

- 0006 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: Greg Marcil, Earl Queen, Jack Reilly and Mike Mask.
- 0054 Councilmember Mask made a motion, seconded by Reilly to approve the minutes of the June 8, 2009 Regular Council Meeting. By roll call vote, unanimous Aye.
- 0075 Councilmember Reilly made a motion, seconded by Marcil to approve the minutes of the June 15, 2009 Workshop Meeting. By roll call vote, Mask abstained, the rest Aye, motion passed.
- 0113 Mike Mask, excused himself from the council podium to address an issue as a private property owner. Mr. Mask reported that the sidewalk in front of his home on 'C' Street SE is being raised by the trees roots located within the city right-of-way. Public Works Director David Vorse contacted Champ's Tree Service to evaluate the condition of these three trees. Champ's reported that these trees have been topped, are dying and should be removed. Champ's Tree Service presented the City with a proposal for \$1000 plus tax to remove these trees.

Mr. Mask requests approval to remove the trees himself and asks that the City remove the stumps. He would then repair the sidewalk and replace the trees, at his own cost.

In response to a question from Councilmember Reilly, Public Works Director David Vorse advised that the City is required to pay prevailing wage to contractors, which can increase the cost for contracted services.

Councilmember Queen encourages residents to perform this type of work, but he personally would not support replacement of the trees. Mr. Mask feels that trees improve the aesthetics of his home.

Vorse asks that a root barrier be used when planting the replacement trees to help insure that the roots form downward before spreading out. Councilmember Mask detailed that he would like to plant dwarf ornamental dogwood trees that do not grow more the eight feet tall. He would like to do this work in the fall after the trees lose their leaves.

- 0549 Councilmember Queen made a motion, seconded by Reilly to approve the proposal, submitted by resident Mike Mask, for the removal of three trees in the right-of-way at 133 C Street SE, with the City removing the stumps. By roll call vote, Councilmember Mask abstained, the rest Aye, motion passed.

0638 Police Chief Bob Heuer requests approval of the impound ordinance amendment which will make the existing ordinance consistence with Washington State statute.

0707 Councilmember Mask made a motion, seconded by Queen to approve Ordinance 2009-04, amending the ordinance regulating the impounding of vehicles from public streets or public property, on first reading. By roll call vote, unanimous Aye.

0800 Yvonne Knuth, Castle Rock Fair, requests approval of street closures on Thursday July 16th for the Fair Parade. A permit is needed from the Washington State Department of Transportation (DOT) for a one block area along State Route 411. The parade will follow the same route as last year. Knuth stated the Police Department has approved of the route. Participates will begin gathering at the Elementary School at 5 p.m. The parade will start at 6:30 p.m.. The parade route includes:

- Huntington Avenue South from the Elementary School to Cowlitz Street West
- Cowlitz Street West to Second Avenue SW
- Second Avenue SW to B Street SW
- B Street SW to Front Avenue SW
- Front Avenue SW to the Middle School

0833 Councilmember Queen made a motion, seconded by Mask to approve the street closures for the July 16th Fair Parade. By roll call vote, unanimous Aye.

In response to a question from Mayor Larsen, Ms. Knuth detailed that she is awaiting a parade statement from the insurance company which she must provide to both the City and DOT. This statement lists the City as the secondary insurer.

0930 Police Chief Bob Heuer reviewed the Uniform Crime Report based upon statistics obtained between the years 2003 through 2008. This report contains statistics on property and violent crimes and reveals the following overall decreases in crime:

	Castle Rock	Washington State	Cowlitz County
2003 to 2007	-67%	-22%	-40%
2008	-30%	-7%	-13%

Castle Rock had 219 reported property crimes in 2003 which decreased to 68 in 2008.

In response to a question from Councilmember Mask, Heuer detailed that property crimes are theft (larceny and burglary) and motor vehicle theft.

Heuer summarized factors that have contributed to the crime rate decrease. These include:

- the addition of an officer in 2004

- opening of the county jail to misdemeanor offenders. Heuer reports that an accepted theory within the criminal justice field is that the majority of crime is committed by a few repeat offenders.
- the city's decision to contract through Cowlitz County for district court services. This brings county and district offenders before the same judge, which helps the judge come to recognize repeat offenders.
- partnering with the Department of Corrections (DOC) to become familiar with prison parolees in the area and the provision of office space to DOC. Parolees must come to the Police Department to report to DOC every two weeks. The Castle Rock Police Department also accompanies DOC on home visits.

Heuer gave examples of high profile crimes that were committed by offenders that are not from this area. The proximity to I-5 is a contributing factor to the crime rate.

Glenn Pingree, 406 Clearwood Court SE, suggests that Chief Heuer present this Uniform Crime Report at the Town Hall Meetings to discuss the Law Enforcement Excess Levy.

Councilmember Mask believes that officer visibility is also an effective crime deterrent. Councilmember Reilly specified that the low crime rate is the reason he decided to move to Castle Rock. Heuer noted that in a small community, officers have the ability to interact and become familiar with residents.

- 2048 Public Works Director David Vorse reports that the annual Consumer Confidence Report on water quality, was mailed to water customers last week. This two page report contains the results of water monitoring tests taken in 2008. The Environmental Protection Agency has determined that our water is safe at the levels that constituents were detected. Included on the report this year is the Water Use Efficiency Plan which is also required to be made public. This is the second year that the water and sewer rates have been included on this report. Last Thursday 807 of these reports were mailed. Next week approximately 220 will be hand delivered to consumers that do not receive a bill. A flyer notifying residents of the upcoming Town Hall Meetings was also included with this mailing.
- 2141 Vorse reported that due to the Water Treatment Plant Improvement Project, the wells have been the only water source since the beginning of the year. When the weather warms up, the demand for water increases. This has caused the wells to run nearly 24 hours a day since the beginning of June. As a result the wells are pulling excess air into the system, which makes the water appear cloudy. Numerous calls have been received due to the cloudy appearance of the water which does not affect the quality of the water. The water treatment plant (WTP) began producing water last week. Today the reservoirs are full for the first time in a couple of months. The WTP is not ready to be brought online on a full time basis, but it is now producing enough to lift the voluntary water conservation request.

- 2214 Vorse reviewed the purposed service agreement with Triple S Excavation as Boat Launch Coordinator for the Boat Launch Project. This agreement contains provisions for the donation of labor and equipment.

In response to a question from Councilmember Mask, City Attorney Tom O'Neill stated that he approves of this agreement.

- 2282 Councilmember Queen made a motion, seconded by Reilly to approve the service agreement with Triple S Excavation as Boat Launch Coordinator for the Boat Launch Project.

During discussion: In response to a question from Councilmember Mask, Vorse clarified that the \$10,000 limit, without further council approval is referring to the costs for project coordinator. Triple S will donate the use of the equipment that they own, provided the City pays for the fuel, oil, lubricants and operators as needed, with the rates specified. Councilmember Mask would also like a limit set on the use of equipment. Vorse explained that the equipment need would be extremely difficult to predict. In addition, the City will be overseeing the project coordinator. Councilmember Reilly pointed out that the agreement specifies that the equipment is used as needed which limits this use.

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

- 2433 Vorse requests council direction pertaining to the proposed transfer of the west Castle Rock water and sewer systems. The Cowlitz County Commissioners are waiting for a decision from City Council whether or not to proceed with the transfer process.

In response to a question from Councilmember Queen, Yvonne Knuth stated that the Fair Board is concerned that a transfer of utilities will increase their cost. Councilmember Queen noted that unless the area is annexed into the City, the utility rate will be 1.5 times that of service inside the City. Vorse clarified that the Fairgrounds is not connected to the sewer system. Following the June 15th Workshop Meeting a few west Castle Rock residents have called with questions. City Attorney Tom O'Neill specified that the City cannot offer an interim rate without an ordinance amendment.

In response to an observation from Councilmember Queen, Mayor Larsen observed that Cowlitz County sent a notice for the June 15th meeting to each west Castle Rock utility customer. Nothing more can be done to encourage meeting attendance. Councilmembers Queen and Marcil noted that west Castle Rock is in the City's Urban Growth Area (UGA). The City and Cowlitz County entered into an agreement in 1984 to work toward the transfer of utilities within the UGA to the City.

In response to a question from Councilmember Marcil, Vorse affirmed that the west Castle Rock residents would be charged a stormwater fee if annexed into the City. The City charges a stormwater fee to maintain the levee and stormwater systems. Councilmember Reilly clarified that with annexation, 60% of the west Castle Rock residents will see a decrease in their current water and sewer costs.

2692 Councilmember Reilly made a motion, seconded by Marcil to proceed with the process to transfer the water and sewer services in the UGA west of Castle Rock to the City. By roll call vote, unanimous Aye.

2708 Wally Jajou, URS Corporation Waterfront Engineer, reviewed the bid results for the Boat Launch Project in-water construction. Four bids were received as follows:

Quigg Brothers, Aberdeen, WA \$469,285.80
Colf Construction Vancouver, WA \$426,978.00
Bergerson Construction Co Astoria, OR \$360,157.64
General Construction Co. Poulsbo, WA \$449,451.66
Engineer's Estimate: \$376,600.00

Jajou verified that Bergerson Construction Company was the low bidder at \$360,157.64. He noted that the bond and addendum requirements have also been verified. Jajou added that Bergerson is a reputable contractor with experience in this type of construction as they built the boat launch in Rainier, Oregon.

In response to a question from Councilmember Reilly, Jajou clarified that this bid contains an additive item and two subtractive items which can be deducted from the base bid if the City can provide these items at a lower cost. Vorse specified that Paul Helenberg, Triple S Excavation, indicated that he will be able to obtain these two subtractive items for a lower cost. The pre-cast planks can be purchased for \$10,000 less and the log boom for \$14,000 less. With any project, it is difficult to predict problems that will be encountered during construction. However, any change orders that are needed must come before council for approval. In response to a question from Councilmember Mask, Jajou noted that two change orders were needed for the Rainier Boat Launch, which amounted to approximately 10% of project costs.

Jajou reports that the majority of the permits needed for the Boat Launch Project have been obtained with the exception of the permit from the Army Corps of Engineers. The Corps is awaiting a report from the National Marine Fisheries Service (NMFS) who indicated that the Corps will receive that report by the end of the month. The Corps would then need a couple of weeks for review. A delay in construction could be encountered if these agencies do not proceed in a timely manner. Councilmember Queen noted that in-water work on the Cowlitz River can only be done in August. If the Corps permit is not obtained for this August window, then this work will be delayed another year. Vorse added that the in-water work cannot be done without the Corps permit. The contractor can be

- retained under the condition that the permits are obtained for the August in-water work window. This concern has been made clear to both the Corps and NMFS. Representative Brian Baird can be contacted if the Corps permit is not received as indicated.
- 3061 Councilmember Queen made a motion, seconded by Mask to accept the low bid for the Boat Launch Project in-water work, submitted by Bergerson Construction Company from Astoria, Oregon for a base bid, including tax in the amount of \$360,157.64, under the condition that all permits necessary for this work are obtained. The subtractive items will be deducted from this amount if these items can be obtained at a lower cost, as specified in the bid package. By roll call vote, unanimous Aye.
- 3169 Vorse announced that after reviewing 182 applications for the Public Works Maintenance Position, Brian Engkraf was selected. He will begin his employment with the City on July 1st. Mr. Engkraf has worked for Pacific Fibre for the last nine years following his graduation from Castle Rock High School in 2000. In response to a question from Councilmember Mask, Vorse clarified that Mr. Engkraf already has a Commercial Drivers License with air brake certification.
- 3213 Vorse reports that the “I Topped The Rock to Save the Library” event was held on Saturday, with an estimated 300 to 400 participants. Approximately \$5,000 was donated during this event to support the Library. Margretta Johnson, 86, received the award for being the oldest to top ‘The Rock’. It was suggested that Event volunteers and sponsors receive acknowledged.

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Side B

- 3389 Clerk-Treasurer Ryana Covington reviewed the May Budget Report that was distributed today. The year-to-date General Fund revenues are exceeding disbursements by \$15,187. This is due to the receipt of 64% of property tax revenues and 41% of the estimated sales and use tax revenues. In addition, the year-to-date expenses are approximately 34% of appropriated expenditures.
- She also noted that the following funds have expenditures exceeding revenues: Street, Arterial Street, Exhibit Hall (which is dependant upon the motel/hotel tax), Local Criminal Justice, DOT Spoils Site (which is awaiting reimbursement for boat launch expenditures), Water / Sewer Operating (by \$8,664) and the Regional Sewer Fund.
- In response to a question from Glenn Pingree, 406 Clearwood Court SE, Covington stated that this budgetary information is available to the public.
- 3585 Covington reviewed the second quarter Utility Use Comparison Report. The Water Fund revenues have exceeded expenditures by \$17,628 but the Sewer Fund

expenditures have exceeded revenues by \$7,364. The average customer use is between 400 and 500 cubic feet per month. In response to a question from Councilmember Reilly, Covington specified that the Water Fund is supplanting the Sewer Fund by a lower amount than last year at this time.

3953 Report of Meetings

Councilmember Mask and Public Works Director David Vorse have been attending weekly Park Summit Meetings each Wednesday. These meetings, held in conjunction with Cowlitz County are intended to evaluate park funding options.

Mayor Larsen and Councilmembers Marcil, Queen and Reilly attended the June 15th Workshop Meeting with Cowlitz County Commissioners and staff to discuss the transfer of west Castle Rock water and sewer services.

A Town Hall Meeting is scheduled for Friday June 26th at 7:00 p.m. to discuss the proposed excess levy to fund law enforcement services.

4096 Councilmember Mask made a motion, seconded by Reilly to approve Ordinance 2009-03 amending Ordinance 2008-12 by eliminating the reference to Fund 160 (CDBG Home Rehab Fund) and re-authorizing an interfund loan between Fund 300 (Swimming Pool Construction Fund) and Fund 010 (General Fund) in the amount of \$140,000, on second reading. By roll call vote, unanimous Aye.

4149 Public Works Director David Vorse requests a utility adjustment for the wastewater treatment plant, 215 Michner Street SW. In response to a question from Councilmember Reilly, Vorse detailed that after a prolonged search, two leaks were discovered under the asphalt. The leaks have been repaired.

4201 Councilmember Reilly made a motion, seconded by Queen to approve a utility adjustment at 215 Michner Street SW, in the amount of \$655.20. By roll call vote, unanimous Aye.

4236 Vorse requests a utility adjustment for Lions Pride Park, 1400 Huntington Avenue South. The solenoid valve at the RV Disposal Station quit working and had to be replaced. In response to a question from Councilmember Mask, Vorse clarified that there is a donation box at the RV Disposal Station that funds the service. The potable water outlet at this station has been shut off since the beginning of the year. Councilmember Mask asked Covington to provide the amount of donations that have been received to fund the RV Disposal Station. Councilmember Reilly noted that approximately six months ago, he observed a red pickup with two 55 gallon barrels leaving the station. Vorse responded by noting that the only water at this station has a sign specifying that it is not potable water.

4410 Councilmember Reilly made a motion, seconded by Marcil to approve a utility adjustment at Lions Pride Park, 1400 Huntington Avenue South, in the amount of \$193.17. By roll call vote, unanimous Aye.

- 4426 Vorse requests a utility adjustment for 404 Balcer Street NE, due to a City equipment failure of the meter gasket.
- 4466 Councilmember Marcil made a motion, seconded by Reilly to approve a utility adjustment at 404 Balcer Street NE due to the failure of City equipment, in the amount of \$46.83 (full amount of loss). By roll call vote, unanimous Aye.
- 4488 Dana Marcil, Mountain Mania Chair, reports that the Mountain Mania Committee requests approval to hold an “Arm Drop Race at The Rock” on July 25th as part of Mountain Mania. This event would require the closure of Huntington Avenue South, from the Elementary School to Exit 48. The cars would be staged in the school parking lot with the starting line at Lions Pride Park and the vehicles racing south. For safety, three rows of ecology blocks would line Huntington Avenue South to delineate the one hundred foot race lanes. An application for a Special Event Coverage has been submitted to the Association of Washington Cities insurance pool.

In response to a question from Councilmember Mask, John Booker, 141 Third Avenue SW, reports that evaporative chemicals that protect the street surface from damage will be applied prior to the event.

In response to a question from Councilmember Reilly, Ms. Marcil detailed that fencing will be in place to separate the vehicles from the spectators. Spectator parking will be available at the elementary school. The finish line turnout will be located at Cowlitz Valley Church, 1955 Huntington Avenue South. In response to a question from Councilmember Mask, Mrs. Marcil specified that the races will only travel for a distance of 100 feet, which should keep the speeds under 60 mph. The Special Event Insurance Policy will cover \$1 million damage with \$2 million aggregate. City Attorney Tom O'Neill explained that the insurance coverage is for \$1 million individual coverage with a \$2 million total coverage limit.

Glenn Pingree, 406 Clearwood Court SE, recommends council consider approval of this new event that would be well attended. Mrs. Marcil detailed that this event was approved by council in 2004, but did not take place due insurance issues.

- 4770 Councilmember Queen made a motion, seconded by Reilly to approve the closure of Huntington Avenue South, from ‘The Rock’ to Pleasant Hill Road for the “Arm Drop Race at The Rock” on July 25th, with the condition that Special Event Insurance Coverage is in place. By roll call vote, unanimous Aye.

In response to a question from Councilmember Mask, Mrs. Marcil specified that the races will start once the Mountain Mania Fun Run/Walk is over, which should be around noon. There will be a \$35 entry fee and trophies will be awarded. Following the races, the band, “Goldy McJohn & Friendz, will be performing from 6 to 9 p.m. Mr. Booker added that Riverdale Raceway is assisting with this

event. A number of racers from Napavine, Woodland and Riverdale Raceway have indicated that they would participate in these races.

Donna Williams, 221 Second Avenue SW, suggests organizing a bicycle race for youths during Mountain Mania.

Vorse reports that he has requested signage from DOT indicating that Exit 48 will be closed to Castle Rock. In response to a question from Councilmember Mask, Police Chief Bob Heuer clarified that Sergeant Neves has been meeting with this committee to work out the details.

- 5048 Mayor Larsen requests that a workshop be scheduled to discuss plans for future projects. After review, a Workshop Meeting will be scheduled for Monday July 13th at 11:30 a.m. Councilmembers Mask and Queen will provide refreshments for this lunchtime meeting.
- 5376 City Attorney Tom O'Neill reports that he contacted Kari Murfitt, 545 Pioneer Avenue NE, and provided the fair market value of \$26,000 for the platted street. Therefore the fair market value of the portion being requested for a street vacation would be approximately \$14,000. Ms. Murfitt requests only a half vacation of this street. O'Neill will research if this is possible. Councilmember Reilly requests that O'Neill contact the Murfitt's to ascertain if they wish to proceed with this request.
- 5496 In response to a question from Councilmember Mask, O'Neill stated that a lawsuit has been filed against Adriatic, Inc., the in-water appraiser. Adriatic will have 30 days from date of service to respond,
- 5532 In response to a question from Councilmember Queen, Police Chief Bob Heuer reports that the equipment to install a camera at the Park and Ride has been received. However, the police department are currently negotiating the final costs, as the bill received was higher than the bid.
- 5569 Mayor Larsen adjourned regular session at 9:07 p.m. for two executive sessions: a 10 minute executive session to discuss possible litigation and a 10 minute session to discuss personnel issues, with action possible. O'Neill requests that Police Chief Heuer attend the first session.
- 5619 Mayor Larsen resumed regular session at 9:37 p.m.
- 5636 Councilmember Queen made a motion, seconded by Reilly to accept the Public Works Collective Bargaining Contract to be in effect from January 1, 2009 to December 31, 2011. By roll call vote, unanimous Aye.
- 5678 In response to a question from Mayor Larsen, Covington indicated that the Collective Bargaining Contract for the Police and Clerical units expire at the end of 2009.

- 5683 Councilmember Mask implored Mayor Larsen to direct supervisors to prepare and submit their budgets by August 1st. Mayor Larsen noted that supervisors will be provided with guidance from council at the July 13th meeting. Councilmember Queen noted that two councilmembers were going to assist each supervisor with their budgets. Councilmember Mask stressed that he wants the budgets submitted no later than August 15th.

Covington summarized that budgets usually are requested to be submitted by mid August. However, the Police and Clerical bargaining contracts must be negotiated this year and the result of those negotiations will have an impact on personnel costs. The mayor will send a letter to the union business representative requesting that negotiations begin early.

Councilmember Mask requests the mayor issue a directive to supervisors mandating that budget projections be submitted by August 1st and also to begin union negotiations immediately. Councilmember Mask wants to attend the negotiations for both bargaining units. Councilmember Queen will also attend the negotiations for both bargaining units. Mayor Larsen directed Covington to send a letter to the union requesting that negotiations begin for both the police and clerical bargaining units. Covington also noted that the results of the primary election on August 18th will determine availability of additional funding for the police and library budgets.

- 6054 There being no further business, Mayor Larsen adjourned the meeting at 9:46 p.m.

Mayor Barbara Larsen

Clerk-Treasurer