

- 0005 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.
- 0048 Councilmember Mask made a motion, seconded by Queen to approve the minutes of the December 8, 2008 Regular Council Meeting. By roll call vote, Councilmember Yund abstained, the rest Aye, motion passed.
- 0067 Clerk-Treasurer Ryana Covington reports that the minutes for the November 17, 2008 Budget Workshop Meeting are not completed.
- 0134 Councilmember Mask requests that City Attorney Tom O'Neill review the ordinance pertaining to "junk vehicles" to determine the conditions needed before the city can require removal and whether this ordinance needs to be updated.
- 0248 In response to a question from Councilmember Queen, Public Works Director David Vorse answered that once the snow is gone he will evaluate trees in need of pruning.
- 0327 In response to a question from Councilmember Mask, Vorse reports that the results of the Washington State Department of Transportation Safe Routes to School grant applications were not completed as scheduled on December 15<sup>th</sup>, as the Governor's budget pertaining to these funds has not been finalized.
- 0408 Clerk-Treasurer Ryana Covington reviewed the November Budget Summary Report. General Fund revenues have exceeded disbursements as property taxes have been received. The other funds are solvent.
- 0504 Report of Meetings  
Councilmembers Yund and Marcil have been attending Union Negotiation Meetings with the Public Works Department Collective Bargaining Unit.
- 0519 Councilmember Yund made a motion, seconded by Marcil to approve Ordinance 2008-16 rescinding Ordinance 2008-07 fixing the estimated amount to be raised by Ad Valorem Taxes for the 2009 budget of the City of Castle Rock, on second reading. By roll call vote, unanimous Aye.
- 0564 Councilmember Yund made a motion, seconded by Queen to approve Ordinance 2008-08 amending the 2008 fiscal year budgets for the Police Department, DOT Spoil Site and the Park Department Funds, on second reading. By roll call vote, unanimous Aye.

0593 Councilmember Marcil made a motion, seconded by Queen to approve Resolution 2008-11 amending Resolution 2004-03, the Building Permit Fee Schedule, on second reading. By roll call vote, unanimous Aye.

0629 Councilmember Marcil made a motion, seconded by Reilly to approve Ordinance 2008-11 amending CRMC Chapters 5.04 and 5.16 (in part) to set business license fees by resolution, on second reading.

During discussion: In response to a question from Councilmember Mask, Covington explained that Ordinance 2008-11 does not establish fees, but rather removes business license fees from the municipal code and allows them to be established by resolution. Councilmember Mask stated that nine businesses have indicated that they will permanently leave Castle Rock in 2009 due to fee increases.

Rick Walton, Focus Art & Frame, listed various business license fees charged by nearby communities. Mr. Walton indicated that only Kalama and Woodland charge more for a Business license than Castle Rock will. He suggests that this fee increase for a business license should be temporary. Councilmember Marcil noted that the majority of the communities listed also impose a Business & Occupation Tax in addition to the business license fee.

Councilmember Mask cautioned that the business license fee should be no higher than \$45. The impact to the City from the loss of business will be far greater than the fee difference.

City Attorney Tom O'Neill specified that discussion regarding the fee amount does not pertain to this ordinance text.

Vote on motion: By roll call vote, unanimous Aye.

1032 Councilmember Yund made a motion, seconded by Reilly to approve Resolution 2008-12 amending Resolution 2007-08 pertaining to water and sewer utility rates, on second reading.

During discussion: Covington noted that, if passed, this resolution with the new utility rates would take effect in January.

She informed councilmembers that inclement weather created by near record snowfall have made it impossible for personnel to read meters this month. Covington suggested two options to resolve personnel's inability to read meters: Option 1 - is to charge customers for the same usage as in November and then bill for the usage difference in January at the 2008 rate. The effective date of the new rate (as outlined in Resolution No. 2008-12) be delayed until February usage. Option 2 - is to read meters as soon as the weather permits which would cause the

bill to be sent out approximately 10 days late. This would create a December bill with five weeks usage. The due date may need to be extended with this option.

Councilmember Yund prefers Option 1 as it would minimize the impact to customers. Other councilmembers agreed by consensus.

- 1457 Councilmember Yund made a motion, seconded by Reilly to amend Resolution 2008-12 to take effect with the February 2009 utility billing cycle.

During discussion: In response to a question from Mark Accimus, 505 Fowler Lane NE, Councilmember Marcil explained that loans were obtained for water and wastewater treatment facility improvements which are needed to meet requirements. Councilmember Yund clarified that water and sewer services must be user funded and self supporting. Utility funds cannot be used to offset General Fund shortfalls. In response to a question from Mr. Accimus, Councilmember Marcil clarified that the utility rates are evaluated annually.

Councilmember Mask asked the council to reconsider the decision to realign the Clerk-Treasurer's salary to fund a portion from the Water/Sewer Fund. It would be better to increase the interfund loan by this amount than to raise rates to fund this salary realignment. Councilmember Mask believes that only a minimal utility increase would be needed if not for this salary realignment.

Vote on amended motion: By roll call vote, Councilmember Mask 'Nay', the rest 'Aye', motion passed.

- 1879 Councilmember Yund made a motion, seconded by Marcil to approve Ordinance 2008-15 amending the Stormwater Utility Rates, on second reading. By roll call vote, unanimous Aye.

- 1898 Councilmember Yund made a motion, seconded by Queen to approve Resolution 2008-14 establishing fees for business licenses, cabaret, cardroom, jukebox machines, pool tables, pinball machines and other coin operated amusement devices, on second reading.

During discussion: Councilmember Mask cautioned council not to increase fees. Councilmember Yund pointed out that a local businessman was present during budget workshop meetings. This business owner indicated that an annual increase of \$50 would not make or break a local business. Although he may not speak for all business owners, he was the only business representative that provided input during the budget process. Councilmember Marcil added that these meetings were advertised and input was requested. The opportunity to evaluate fees is during the budget process.

Mr. Accimus requests that increases made during tough economic times should have a date set for repeal or reevaluation. Councilmember Yund noted that these

fees could be reevaluated annually, but that does not guarantee that the fee will be reassessed. Mayor Larsen suggests that business owners could assist the council to evaluate these fees. Councilmember Mask indicated that he will approve of these increases if they are reevaluated annually. Councilmember Reilly would like this resolution to include the condition that the fee be re-evaluated annually.

- 2096 Councilmember Yund made a motion, seconded by Queen to amend Resolution 2008-14 to be effective in 2009 and re-evaluated annually.

Vote on motion: By roll call vote, unanimous Aye.

- 2137 Councilmember Yund made a motion, seconded by Marcil to approve Resolution 2008-15 adopting updated Cowlitz County Comprehensive Emergency Management Plan, on second reading. By roll call vote, unanimous Aye.
- 2158 Councilmember Queen made a motion, seconded by Marcil to approve Ordinance 2008-12 authorizing and establishing the terms for interfund loans to the General Fund, on second reading.
- 2176 Councilmember Queen made a motion, seconded by Reilly to approve Ordinance 2008-13 adopting the 2009 Fiscal Year Budget, on second reading. By roll call vote, unanimous Aye.
- 2201 Councilmember Marcil made a motion, seconded by Queen to approve Ordinance 2008-14 amending the CRMC Section 13.16.020 Retail Water Sales/Fees, on second reading. By roll call vote, unanimous Aye.
- 2259 Councilmember Yund made a motion, seconded by Queen to approve the 2009 Salary Schedule, effective January 1, 2009. By roll call vote, unanimous Aye.
- 2294 Councilmember Reilly made a motion, seconded by Marcil to appoint District Court Judges Michael H. Evans, David R. Koss and Ed Putka as part-time judges of the Castle Rock Municipal Court. By roll call vote, unanimous Aye.
- 2323 Clerk-Treasurer Ryana Covington reports that due to inclement weather conditions, she has received numerous phone calls from utility customers regarding their inability to pay their utility bill by the 20<sup>th</sup>. The near record snowfall has created a transportation hardship and many businesses, including banks have been closed. Covington requests approval to deviate from the CRMC on a one time basis by foregoing the \$2.00 late fee penalty on utility payments received after the due date of December 20<sup>th</sup>.

By consensus Councilmembers agreed to forego the \$2.00 late penalty fee for the month of December. Those accounts still delinquent at the end of the month will have the \$5.00 disconnect fee assessed and staff will return to policy set forth in city code for collection of delinquent accounts. This will allow customers an

additional seven days to arrange for payment of their account.

- 2354 In response to a question from Councilmember Mask, Covington specified that the nuisance ordinance clarifies what constitutes a public nuisance and establishes abatement procedures. Councilmember Mask believes that rehabilitating unattractive buildings in the city will attract businesses to the community. In response to a question from Councilmember Queen, Mask clarified that he is referring to abandoned buildings, paint schemes and buildings in poor condition that could be revitalized to enhance the attractiveness of Castle Rock. Mask feels that to accomplish this task, an ordinance that can be enforced must first be established. Councilmember Marcil cautioned that the owner may not have the ability to afford repairs. Councilmember Yund stated that it would make more sense to work with the Chamber of Commerce to resolve these issues.

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Side B

Mr. Accimus believes that any burden imposed upon a business is an issue. Instead of creating burdens, business owners could be encouraged by investments made by the City to join in the effort. The Chamber of Commerce could play a large role, however the City must lead by creating an unburdened atmosphere to conduct business in. Councilmember Marcil noted that the City should not try to force residents to make improvements but rather strive to assist them. Mr. Accimus suggests that a “facelift” would need to be part of a Comprehensive Program to revitalize the City.

Councilmember Reilly cautioned that the City should avoid a “Homeowners Association Syndrome” that places unnecessary restrictions on property owners. Councilmember Yund pointed out that most people indicate that they do not want government involvement in these types of issues. This is an opportunity to form a committee to work within the community to resolve these concerns without resorting to forcing compliance. However, the City Attorney should review the nuisance ordinance to ascertain if it is enforceable in instances of abandoned or unsafe buildings.

- 2934 Mayor Larsen adjourned regular session at 8:25 p.m. for a 45-minute Executive Session to discuss two personnel issues with action possible on one issue.
- 3146 Mayor Larsen reconvened regular session at 9:10 p.m.
- 3166 Councilmember Queen made a motion, seconded by Mask to approve the employment agreement proposal for the Public Works Department Collective Bargaining Agreement for January 1, 2009 through December 31, 2011, on the condition that it is approved and ratified by the public works personnel. By roll call vote, unanimous Aye.

- 3221 Mayor Larsen adjourned regular session at 9:13 p.m. for a 20-minute Executive Session to discuss potential litigation with no action anticipated.
- 3149 Mayor Larsen reconvened regular session at 9:25 p.m. There being no further business, Mayor Larsen adjourned the meeting.

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Mayor Barbara Larsen

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Clerk-Treasurer