

0004 Mayor Barbara Larsen called the regular meeting of the Castle Rock City Council to order at 7:30 p.m.

Clerk-Treasurer Ryana Covington administered the Oath of Office to:
Barbara L. Larsen to perform the duties of the office of Mayor
John Earl Queen to perform the duties of the office of Council Position 3
John A. Reilly to perform the duties of the office of Council Position 4
Michael B. Mask to perform the duties of the office of Council Position 5

0210 Mayor Larsen resumed regular session at 7:33 p.m. with the following councilmembers present: Khembar Yund, Greg Marcil, Earl Queen, Jack Reilly and Mike Mask.

0270 Councilmember Yund made a motion, seconded by Marcil to approve the minutes of the December 10, 2007 Regular Council Meeting. By roll call vote, unanimous Aye.

0297 Betty Uhlenkott, 123 Shintaffer Street NW, requests the installation of a street light on Shintaffer Street NW. Mrs. Uhlenkott stated that there is a gap in the lighting on this street that makes it extremely dark in the area near her home. She added that Shintaffer is a busy, narrow street and the darkness increases hazards.

In response to a question from Councilmember Mask, Mrs. Uhlenkott indicated she would like a street light installed on the PUD pole near her residence.

Mrs. Uhlenkott stated that in addition to vandalism issues, dogs are routinely roaming unleashed along Shintaffer Street.

In response to a question from Councilmember Mask, Public Works Director David Vorse reports that there are three street lights currently located on Shintaffer Street NW: one light is at the Shintaffer and Leaming intersection, one light is at the Shintaffer and Front intersection and one light is located between 109 and 65 Shintaffer Street. He estimates that the latter light is 100 to 150 feet from Mrs. Uhlenkott's residence. Shintaffer Street is approximately 400 feet long. Vorse stated that he performs a predawn citywide street light inspection three times a year for the purpose of identifying any lights which are not working. He noted the cost to install a new street light is \$10.25 per month; \$6/month for hookup plus \$4.25/month for electricity.

In response to a question from Councilmember Mask, Police Chief Bob Heuer reviewed animal citations that have recently been issued in this neighborhood. He noted that vandalism issues on this street are not any more prevalent than in other areas.

Councilmember Queen would like to have the opportunity to view this area at night. He noted that due to the amount of on-street parking on both sides of Shintaffer Street, two vehicles cannot pass each other.

In response to a question from Councilmember Mask, City Attorney Tom O'Neill indicated that street lighting is part of the normal service provided by the City at no charge to the resident, therefore the City could not charge a resident for this service.

In response to a question from Mayor Larsen, Vorse specified that a property owner can contract with PUD to have a street light installed on their private property, for a similar monthly fee.

Mrs. Uhlenkott believes that on-street parking should be eliminated on Shintaffer Street, noting that many vehicles are not moved for days. Chief Heuer indicated that vehicles must be moved within 24 hours. He requests that Mrs. Uhlenkott contact the Police Department to report parking violations.

Councilmember Yund would like to table this request until the next regular meeting to provide the opportunity for councilmembers to examine this street at night.

- 1156 Ken Stone, Cowlitz County Public Works Director, requests adoption of the 2007 Solid Waste Management Plan. The five cities entered into the planning process with Cowlitz County by Resolution (2002-08) in 2002. The Cowlitz County Solid Waste Advisory Committee has provided the forum to develop the plan. During this process Cowlitz County entered into a long term contract with Waste Control and an Interlocal Solid Waste Agreement with all five cities to provide an economy of scale. This plan has already passed the Washington State Department of Ecology 180 day review period.

Councilmember Yund noted that the located of Castle Rock's Recycling Center in Chapter 4 needs to be updated. In addition, the plan indicates that Castle Rock should consider implementing mandatory collection of garbage to increase subscriptions and potentially reduce the cost of collection. Councilmember Yund would like a rate comparison. Stone indicated that those rates must be negotiated with the hauler. Vorse clarified that the City does not have a contract for collection because city residents contract individually with Waste Control for collection service.

In response to a question from Councilmember Queen, Vorse reports that the City of Kalama generates a combined utility bill that includes water, sewer and waste collection services. Kalama retains a negotiate percentage of the cost for waste collection to cover billing service expenses. Councilmember Queen expressed concern that if a resident did not pay the waste collection charge their water may be turned off.

Don Olson, Cowlitz County Public Works Department, reports that the City of Woodland has mandatory collection and has negotiated rates that include various container size options.

Councilmember Mask stated that he is in favor of mandatory garbage collection. This would make the City more presentable by requiring residents to pickup their trash. Councilmember Queen responded that in many cases, residences where trash has accumulated, are vacant. In this situation the property owner should be responsible for waste removal. Councilmember Mask countered that if those residents were required to have waste collection service a large amount of trash would not accumulate.

Councilmember Yund stated opposition to mandatory garbage collection service. Most residents that do not have this service haul their own garbage. He does not want a mandatory bill imposed upon fixed income residents. The City already has ordinances against the accumulation of waste which can be enforced.

Vorse suggested that a committee be formed to review the issues involved with mandatory waste collection.

Councilmember Yund requested the location of the city's Recycling Center be amended in the 2007 Solid Waste Management Plan.

1759 Councilmember Yund made a motion, seconded by Queen to approve Resolution 2008-01 adopting the Cowlitz County 2007 Solid Waste Management Plan, with the noted amendment, on first reading. By roll call vote, unanimous Aye.

1803 Police Chief Bob Heuer reports that enforcement of nuisance abatement procedures are usually generated from a complaint. Councilmember Mask believes that nuisance abatement should be stepped up. Enforcement authority should be in place to promptly resolve these issues before they get out of hand.

Councilmembers Queen and Yund point out that it takes time for a bank or real estate company to respond to nuisance complaints regarding vacant homes.

In response to a question from Councilmember Reilly, Heuer detailed that their first response to a nuisance complaint is to make contact with the homeowner or resident. If the problem is not resolved, then a written notice is issued which initiates a 14 day period to comply. After this period, officers photograph the problem and forward the report to the City Attorney who will consider issuing a summons. Councilmember Yund noted that this process is done at the City's expense. Clerk-Treasurer Ryana Covington added that the City does not recover funds when placing a lien against a property until the property is sold.

Councilmember Mask stated that making the City more presentable will encourage new people to come into the community. Councilmember Yund

pointed out that the Annual Cleanup Day is the type of project that promotes compliance.

- 2005 City Engineer Mike Johnson requests approval of the Lions Pride Park Erosion Repair Engineering Service Proposal with Gray & Osborne, Inc. in the amount of \$5,680. The heavy rains in November 2006 caused significant erosion of the river bank in two areas at Lions Pride Park. The Public Works Department placed a berm around this area to help prevent further erosion.

In response to a question from Councilmember Queen, Vorse reports that this contract will provide the design, engineering and permitting for repair of the erosion at Lions Pride Park. Once this is completed, the Public Works Department will do the work of filling the holes as time allows. Even though the project will stay above the ordinary high water mark, a SEPA and Shoreline Development Permit are required for this work. Under this contract, Gray & Osborne will fulfill the requirements for those permits.

- 2142 Councilmember Marcil made a motion, seconded by Yund to approve the Lions Pride Park Erosion Repair Engineering Service Proposal with Gray & Osborne, Inc. in the amount of \$5,680 from the Stormwater Management Fund. By roll call vote, unanimous Aye.

- 2160 Johnson would like to table discussion regarding his request to consider the Riverfront Trail Phase 2 Consultant Agreement. Johnson stated because the project will receive federal funds, the city will need to conduct a formal selection process to choose an engineer.

The City will advertise for Statement of Qualifications (SOQ) from interested engineering firms. After which a committee, to include a minimum of one councilmember, will need to be formed to determine review the project SOQ's. The committee will also establish rating criteria then rank the firms. If desired, interviews with the top companies will also be conducted prior to bringing any recommendation to council.

- 2285 Vorse reviewed the 2007 Public Works Completed Projects and 2008 Proposed Projects. He included estimated dates for 2008 proposed projects, however noted that these were only approximate dates. Delays or revamping project priorities may be necessary during the year if unanticipated higher priority projects occur. .

In response to a question from Councilmember Yund, Vorse stated that the grader patch and chip seal on Balcer Street NE and the grader patch in preparation of an overlay on Woodard Avenue NE were completed in 2007. The funds budgeted for the overlay on Woodard Avenue was not expended.

2476 In response to a question from Councilmember Yund, Vorse specified that although an overlay on Woodard Avenue NE was not included in the 2008 budget, the funds for that work were not expended in 2007. That overlay could not take place due to the weather. A budget amendment may be needed to complete this work.

In response to a question from Councilmember Reilly, Vorse indicated that the amount of funds remaining for this project will be determined with the year end report.

In response to a question from Councilmember Yund, Vorse reports that the contractor work and cost per ton for this overlay will be at the 2007 contracted rate. However, if some grader preparation work is again needed, Cowlitz County will charge the 2008 rate.

In response to a question from Councilmember Mask, Vorse stated that potholes are developing due to the weather conditions. He added that it is a struggle to keep up with potholes in this weather.

2777 Vorse reports that the Recycling Center has be relocate outside the fence at the Wastewater Treatment Plant. To date, there have been minimal issues with the site.

In response to a question from Mayor Larsen, Vorse indicated that directional signs were placed on Third Avenue SW. Mayor Larsen would like an additional sign placed at Third Avenue and Dike Drive.

2930 Clerk-Treasurer Ryana Covington requests payment of December expenditures in the amount of \$304,252.76 as outlined on the Summary of Claims and further described as check numbers 36929 through 37037 for general expenditures and check numbers 19865 through 19911 for payroll expenses. Covington noted that the payment on one invoice (Cowlitz Chaplaincy) will be held until an itemized description for the expense is received from the police department.

2970 Councilmember Yund made a motion, seconded by Marcil to approve payment of December 2007 invoices in the amount of \$304,252.76, as described in the Summary of Claims. By roll call vote, unanimous 'Aye'.

3056 Councilmember Yund made a motion, seconded by Mask to nominate Councilmember Marcil for the position of Mayor Pro Tempore.

3083 Councilmember Queen made a motion, seconded by Reilly to nominate Councilmember Yund for the position of Mayor Pro Tempore.

During discussion: Councilmember Mask stated he nominated Councilmember Marcil because he believes that he would be more available to perform the duties of Mayor Pro Tempore then Councilmember Yund.

- 3193 Vote on the nomination of Councilmember Marcil: By roll call vote, Councilmembers Yund and Mask Aye, Councilmembers Marcil, Queen and Reilly Nay, motion failed.
- 3230 Vote on the nomination of Councilmember Yund for mayor pro-tempore: By roll call vote, Councilmembers Marcil, Queen and Reilly voted Aye; Councilmembers Yund and Mask voted Nay, motion passed.
- 3280 Committee and department appointments for 2008 were review with the following results:

Mayor Pro-Tempore	KHEMBAR YUND
COUNCIL LIAISON TO CITY DEPARTMENTS	
Law Enforcement	KHEMBAR YUND
Court	KHEMBAR YUND
Finance	JACK REILLY
Library	KHEMBAR YUND and BARBARA LARSEN
Parks/Public Works	GREG MARCIL
COMMITTEE APPOINTMENTS	
Mosquito Board	ED SMITH
9-1-1 Council	KHEMBAR YUND
Lower Columbia Community Action Council (LCCAP)	Representative: MIKE MASK
Department of Emergency Management	BARBARA LARSEN
Cowlitz Health Dept/Public Health Advisory Committee	BARBARA LARSEN
Cowlitz-Wahkiakum Council Of Governments (CWCOG)	Representative: RYANA COVINGTON Alternate: JACK REILLY
Regional Transportation Planning Organization (RTPO) and RPACT	Representative: DAVE VORSE Alternate: EARL QUEEN
Cowlitz Substance Abuse Council	MIKE MASK
Regional Information Forum	Representative: RYANA COVINGTON
Cowlitz Economic Development Council	Representative: RYANA COVINGTON Alternate: DAVID VORSE
Watershed Management/Salmon Recovery Committee	DAVID VORSE
Regional Utility Board Member	BARBARA LARSEN GREG MARCIL
CDBG Home Rehab Committee	MIKE MASK
Audit Committee Members (3)	JACK REILLY MIKE MASK, EARL QUEEN
Chamber of Commerce	RYANA COVINGTON,

	DAVID VORSE, BOB HEUER
Exhibit Hall Society	KHEMBAR YUND
Community Action Plan Implementation Committee	JACK REILLY
CARE Coalition	BARBARA MASK
Housing Advisory Committee	RYANA COVINGTON
Tourism Stakeholder Committee	RYANA COVINGTON

- 4384 Public Works Director David Vorse requests approval of Ordinance 2008-01 amending CRMC Chapter 13.12, in part, relating to water and sewer connection charges. This would provide an increase in utility connection fees to cover the increased cost of labor, material and equipment. This does not include an increase to the System Development Charge. Vorse stated rates have not been increased since 2000.

Councilmember Mask stated that he spoke with Longview City Councilmember Chuck Wallace and also City of Kelso Mayor Don Gregory who both indicated that their respective cities do not charge any hookup fees for new development. Mask voiced concern that if the City of Castle Rock charges these types of fees, it could discourage developers from investing in the city.

In response, Vorse noted that all cities and Cowlitz County charge connection fees for new services to cover costs for labor and material. He offered to present a comparison of those costs at the next council meeting. Vorse added that adoption of these charges is up to the council and if not assessed to developers, the existing customers would bear the costs as a portion of the operating budget.

Vorse explained that connection fees are based on the actual cost to install a new meter, while system development charges are intended to fund system upgrades.

Councilmembers Yund and Marcil stated that utility costs are based on user fees and either the existing customer will bear the cost for new development, or the developer be held responsible for these costs.

By consensus, councilmembers tabled further discussion on proposed Ordinance 2008-01 and requested Vorse provide a comparison of system hookup fees charged by adjacent entities.

- 4730 Timberland Inn And Suites, 1271 Mt. St. Helens Way NE, requests an adjustment on their utility bill in the amount of \$313.11 due to a leak that they had repaired by a plumber during the month of December.

Covington explained CRMC 13.06.120 and 13.06.130 which outlines the administrative authority and basis for adjustment of utility bills in the event of sudden leaks or breaks.

Councilmembers Marcil and Yund noted that this account had received a leak adjustment earlier this year. In answer to Mayor Larsen's question, Covington stated that the ordinance does not include any limitation on the number of qualified leak adjustments that each account receives. However Covington noted that in the past, councilmembers have imposed limitations when there are concerns over repeated leak requests. Those actions have been addressed by the council on an individual basis.

In answer to Councilmember Mask's question, Covington stated municipal code for leak adjustments was developed so that the customer and the city each share a 50% loss for the adjusted amount.

Councilmembers reviewed the account history and noted that the last leak adjustment on this account was April 13, 2007.

Tape 2 of 2

Side - A

0036 Councilmember Yund made a motion, seconded by Mask to approve the requested leak adjustment in the amount of \$313.11 for the Timberland Inn and Suites. In addition, council stipulates a limitation that only two leak adjustments within a twelve-month period of time will be allowed for each utility account. By roll call vote, unanimous 'Aye'.

0145 Councilmembers reviewed the Agreement For Legal Services between the City of Castle Rock and the law firm of Davis Grimm Payne & Marra for retainage on services in connection with employment law legal services for 2008. Covington stated that the city's insurance pool AWC RMSA provides for two-hours of free legal services through this firm and any hours which exceed that time frame are a billable expense. This contract outlines the terms for any billed services. City Attorney Tom O'Neill stated this firm specializes in labor law.

Councilmembers voiced concern over the use of this service and asked the city clerk to report on the number of hours used by the city in 2007. Covington suggested that councilmembers could impose limitations on the use of this service to control legal costs.

O'Neill stated that most times when this legal service is used, councilmembers are kept apprised of the status of the use, need and outcome of issues. He added that examples of issues can include personnel contracts, personnel questions, and disciplinary guidance issues.

Councilmembers tabled this issue until the next meeting and requested a summary of past use.

0716 There being no further business, Mayor Larsen adjourned the meeting at 9:07 p.m.

Regular City Council Meeting

January 14, 2008

Mayor Barbara Larsen

Clerk-Treasurer