

Tape 1 of 2

Side A

0004 Mayor Pro Tempore Greg Marcil 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, Earl Queen, Jack Reilly and Mike Mask. Mayor Barbara Larsen was absent due to illness.

0068 Vic Verhasselt, ABT Development, reports that subdivision improvements for final plat were to be completed by this meeting. However, Cowlitz County has not provided permit approval for the road approach. Cowlitz County has had a week to review the requested material. This project is at a standstill pending acceptance of the curb revisions at the Powell Road intersection by Cowlitz County Public Works Deputy Director Ryan Lopossa, P.E. Mr. Verhasselt requests a time extension for final plat.

In response to a question from Mayor Pro Temp Marcil, Mr. Verhasselt indicated that he does not know if there is a time limit for Cowlitz County to review the submitted material. Cowlitz County engineers have agreed to the submitted revisions, but Mr. Lopossa must accept those revisions to move forward with the curb location adjustments. Mr. Lopossa has been away attending training.

In response to a question from Councilmember Mask, Mr. Verhasselt stated that he will report progress at each Regular Council Meeting until an appropriate final plat is completed.

In response to a question from Mayor Pro Tem Marcil, City Attorney Tom O'Neill notes that the procedure would be for the developer to grant the Planning Commission and City Council an extension of time to accept the final plat. Councilmember Queen asks that O'Neill contact Cowlitz County to request that a timely decision is obtained. O'Neill suggests an extension up to the January 11<sup>th</sup> Regular Council Meeting.

In response to a question from Councilmember Reilly, Mr. Verhasselt agreed to grant the city and the city planning commission an extension until January 11, 2010 for the final decision on the Lois Dye subdivision approval. City Attorney Tom O'Neill will prepare the agreement with the same terms as the previous extension agreement.

0606 Councilmember Queen made a motion, seconded by Reilly to approve the minutes of the November 9, 2009 Regular Council Meeting. By roll call vote, unanimous Aye.

0624 The Association of Washington Cities (AWC) Risk Management Services Agency (RMSA) Director of Member Services Luann Hopkins reviewed that AWC has been partnering with cities for over 75 years by providing a number of member services. The Employee Benefit Trust (EBT) will begin its 40<sup>th</sup> year in

2010 and the RMSA has been in business for 21 years. A letter has been submitted detailing member services and programs.

Employee Benefit Trust Manager Carol Wilmes noted that she has been working with the city reviewing health care options. This review is driven by the costs of the Law Enforcement Officers and Fire Fighters Plan 1 (LEOFF 1) retirees. In addition, the city has also been reviewing options with a local insurance broker, Wayne Lunday, from Quaiife's Insurance. A committee appointed by the mayor compared costs and plan options. Ms. Wilmes then met with each of the three bargaining units to address questions. The city's current health care plan does not provide coverage for LEOFF 1 retirees. AWC can provide very good benefits as well as coverage for the LEOFF 1 retirees.

In response to a question from Councilmember Yund, Ms. Wilmes clarified that beginning January 1, 2010 two existing plans will be phased out and replaced by the Health First Plan. As of January 1, 2012, Plans A & B will be discontinued. The AWC benefit pool is comprised of 234 of 281 incorporated Washington cities. The City of Castle Rock is considering the Health First Plan.

In response to a question from Councilmember Mask, Ms. Wilmes specified that the EBT is the largest association health plan within Washington State. The EBT is financially successful and sustainable. It is not a profit driven program. Double digit rate increases have been occurring throughout the healthcare industry and will probably continue for the next few years. The benefit pool provides stable rate increases. The rate increase in 2010 will be 10% but includes coverage for retirees.

RMSA Claims Manager Janice Howard reviewed that RMSA has provided liability and property coverage for the City since 1989. This program has many benefits such as Loss Control Services, training and hotlines. The Pre-Litigation Program assigns an attorney to assist with an issue that has the potential for litigation. RMSA is at a 90% confidence level which indicates that if the program were dissolved it has the ability to pay 90% of claims. Ongoing audits have resulted in no findings. The claims audit found that the program met industry standards. In response to a question from Clerk-Treasurer Ryana Covington, Ms. Howard clarified that Washington State Auditors conducted a financial, accountability and claims audit.

- 1428 Mike Holmes, 385 Front Avenue SW, requests approval to remove a hazardous tree located in the right-of-way abutting his property, at his own expense. Public Works Director David Vorse provided photos of the tree. The tree has previously been topped and contains numerous schoolmarms. Mr. Holmes noted that one of these schoolmarms has begun to crack and shows signs of fatigue at the saddle. Mr. Holmes felt that three homes could be exposed to risk by this tree. Mr. Holmes would like to contract with Champ's Tree Service for removal of this hazard, at no cost to the city.

In response to a question from Councilmember Queen, Vorse agreed that this tree creates a hazard, however, funding is not available for tree removal.

1566 Councilmember Queen made a motion, seconded by Reilly to allow Mr. Holmes to have the spruce tree, located in the right-of-way on Barr Street NW removed, at no cost to the city. The tree must be removed by a licensed, bonded contractor after obtaining a right-of-way permit. By roll call vote, unanimous Aye.

1636 Ed Smith distributed the Mosquito Board Annual Report which includes the 2010 budget. His term as the City of Castle Rock Mosquito Board representative expires at the end of this year. Mr. Smith requests reappointment to another two year term. All reports indicate that the Mosquito Board has been very responsive when calls are received. There has been a slight increase in the 2010 budget to allow for a building extension.

By consensus, Ed Smith will serve another two year term as the City of Castle Rock's representative on the Mosquito Board.

1762 Mayor Pro Tem Marcil opened the Public Hearing at 7:59 p.m. to take testimony on the proposed budget amendment for the Library Fund in the amount of \$12,134. Clerk-Treasurer Ryana Covington stated the library has received enough donations to allow them to remain open for this full fiscal year. The proposed amendment would adjust the expenditure appropriations to allow the use of these additional revenues for the remainder of the current fiscal year.

In response to a question from James Tarragano, C Street SE, Covington affirmed that private donations and the fundraiser provided the funding that was needed for the Library to remain open.

1822 There being no further discussion Mayor Pro Tempore Marcil closed the Public Hearing at 8:01 p.m. and opened the Public Hearing to take testimony on the proposed budget for fiscal year 2010 as it relates to the need for an increase of the ad valorem taxes for that fiscal period. Covington provided an outline of how property taxes are distributed. This is the second public hearing on this issue.

Covington stated reductions in property valuations and the operational needs for the General Fund (current expense) will require the city to impose the full allowable levy rate in 2010, which will provide an additional revenue amount of \$3,924.95 and increase the tax percentage by 1.3582% from the previous year. The city's current assessed value is \$116,776,153. This is less than the value used for the 2009 tax period, which was \$122,696.283 for the current year assessment.

1909 There being no further discussion Mayor Pro Tem Marcil closed the Public Hearing at 8:03 p.m. and opened the Public Hearing to take testimony on the proposed budget for fiscal year ending December 31, 2010 including capital

projects, projected revenues and fund appropriations.

On behalf of Mayor Larsen, Covington prepared the budget message outlining the proposed expenditures for 2010. This report was also made available to the public at the previous city council meeting and includes revenue and expenditure comparisons and 2010 proposed appropriation amounts.

#### Personnel

There are no cost of living increases approved for non-bargaining or supervisory employees.

Personnel changes in the budget include an additional new public works classification for electrical control specialist. A study over a two-year period shows the city to expend over \$100,000 per year for this electrician services at the two regional utility facilities and the pump stations. Funding for this position will be appropriated 10% Sewer Fund, 45% Regional Water Fund and 45% Regional Sewer Fund.

Other employee reductions: One public works maintenance position (funded within the Street Fund, Stormwater Utility Fund and DOT Spoil Site Fund) will continue to work reduced hours in 2010.

Personnel increases include:

Industrial Insurance – 3% increase

Health Insurance – 13% increase (Medical, Dental, Vision – Full Time Employees)

Public Works collective bargaining unit - 2% cost of living increase, per their contract.

At present, union contracts are being negotiated with two of the three bargaining units; police and clerical. The budget does not provide for any salary increases other than normal progressive step increases for those not presently at the top of their position class range.

LEOFF I retiree medical costs: the city is also in the process of negotiating contracts to allow the city to change their medical insurance provider to one that will include the city's LEOFF I retirees. By state law, the city is responsible for all medical costs for these retirees. It is anticipated that a change in medical providers will save the city approximately \$50,000 in insurance premium fees.

#### Law Enforcement and Communications

Total costs for law enforcement and communications are 1.87% more than appropriated in 2009. Increases include medical, life and dental costs and a slight increase in dispatch expenses.

#### General

Since the city received in excess of \$500,000 of federal funding in 2009, the city will be scheduled for a federal single audit; cost anticipated to be approximately

\$18,000.

Emergency management services are estimated to be increased \$296 over 2009 costs.

Services from the Humane Society of Cowlitz County will not increase.

City's contribution for air pollution control authority increased \$3.

\$515 has been budgeted for the city's contribution to the county mental health fund.

Major Capital Projects for 2010:

Completion of the Boat Launch project; \$250,000 remaining - Grant Funded

Update of computer software for payroll, budget and utility billing functions; \$43,000

Cowlitz Street West reconstruction project; \$689,700 - Grant Funded

Riverfront Trail extension project; \$343,697 - Grant Funded

Riverfront Trail repair – completion of project; \$50,000 – Grant Funded

Purchase of grinder pumps; \$35,000 - funded mostly by capital contribution from Cowlitz County

Meter replacement program; \$15,000

Water main replacement; \$30,000 (Kirby Avenue)

Well control line installation; \$5,000

Survey land swap project; \$14,000 50% Grant Funded

Street and Arterial Street Funds:

Due to lack of available funding, requests for a street project (estimated cost; \$35,000), purchase of portable radios (estimated cost; \$800), entry feature additions (\$60,000) and street striping for arterial streets (\$4300) were deleted from the requested expenses. Other reductions were implemented for contracted services such as roadside work, weeding and spraying.

At the October 26<sup>th</sup> budget workshop meeting, councilmembers discussed revenue deficits anticipated within the Street Fund. A combination of additional reductions to street maintenance costs, combined with revenues derived from interfund transfers from the Arterial Street Fund (\$17,500) and General Fund (\$22,000) were included in the budget to offset the deficit.

Library Fund:

With the voter support of an additional excess levy for library services, along with residual donations, the library services will be funded. This will include reinstatement of the part-time librarian position that was eliminated in 2009, due to lack of funding.

DOT Spoil Site Fund:

Maintenance includes placement of additional bark chips at the playground areas and repair of two of the four picnic structures located at Lion's Pride Park.

City council has not established fees for the boat launch use, so no revenue

estimates have not been included in the 2010 budget from this resource.

Public Works Vehicle Replacement Fund:

A \$3,000 interfund contribution will be made from the Water Fund, Sewer Fund, Regional Water Fund and Regional Sewer Fund. Due to lack of revenues, the Street Fund will not provide any contribution.

Expenditures include purchase of a 10-yard dump truck; cost appropriated at \$26,380.

Real Estate Excise Tax (REET) Fund:

Estimated revenues do not allow for allocation of these funds to any qualified project in 2010. If adequate revenues are received, councilmembers may choose to re-evaluate the use of these funds, which would require an amendment to this budget in 2010.

Water-Sewer Operating Fund:

Although the Regional Utility Board increased the city's contribution for purchase of water from the Treatment Plant by 8.2% (approximately \$25,000 increase), city council directed staff to reduce operating costs within this fund to eliminate the need for any customer utility rate increases in 2010.

The city also has completed negotiations with Cowlitz County to acquire ownership of the water and sewer service mains and customers located on the west side of the Cowlitz River. Prior to approving the acquisition earlier this year, the public works director provided city councilmembers with an assessment of the county's revenues and costs associated with this system. It was estimated that resources from the additional customers should offset the additional costs.

Regional Water Fund:

At the direction of the Regional Utility Board (RUB), city and county contribution to this fund will increase by 8.5%. The RUB is comprised of county and city representatives and one public at large. Their purpose is to make recommendations for the management of the Regional Water and Regional Sewer Treatment plants.

This committee has attempted to reduce the need to increase fees, however revenues have not kept up with expenses and this rate increase will reduce the amount of fund balance required to balance the budget.

Other expenditure reductions include: elimination of a water main project (estimated at \$25,000) and elimination of the annual contribution to the Water Capital Improvement Fund (\$10,000).

Stormwater Management Fund:

The mayor's committee recommended the city attempt to procure \$12,000 per

year for the next five years to provide funding for the next mandated levy certification. In addition, the funding for the tree removal (\$5,000) required of the current levy certification was stricken from the budget, since the work was able to be completed this year. Councilmembers chose not to increase stormwater utility rates in 2010.

Development of additional funds:

Short Lived Asset Account: establishment of this fund is in accordance with loan requirements set by Rural Development. Revenues for this fund will come from interfund transfers from the Regional Water Fund

Municipal Water Capital Improvement Fund: established to provide for funding of future capital projects for the city water system. Funded by system development charges from new water service connections.

Roy Henson, Huntington Avenue South, thanked council and staff for the many long hours and hard work that went into the development of this budget.

There being no further discussion Mayor Pro Tempore Marcil closed the Public Hearing at 8:19 p.m.

- 2774 Covington stated that the implementation of the Business and Marketing plan with the creation of a Business Development Team will be tabled until January when Economic Development Planner Jennifer Keene can attend.
- 2792 In response to a question from Councilmember Mask, Boat Launch Project Coordinator Paul Helenberg reports that they have been pouring concrete for the curbs and if the weather permits they hope to pour the last part of the ramp next week.
- 2870 Covington reviewed the Budget Fund Report for October. General Fund revenues have exceeded expenditures in October. The funds in which expenditures have exceeded revenues include: Street, Arterial Street, Library, DOT Spoil Site and the Stormwater Management Fund.

Covington pointed out that the DOT Spoils Fund had a negative balance of (\$118,142.61). However, during the first week in November the city received boat launch reimbursement in the amount of \$83,081 and \$20,158 plus and additional \$26,703.71 from the Riverfront Trail Extension reimbursement.

Covington noted that projects within the DOT Spoil Site Fund require that the funds must first be expended before being eligible for grant reimbursement. Covington voiced concern that December expenditures will not be reimbursed until January and stated that council cannot continue to allow a negative balances to occur. She suggested council consider the following two options for the remaining of the year:

1. Adopt a budget amendment to temporarily borrow from another fund to allow a cash flow for these grant-funded projects. She noted that short term loans from other funds will require a repayment, including interest on those funds borrowed.
2. Cease expending from this fund until cash flows are increased.

In response to a question from Mayor Pro Tempore Marcil, Vorse outlined that project expenditures are paid following approval on the second Monday of each month. These grants require that expenditures be paid before they are eligible to be submitted for reimbursement. Reimbursement is not received until the following month.

In response to a question from Councilmember Mask, Covington affirmed that funds borrowed from another fund must be paid back with interest. Vorse added that interest would be minimal due to the short amount of time that is needed before repayment.

In response to a question from Councilmember Reilly, Vorse clarified that with three projects paid from this fund, Boat Launch, Riverfront Trail Extension and Riverfront Trail Repair, approximately \$100,000 is expended monthly. Transfers could be made monthly to cover only the amount needed for that month.

In response to a question from Councilmember Mask, Covington stated the only fund with enough capital to support the needs of the DOT Spoil Site Fund would be the Swimming Pool Construction Fund.

- 3460 Councilmember Mask made a motion, seconded by Queen to approve a loan to the DOT Spoils Site Fund from the Swimming Pool Construction Fund to cover November and December expenditures until reimbursement is received, in an amount not to exceed \$140,000 per month.

Discussion: In response to a question from Councilmember Yund, Covington specified that the repayment must include interest at the Market Interest Rate. In addition, the DOT Spoil Site Fund will continue to receive funding from the sale of dredge spoils.

Vote: By roll call vote, unanimous Aye.

- 3686 Covington reviewed the Fourth Quarter Water and Sewer Comparison Report for October. Water revenues have exceeded expenditure by \$7,192 and sewer revenues have exceeded expenditures by \$17,931. However, trends indicate that the revenues will decrease with a reduction in usage during the fall/winter months. In October 2008, water revenues exceeded expenditure by \$12,491 and sewer expenditures exceeded revenues by (\$4,453). Sewer expenditures have been reduced in 2009.

- 3774 In response to a question from Mayor Pro Tempore Marcil, Librarian Vicki Selander reports that the book she authored entitled, "Images of America Castle Rock" is nearly sold out.
- 3810 Councilmember Mask made a motion, seconded by Yund to submit notification to change medical, life, dental and vision insurance providers to AWC Employees Benefit Trust. By roll call vote, unanimous Aye.

Covington noted that a request for exclusion from the 60 days written notification to Teamsters and the bargaining units will be voted on next week to facilitate transition on January 1, 2010.

- 3851 Councilmember Yund made a motion, seconded by Queen to approve Resolution 2009-11 amending the vacation accrual rates and limits and increasing sick leave accrual limits for non-bargaining qualified employees, on second reading.

Discussion: Councilmember Yund noted that the intent of this resolution is to provide non-bargaining employees with the same accrual rates and limits as the bargaining employees receive.

Vote: By roll call vote, unanimous Aye.

- 3927 Councilmember Yund made a motion, seconded by Reilly to adopt Ordinance 2009-12 amending revenue and expenditure appropriations within the Library Fund, in the amount of \$12,134 for the current fiscal year, on second reading. By roll call vote, unanimous 'Aye'.
- 3947 Councilmember Mask made a motion, seconded by Reilly to adopt Ordinance 2009-13 fixing the estimated amount to be raised by Ad Valorem taxes for the 2010 fiscal year assessment, on second reading. By roll call vote, unanimous 'Aye'.
- 3965 Councilmember Queen made a motion, seconded by Yund to approve Resolution No. 2009-10, a resolution of the City of Castle Rock pursuant to Section 209 of Referendum No. 47 of the State of Washington, authorizing an increase in the regular property tax levy, in addition to any amount resulting from new construction, improvements and any increase in the value of state-assessed property, from the amount that was levied in 2009, on second reading. By roll call vote, unanimous 'Aye'.
- 3992 Councilmember Reilly made a motion, seconded by Mask to approve Ordinance 2009-14, establishing a Short Lived Asset Account as a requirement of the loan proceeds received from USDA Rural Development for the Water Treatment Plant reconstruction project, on second reading. By roll call vote, unanimous 'Aye'

- 4011 Councilmember Mask made a motion, seconded by Queen to approve Ordinance 2009-15, establishing a Municipal Water Capital Improvement Fund, on second reading. By roll call vote, unanimous 'Aye'.
- 4028 Councilmember Reilly made a motion, seconded by Mask to approve Ordinance 2009-16, amending Castle Rock Municipal Code 5.16.470 (3) and Castle Rock Municipal Code Chapter 5.24.040, to increase the utility tax rate for electric utility services from 5% to 6%, on second reading. By roll call vote, unanimous 'Aye'.
- 4050 Councilmember Queen made a motion, seconded by Mask to approve Ordinance 2009-17, amending Castle Rock Municipal Code 5.16.470 (7) and Castle Rock Municipal Code Chapter 5.20.040, to increase the utility tax rate for natural gas utility services from 5% to 6%, on second reading. By roll call vote, unanimous 'Aye'.
- 4074 Councilmember Reilly made a motion, seconded by Queen to approve Ordinance 2009-18, an ordinance amending Castle Rock Municipal Code 5.16.470 (4) and Castle Rock Municipal Code Chapter 5.44.020, to increase the utility tax rate for telephone business utility related services from 5% to 6%, on second reading. By roll call vote, unanimous 'Aye'.
- 4094 Councilmember Reilly made a motion, seconded by Queen to approve Ordinance 2009-19, an ordinance amending Castle Rock Municipal Code 5.16.470 (2), 5.16.470 (5), 5.50.020 and 5.54.020 to increase the utility tax rate for water and sewer utility services from 5% to 6%, and also adding Section 5.16.470 (8) and Chapter 5.56 Stormwater utility tax, on second reading. By roll call vote, unanimous 'Aye'.
- 4125 Councilmember Mask made a motion, seconded by Reilly to approve Ordinance 2009-20, adopting the budget of the City of Castle Rock for the fiscal year ending December 31, 2010, on second reading. By roll call vote, unanimous 'Aye'.
- 4139 Councilmember Mask made a motion, seconded by Reilly to approve Ordinance 2009-21, renaming the Regional Sewer Capital Improvement Reserve Fund to the Municipal Sewer Capital Improvement Reserve Fund, on second reading. By roll call vote, unanimous 'Aye'.
- 4157 Councilmember Reilly made a motion, seconded by Yund to approve Resolution 2009-12, amending the building permit fees, effective January 1, 2010, on first reading.

Discussion: Covington specified that during Budget Workshop Meetings, council recommended amending the building permit fees to a rate that is 2% less than Cowlitz County's rate. Although Cowlitz County indicates that these fees will

increase, at this time they have not established a rate for 2010. This amendment increases fees to Cowlitz County's current 2009 rates.

Vote: By roll call vote, unanimous Aye.

- 4241 Councilmember Mask made a motion, seconded by Queen to approve Ordinance 2009-06, amending portions of Ordinance 2002-02 and Ordinance 2004-01, regarding utility collection procedures to establish a minimum account balance for collection of delinquent accounts, on first reading. By roll call vote, unanimous Aye.

- 4311 City Attorney Tom O'Neill pointed out a typographical error within Ordinance 2009-22.

Councilmember Mask made a motion, seconded by Reilly to approve Ordinance 2009-22, repealing Castle Rock Municipal Code 9.06.010 and 9.06.020 and enacting a new chapter regarding offenses against the public order, on first reading, as amended. By roll call vote, unanimous Aye.

- 4379 City Attorney Tom O'Neill pointed out an omission within Ordinance 2009-23.

Councilmember Yund made a motion, seconded by Reilly to approve Ordinance 2009-23, repealing Castle Rock Municipal Code 9.04.224 and enacting a new category of possession of drug paraphernalia as Section 9.04.224, on first reading, as amended. By roll call vote, unanimous Aye.

- 4419 Police Chief Bob Heuer and Public Works Director David Vorse pointed out numerous inaccuracies and omissions in the draft Clerical Collective Bargaining Agreement as presented. Councilmember Mask tabled consideration until an accurate document is provided. O'Neill specified that action could be deferred as only one reading is needed for passage.

Council provided consensus to approve, following corrections and changes.

- 4701 Councilmember Yund made a motion, seconded by Reilly to approve Resolution 2009-14, declaring the 420 lb. propane tank that was purchased for the City Hall Generator as surplus property, on first reading.

Discussion: Councilmember Mask noted that this is a new tank which should be priced as new. The tank was purchased at a cost of \$489 last May. Councilmember Mask suggests a reduction of no more than 10% from the purchase price as the tank was never filled. Chief Heuer suggests selling this item on Ebay with a minimum price listed. O'Neill pointed out that this resolution only establishes this item as surplus.

Vote: By roll call vote, unanimous Aye.

4892 Councilmembers reviewed a letter from Mayor Larsen advising of her intent to resign. O'Neill clarified that he has reviewed statutes and municipal laws regarding an appointment to elective office. The office is not vacant until the effective date of November 30, 2009 as stated in Mayor Larsen's letter of resignation. Once there is a vacancy, council can appoint a councilmember or a qualified resident to fill the position.

Tape 1 of 2

Side A

0006 Mayor Pro Tempore Marcil read the letter from Mayor Larsen dated November 20, 2009, requesting acceptance of her notice of resignation effective November 30, 2009, due to health issues.

In response to a question from Councilmember Reilly, O'Neill stated that following November 30<sup>th</sup>, council could provide the public with notice of intent to interview for the position of mayor.

Councilmember Mask recommends scheduling a special meeting during the first week in December, to develop a process to fill the position by January 1, 2010. O'Neill stated that council has up to 90 days to fill the vacancy. If the vacancy is not filled then the City loses that authority and the Cowlitz County Commissioners have 90 days to fill the vacancy, after that period the authority passes to the Governor.

Following discussions with Municipal Research, Councilmember Mask is concerned that incoming councilmembers cannot be seated without a quorum which will not be possible with two councilmembers leaving office effective December 31<sup>st</sup>. O'Neill will review this issue.

In response to a question from Councilmember Queen, Ed Smith, Second Avenue SW, stated that council should make a decision to either appoint a councilmember to fill the position or accept applications from residents.

Councilmembers Queen and Reilly are in favor of requesting applications from the public. Councilmember Mask noted that a Special Meeting in December will be needed to review applications. Councilmember Yund would rather appoint a councilmember that is already familiar with issues to fill the position. O'Neill noted that an outgoing councilmember could be appointed to fill the vacancy.

In response to a question from Police Chaplain Steve White, Balcer Street NE, O'Neill clarified that a public notice would be published requesting applications. White requests that the position be open to the public, he stated that he intends to apply.

- 0600 Councilmember Queen made a motion, seconded by Reilly to accept applications for the position of Mayor. From those applications council will appoint a Mayor.

Discussion: The Daily News Reporter Barbara LaBoe requests a closing date for the acceptance of applications. Councilmember Mask does not want to rush the review of applications during the Regular Council Meeting in December. He feels that a Special Meeting is needed during the first week in December. Covington noted that she will be unavailable for a Special Meeting during that time period.

Councilmember Yund does not see the need to seek applications for a one year position (until the next general election), when a qualified person has been filling the position quite well and could continue to do so.

Vote on motion: By roll call vote, Queen and Reilly Aye, Yund and Mask Nay.

City Attorney O'Neill advised that the mayor pro-tempore is allowed to cast their vote to break the tie.

Mayor Pro Tempore Marcil voted Aye, to accept applications from the public. Motion passed.

- 0828 City Attorney Tom O'Neill addressed Councilmember Mask's concerns, noting that any official with the authority to administer the oath of office could swear in the newly elected councilmembers. This is normally administered by the city clerk, then the oath is notarized and filed with the office of the Cowlitz County Clerk.

Councilmember Mask still feels that a Special Meeting will be needed to properly review applications, which could be a lengthy process. Covington noted that all interviews must be done during an open public meeting. Councilmember Mask would like the newly elected councilmembers involved in the process.

O'Neill specified that council has 90 days to appoint a mayor. The decision could be made in January after the newly elected councilmembers are seated. Councilmember Queen suggests setting an application due date of December 28<sup>th</sup>, which is the last meeting date of the year. Mayor Pro Tempore Marcil and Councilmember Reilly noted that they would not be able to attend a meeting on December 28<sup>th</sup>. Councilmember Reilly stated that applications can be submitted up to the December 28<sup>th</sup> meeting for review in January.

- 1394 Councilmember Reilly made a motion, seconded by Yund to set a deadline of December 28<sup>th</sup>, to accept applications for the position of mayor. By roll call vote, Mask Nay, the rest Aye, motion passed.

1412 There being no further discussion, Mayor Pro Tempore Marcil adjourned that meeting at 9:26 p.m.

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Mayor Pro-Tempore

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Clerk-Treasurer