, Greg Marcil, Earl Queen, Jack Reilly and Mike Mask.

0053 Councilmember Queen made a motion, seconded by Reilly to approve the minutes of the April 27, 2009 Regular Council Meeting. By roll call vote, Councilmember Mask abstained, the rest Aye, motion passed.

0089 On behalf of Mayor Larsen, Councilmember Yund presented to Chief Bob Heuer, a proclamation declaring May 10-16, 2009 as National Police Week in Castle Rock. The Congress and President have designated May 15<sup>th</sup> as Peace Officers Memorial Day, and the week in which May 15<sup>th</sup> falls as National Police Week.

Police Chaplain Steve White, 424 Balcer Street NE, reviewed sacrifices that law enforcement officers have made in the line of duty. During National Police Week citizens are called upon to recognize and understand the duties, responsibilities, hazards and sacrifices of law enforcement officers. Flags will be flown at half mast on Peace Officers Memorial Day to honor law enforcement officers who have made the ultimate sacrifice in service to their community.

0589 On behalf of Mayor Larsen, Councilmember Yund presented a proclamation to Guidance Association Chief Executive Officer Eric Yakovich declaring May 2009 as National Mental Health Month in Cowlitz County. During National Mental Health Month, citizens are encouraged to serve as advocates for the mentally ill, by working to eliminate misconceptions, prejudices and discriminatory barriers affecting people with mental illness and to recommit our community to increasing awareness and understanding of mental health and the need for appropriate and accessible services for all people with mental illnesses.

Cowlitz County Guidance Association Chief Executive Officer Eric Yakovich reports that over 5,300 people are served annually by this organization, which is also known as Lower Columbia Mental Health Center. Mental health issues affect over 20,000 people in Cowlitz County with less than 10,000 actually receiving treatment. This action will help to encourage people to seek treatment for mental health issues.

0781 Mayor Larsen opened the Public Hearing at 7:43 p.m. to take public comment on the application submitted by the City of Castle Rock and Castle Rock School District, the property owner. Purpose of the hearing is to take public testimony on the applicant's Shoreline Management Substantial Development Permit and Shoreline Conditional Use Permit to construct a two lane public boat launch on a four acre site along the Cowlitz River for purposes of providing a recreational and emergency services boat launching site. In order to offset unavoidable impacts

associated with the project, the applicants also propose to restore and enhance a stretch of Whittle Creek located approximately one mile south of the proposed boat launch site.

City Planner TJ Keiran stated that two permitting components will be considered: the Shoreline Substantial Development Permit to be issued by the City and the Conditional Use Permit, which is required due to certain aspects of the project. The City staff recommends approval of the Conditional Use Permit with final approval to be issued by the Department of Ecology (DOE). Keiran summarized the purpose of the permits and the proposed project.

Public Works Director David Vorse detailed that the four acre site for the boat launch is located on the southeast corner of the Castle Rock School District (CRSD) High School property. Site access will be from West Side Highway via the Sports Complex access road. The Boat Launch Project includes:

- A two lane launch with boarding floats between the lanes that connect to an eight foot wide by 100 foot long transient float;
- The permitting for a 20 foot by 20 foot kayak / canoe landing float which can be added when funds become available;
- A log boom structure for the purpose of sheltering the launch facility from floating debris;
- A 2.5 acre parking area with 81 parking spaces;
- An access road for site access from West Side Highway;
- A public restroom;
- A picnic area and
- Shoreline improvements per jurisdictional guidelines which include offsite mitigation along approximately 1.3 acres of Whittle Creek.

The mitigation at Whittle Creek includes:

- Removal of invasive species and revegetation with native species;
- The removal of approximately 315 cubic yards of floodplain fill to encourage habitat forming processes and provide increased flood storage and
- The installation of large wood material in the channel of Whittle Creek to restore habitat forming elements.

Cowlitz County will be replacing the Whittle Creek culvert at West Side Highway, located west of this mitigation area.

Vorse stated that City Council had directed staff to provide a launch for this section of the river, following two river fatalities. Currently the nearest launches are 12 miles downstream at Gerhart Gardens and 5 miles upstream at the I-5 launch. Both locations are too far away to allow for prompt rescue operations. In addition, other river barriers prevent access to the Castle Rock area from these launches. This project also provides recreational opportunities, by improving public access to a safe launching site with sanitary facilities, where the risk of vandalism will be decreased, while increasing safety.

Vorse added that the mitigation at Whittle Creek will be done in conjunction with Cowlitz County's culvert project. Students will be included in this mitigation project. This will benefit both the community and environment.

Vorse outlined that Department Of Ecology (DOE) should complete their review in May. The date scheduled to request proposals for the in-water work is May 21<sup>st</sup>. The design and engineering of the Whittle Creek Mitigation will also begin in May. The property transfer and bid award for the in-water work should be completed in June. The in-water work must be done in August, to accommodate aquatic environmental issues.

Keiran detailed that when evaluating the appropriateness of issuing permits, the project must be in compliance with the comprehensive plan, zoning regulations, SEPA requirements and the Shoreline Management Program. The Shoreline Application was deemed complete and notice was provided to federal and state agencies, local tribes, jurisdictions and all stakeholders involved in this process. Comment periods have been provided with only minor comments received. The SEPA mitigated determination of non-significance (MDNS) was issued on March 21<sup>st</sup>. The Comprehensive Plan land use determination is public/quasi-public with a zoning of R-2. Outdoor recreation is a permitted use in an R-2 zoning district.

Keiran clarified that goals of the Shoreline Management Act (SMA) are to protect the water quality and natural environment and also to preserve and enhance public access to the shoreline and recreational opportunities for the public. The City has adopted the Cowlitz County Shoreline Master Program and this proposal is consistent with both the state and local Shoreline Master Program (SMP) and meets SMA requirements. Notice requirements have been fulfilled.

Proposals located on shorelines of statewide significance must meet six criteria of the SMP:

1. The proposal must recognize and protect statewide interest over local interest. This project provides the public with safe recreation and emergency service opportunities which is in the best interest of the state and consistent with SMA requirements.
2. The proposal must preserve the natural character of the shoreline. The boat launch project will intrude upon the natural shoreline with a launch on the bank that extends below the ordinary high water mark. Enhancement at Whittle Creek is proposed to mitigate this encroachment. State and local agencies have agreed to this mitigation proposal. A complete application for this mitigation work must be submitted to Cowlitz County before the boat launch can be used.
3. The proposal must address uses that result in long-term benefit. The project's long-term benefit will allow the recreation and emergency boaters a maintained boat launching site. It will also provide the continued enhancement of the Whittle Creek riparian area.

4. The proposal must protect the resources and ecology of the shoreline. The natural and ecological resources of the shoreline should not be adversely impacted long-term. Short-term impacts may occur due to construction work near the ordinary high water mark. Erosion control 'Best Management Practices' will be in place, monitored and maintained throughout the lifetime of the project to ensure adequate protection of the aquatic resources.
5. The proposal must increase public access. Access to public lands including the Cowlitz River will be increased by transferring the ownership of the property to the City.
6. The proposal must increase the public's recreational opportunities on these shorelines. The proposed boat launch increases public recreational opportunities in the area.

Keiran reports that the proposal complies with SMA requirements and the SMP. Staff recommends approval of the Boat Launch's Shoreline Management Conditional Use Permit and Shoreline Substantial Development Permit subject to the Recommended Conditions of Approval listed in Exhibit A of the April 28, 2009 Shoreline Conditional Use Permit Staff Report.

Donna Williams, 211 Second Avenue SW, spoke in favor of the project, citing that it will provide families with recreational fun and bring tourists to the community. She encourages council approval.

Buck Savage stated that this project will be good for the community.

- 1714 There being no further comments, Mayor Larsen closed the Public Hearing at 8:00 p.m. and resumed regular session.
- 1726 Councilmember Reilly made a motion, seconded by Queen to approve the Boat Launch Project Shoreline Management Conditional Use Permit and Shoreline Substantial Development Permit, subject to the Recommended Conditions of Approval listed in the April 28, 2009 Shoreline Conditional Use Permit Staff Report. By roll call vote, unanimous Aye.
- 1749 Pathways 2020 Director and Cowlitz on the Move Co-Facilitator Paul Youmans thanked council for support of these organizations through the Cowlitz-Wahkiakum Council of Governments. Youmans reviewed the annual Cowlitz County Community Report Card. Cowlitz County continues to have a high rate of tobacco users and untimely deaths due to heart disease, diabetes and cancer. On the other side, the crime rate is down and immunization rates are up. The purpose of the report card is to motivate people to talk, think and act in ways that will improve the quality of life in our community. Youmans also distributed a brochure entitled 'The Trails of Cowlitz County'. This brochure was produced to promote trail use and recreational opportunities.

- 1987 Mountain Mania Chairperson Dana Marcil requests approval of street closures for the upcoming Mountain Mania event, scheduled for July 24<sup>th</sup> and 25<sup>th</sup>. The Mountain Mania Committee also requests a street closure of the 100 block of First Avenue SW beginning at 11 a.m. on July 24<sup>th</sup> for the Loggers Dinner. On Saturday the 25<sup>th</sup> beginning at 6 a.m. through 5 p.m. the following street closures are requested:
- Front Avenue NW from Jackson Street to A Street SW;
  - Cowlitz Street W from Huntington Avenue N to Second Avenue SW;
  - 100 block of First Avenue SW and the
  - 100 block of Second Avenue SW from 10 a.m. to 1 p.m. for the Fireman's Water Ball competition.
- 2008 Councilmember Mask made a motion, seconded by Queen to approve the same street closures as in the past for Mountain Mania, as outlined above, for the dates July 24<sup>th</sup> and 25<sup>th</sup>. By roll call vote, unanimous Aye.
- 2026 2026 Control County Manager Ken Young reports that the Solid Waste Transfer Station is nearing completion. He invited the mayor, councilmembers and supervisors to come and "Dine at the Dump" on Friday June 5<sup>th</sup> at 6 p.m. Officials throughout the county are invited to attend this catered event to showoff the new facility. In response to a question from Councilmember Yund, Young specified that the landfill will stop taking waste from the public in early July. The public will then bring their waste to the transfer station. After the landfill ceases operations, which is projected for 2012, waste will be hauled twice daily by rail to the Roosevelt Landfill. In response to a question from Councilmember Mask, Young noted that Cowlitz County regulates the tipping rate. In response to a question from Mayor Larsen, Young specified that the public can continue taking recyclables to the transfer station. In response to a question from Councilmember Marcil, Young reports that his company cannot offer glass recycling to Castle Rock because it is too cost prohibitive at this time.
- 2027 Covington thanked Mr. Young and Waste Control for supporting the city's annual clean-up day by providing dumpsters for the event.
- 2318 Chaplain Steve White praised the efforts of the police officer personnel for their successful efforts to retain the 'Every Fifteen Minutes' program at the High School.
- Chaplain White announced that in two weeks the police department will again sponsor a dodge ball night at the Middle School. He stated the officer do this on their own time to build rapport with the youth in our community.
- 2429 City Attorney Tom O'Neill stated the city has not yet completed service on Adriatic.
- 2459 Chief Heuer stated due to conflicts, the detailed report on crime statistics will be

delayed until the next council meeting. Overall, there has been a 30% decrease in crime rates between 2007 and 2008. Chief Heuer also noted a decrease in property crime rates between 2007 and 2008. More information will be made available at the next meeting.

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2526 Chief Heuer felt these positive trends show the type of quality of life in our community.

2587 City Engineer Mike Johnson presented councilmembers with a Local Agency Standard Consultant Agreement for engineering services in the amount of \$11,280 for the Riverfront Trail (Phase 1) repair for design, environmental and bid/award services. Johnson stated the dike is maintained and operated by the Army Corps of Engineer (Corps). The Corps plans to repair a section of the dike where a portion of the Riverfront Trail is located. The city would be responsible for repairing and restoring the damaged trail structures. Johnson stated funding for the project will be coming from Department of Transportation enhancement funds.

In answer to Councilmember Mask's question, Johnson explained the need to retain engineering services for the project.

O'Neill stated the agreement specifies two different types of dispute resolution. He has reviewed the proposed agreement and the wording adequately addresses these issues.

2922 Councilmember Mask made a motion, seconded by Marcil to approve the Local Agency Standard Consultant Agreement with Gray and Osborne for engineering services for the Riverfront Trail (Phase 1) design, environmental and bid/award services in the amount of \$11,280. By roll call vote, unanimous 'Aye'.

2962 Councilmembers reviewed the Engineering Services Proposal for the Whittle Creek Reach 6 Mitigation Design Proposal submitted by Gray and Osborne Engineering, in the amount of \$61,200. Johnson outlined the following project tasks described in the proposal: field reconnaissance; survey; hydrologic and hydraulic modeling; development of construction plans, specifications and cost estimates; permit applications; and quality control/quality assurance. Deliverables will include: four copies of all documents, all plan submittals (three sets), one computer CD containing electronic drawings and information in AutoCAD format, Microsoft Word and Excel.

In answer to Councilmember Mask's question, Johnson stated funding for this project comes from the RCO Grant for the boat launch project. Vorse stated the mitigation is being required by the State environmental agencies. He noted the reason for expediting this portion of the project is to allow the mitigation work to

coincide with Cowlitz County’s box culvert upgrade.

In answer to Councilmember Yund’s question, Vorse stated the estimated cost for the mitigation project is unknown at this time, until engineering services can be completed. Development of a cost estimate is included in the scope of the proposal being considered. He plans to incorporate the use of volunteer labor sources, such as boy scouts or FFH to help reduce costs.

Vorse stated that URS, the engineer for the boat launch project, did not have the mitigation project included in their contract because it was not a requirement until the city completed preliminary environmental assessment for the boat launch.

3334 Councilmember Marcil made a motion, seconded by Reilly to approve the Engineering Services Proposal for the Whittle Creek Reach 6 Mitigation Design Proposal submitted by Gray and Osborne Engineering, in the amount of \$61,200. By roll call vote, unanimous ‘Aye’.

3365 Mr. Johnson stated the paving and installation of conduits for the Cowlitz Street West project has been completed by the contractor, Lakeside Industries.

Johnson stated the project will require approval of Change Order 1, in the amount of \$1807.12 to include additional paving as part of a right of way agreement. If the change order is approved, Johnson recommends accepting the project as complete.

3454 Councilmember Queen made a motion, seconded by Mask to approve Change Order #1 as described above and to accept the project as complete. By roll call vote, unanimous ‘Aye’.

3538 The city engineer distributed a spreadsheet outlining a cost summary for lighting replacement at the Water Treatment Plant, including a rebate from Cowlitz PUD, as follows:

	Filter Room	Chemical Room	Total
Estimated Costs	\$3,156.66	\$1578.92	\$4,735.58
Estimated Rebate	\$1,080.00	\$ 600.00	\$1,680.00
Total Cost To City	\$2076.66	\$ 978.92	\$3,055.58

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Councilmembers noted that they had already approved replacement of the lights at a previous meeting. By consensus, they agreed on the cost estimates as presented by the engineer and outlined above.

3600 Vorse requested that discussion on the Cornforth Consultant agreement for levee certification be tabled until more information is obtained.

3608 Vorse announced that Cowlitz County has approved an interim loan in the amount

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- of \$300,000 for additional costs relating to the Water Treatment Plant reconstruction project. He also stated that the city's funding application through Department of Health will not be funded unless other DOH projects are not completed.
- 3699 Vorse has been working with Ken Stone from Cowlitz County to schedule a public meeting with county staff, city staff and elected officials to discuss acquisition of the west side utility services currently owned by Cowlitz County. He stated that June 15<sup>th</sup>, June 24<sup>th</sup> and June 29<sup>th</sup> are the suggested dates. The meeting will be held at 7:30 p.m. in the Senior Center. By consensus, Councilmembers requested June 15<sup>th</sup> and Vorse will confirm this with the county. In answer to Covington's question regarding the meeting notification, Vorse stated he would contact the county to see if they had a means to provide notice.

- 3898 Donna Williams, resident on Second Avenue SW, asked if Mike Johnson could provide notification of when volunteers are needed for projects.

Williams also asked if the city's projects will help to create employment opportunities for our community. Johnson felt that these projects do have the potential for providing employment opportunities.

- 3984 Councilmember Reilly made a motion, seconded by Yund to approve payment of April expenditures in the amount of \$712,449.61 as described on the Summary of Claims and further described as check numbers 38555 through 38653 for general expenditures and check numbers 20626 through 20667 for payroll expenses. Discussion: Clerk-Treasurer Ryana Covington reported that Councilmember Yund has reviewed all documentation pertaining to the April expenditure claims as outlined in the Summary of Claims.

By roll call vote, unanimous "Aye".

- 4045 On behalf of Exhibit Hall Director Rita Baxter, Covington announced that Cowlitz County is reopening Hoffstadt Bluffs Visitor Center on May 18<sup>th</sup>.

Also, volunteers for the Castle Rock Visitors's Center will have an opportunity to participate in the 'Fam Tour', sponsored by Cowlitz County Tourism. This is a training opportunity to visit and become familiar with tourist destinations in our county.

- 4056 Council Report of Meetings:  
Councilmember Marcil attended the last CARE Coalition Meeting.

- 4111 Councilmember Yund made a motion, seconded by Reilly to approve Resolution 2009-05 asking qualified voters of the City to fund by Special Excess Levy the furnishing of public safety services to the citizens of Castle Rock and will submit the following question: "Whether or not a special excess levy on real property



shall be had for the purpose of funding public safety services to the citizens of Castle Rock during the year 2010”, on second reading.

Discussion: City Attorney O’Neill stated that the city clerk has amended the description under Proposition No. 1 to read: ‘Shall the City of Castle Rock, Washington be authorized to levy an excess property tax in the year 2009 for collection in 2010 of \$250,000 for the purpose of providing public safety (law enforcement) services to the citizens of Castle Rock? Based on 2008 property tax valuation this total assessment would produce a levy rate of approximately \$2.08 per \$1,000 of full assessed value.’ O’Neill felt this was a better description for the proposition and should be included in the resolution text.

By roll call vote, unanimous ‘Aye’, on second reading, with the amended text included.

Councilmembers Yund and Marcil stated that town hall meetings should be set up to provide information to the public regarding this proposition. Councilmember Mask stated that Dr. Manthe contacted him recently to complain that the city is not doing enough to inform the community about utility rates and the upcoming law enforcement excess levy. Manthe suggested that a flier could be done and sent out with utility billings. Councilmember Yund noted that utility billings are done by postcard and it is expensive to send out information through regular mailing. Vorse stated he will be sending out the utility Consumer Confidence Reports at the end of June and this information could be included at that time.

Yund stated the excess levy is the way that councilmembers will be able to ascertain the public’s support for law enforcement services. Marcil suggested a Town Hall meeting regarding the excess levy should be held before the end of June. Covington asked who will be responsible for developing the criteria and format for the Town Hall meeting. Marcil stated council will need to meet with Chief Heuer and the mayor to discuss these issues including a date for the meeting. Marcil stated they will then inform Covington when the meeting notification needs to be advertised.

- 4538 Councilmember Marcil provided a copy of a work order from Mr. Electric, from Vancouver, Washington to provide an estimated cost to troubleshoot issues pertaining to 25 kw generator located at the east side of the City Hall building. Marcil explained that the circuit board (PCB-R100 Controller) is faulty, however since the generator installation has never been completed, the warranty on the unit has expired. The electrician is trying to obtain cost estimates to replace the circuit board unit, which could be as much as \$1800.

Marcil stated the city could purchase an extended 5-year warranty for a cost of \$975 from Generac. This would probably cover the circuit board replacement and would gain additional warranty on the generator unit. Councilmember Mask asked how the warranty could be extended if it is already expired. Marcil stated

the contract includes a two-year warranty from time of installation, or from the time that a Generac certified tech fires the generator. The generator never has been started and the city used an electrician to wire in the electrical connections only. Councilmember Mask asked if the city attorney has reviewed this issue; he did not want the city to pay for the extended warranty and then also have to pay for the replacement of the circuit board. Marcil stated the electrician will verify with Generac that the cost to replace the circuit board will be covered if the extended warranty is purchased. If not, then the city will just pay for replacement of the circuit board and not purchase the extended warranty.

Councilmember Yund stated councilmembers have already agreed to fund up to \$6,000 for the generator work. On Wednesday, Councilmember Marcil and Chief Heuer will be meeting with the city building inspector regarding the placement of the generator and the tank. Councilmember Marcil cautioned that costs may exceed the amount appropriated by the council and additional review may be needed. Further information will be available at the next city council meeting.

- 4846 Mayor Larsen announced that due to the Memorial Day holiday, the next city council meeting will be Tuesday, May 26<sup>th</sup> at 7:30 p.m. This date change is in accordance with municipal code.
- 4873 Covington announced that Cowlitz-Wahkiakum Council of Governments received a grant from Economic Development Administration to conduct an economic recovery strategy and to develop/implement a plan to avoid and/or overcome impacts of common manmade and natural disasters. Work on this grant will include both Cowlitz and Lewis counties. Development of the plan will include assistance from local business organizations, governmental units and supporting agencies.
- 4910 Mayor Larsen adjourned the regular meeting at 9:03 p.m. for a ten-minute Executive Session to discuss a personnel issue. Attending: Councilmembers Reilly and Queen, Mayor Larsen and City Attorney O'Neill.
- 4931 The Executive Session was extended at 9:25 p.m. for an additional ten-minutes to discuss personnel issues. Councilmembers Yund and Marcil joined the others in this portion of the meeting.
- 4939 Mayor Larsen reconvened Regular Session at 9:47 p.m. There being no further business, the meeting was adjourned.

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Mayor Barbara Larsen

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Clerk-Treasurer

Regular City Council Meeting

May 11, 2009

Castle Rock City Council Meeting

May 26, 2009

Due to lack of a quorum, Mayor Larsen cancelled the May 26, 2009 regular city council meeting. Items proposed for the agenda will be addressed at the next regular city council meeting scheduled for June 8, 2009.

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Mayor Barbara Larsen

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Clerk-Treasurer