

- 0004 Mayor Barbara Larsen called the regular meeting of the Castle Rock City Council to order at 7:30 p.m., with the following councilmembers present: Khembar Yund, Greg Marcil, Earl Queen and Mike Mask. Council-member Jack Reilly was absent.
- 0051 Councilmember Marcil made a motion, seconded by Yund to approve the minutes of the January 14, 2008 Regular Council Meeting. By roll call vote, unanimous Aye.
- 0082 Pathways 2020 Director Paul Yeoman reports that the Cowlitz-Wahkiakum Council of Governments (COG) is considering a membership increase to support Pathways 2020 programs. Every two years Pathways 2020 produces the Cowlitz County Community Report Card. This reports reviews trends and conditions within Cowlitz County to work towards a healthier community and improve the quality of life. Three goals of Pathways 2020 are to: 1) Increase healthy lifestyles by increasing physical activity and nutrition, reducing obesity, reducing methamphetamine use, and reducing the number of women who smoke during their pregnancy. 2) Increase educational opportunities by reducing the number of high school dropouts, increasing access to early childhood education programs, and strengthening after school programs for youth. 3) Strengthen families by increasing access to health care, monitoring the needs of senior citizens, and maintaining and increasing community mental health services.

Pathways 2020 is currently working on the development of the Castle Rock to Lexington Trail Loop. This project will extend the Castle Rock Riverfront Trail System to connect with the neighboring community of Lexington. The trail system could eventually be extended to connect with Kelso, Kalama and Woodland. Public Works Director David Vorse has represented Castle Rock during this process. The route for the Castle Rock to Lexington Trail Loop will be announced on April 19, 2008 when Pathways 2020 recognizes Healthy Lifestyles Champions. Two years ago, the City of Castle Rock was chosen as one of the first Healthy Lifestyles Champions due to the work that was done on the Riverfront Trail System.

To support an increase in healthy lifestyle choices, Pathways 2020 is working to reduce tobacco and drug use within the community. To provide educational opportunities, Pathways 2020 supports the Headstart Program and is working to develop a Skills Center featuring career vocational development programs for high school age youths. To strengthen families, Pathways 2020 works with a domestic violence work group which assists agencies to collaborate efforts when responding and prosecuting domestic violence suspects.

Pathways 2020 will produce another Cowlitz County Community Report Card in 2008. This report card also illuminates recycling trends within the county. In

2001, Cowlitz County averaged 4.6 pounds of solid waste per person per day. By 2006 that number had increased, the landfill receives 6.1 pounds of solid waste per person per day with only .6 pounds being recycled.

In response to a question from Councilmember Mask, Youman detailed that the development of a trail system is a process that takes approximately 20 years. The annual COG membership fee increase is approximately \$480 for the city.

Councilmember Yund is in support of Pathways 2020 programs. He noted that these programs are of great value to the community.

1024 Councilmember Yund made a motion, seconded by Marcil to support Pathways 2020 programs through an increase in the Cowlitz-Wahkiakum Council of Governments membership fee. By roll call vote, unanimous Aye.

1077 Eileen House, 441 Michner Street SW, complained about the condition of Michner Street which has numerous potholes. Several residents have blacktopped their driveways and now the potholes are undermining these driveways. She felt that city improvements should start with the streets as some are in extremely poor condition.

Ms. House voiced opposition to mandatory garbage collection. She felt that residents should have a right to haul their own garbage. She also believes that the largest garbage problem within the City takes place on collection day when containers are placed on the street and dogs knock them over.

Mayor Larsen stated that a committee will be formed to study and make a recommendation on mandatory garbage collection. Councilmember Mask will head that committee.

Ms. House stated the current method of filling potholes has not been effective. The potholes are so large and numerous that Michner has been reduced to one lane. She believes that if the City wants to attract development the place to start would be with street improvements. Public Works Director David Vorse explained that Michner Street is only a gravel street with an oil mat and has no base. This street will continue to narrow as the edges erode away.

Councilmember Yund agreed with House and explained the process that councilmembers pursue when choosing which street to repair. A limited amount of funds are available for street repairs.

In response to a question from Ms. House, Vorse explained that when the City did receive a State grant for city street repairs, the State chooses which street receives the repair.

Dave Barlow, 1029 Third Avenue SW, agrees with Ms. House. He believes that mandatory garbage collection would inhibit recycling. Composting, recycling and reuse should be taught and recycling efforts should be encouraged. Residents that recycle have such a small amount of garbage that mandatory collection would be counter productive and discourage recycling.

In addition, Mr. Barlow stated that he is from Pennsylvania where the winter is much harsher then it is here. He described the method that they use to repair holes in the streets. He believes that the potholes in the City are not being filled correctly

In response to a question from Councilmember Queen, Mayor Larsen indicated that the Mandatory Garbage Collection Committee should be made up of five members.

- 1565 Councilmember Reilly submitted a letter advising against placing an additional street light on Shintaffer Street NW as he could not detect a lighting deficiency. However, he recommended that the bulb wattage of the existing light fixtures could possibly be increased to provide additional light.

Councilmembers Queen and Mask agree with Councilmember Reilly's assessment. This street has the same amount of light as other streets within the City. Vorse added that sometimes bulb wattage cannot be increased without replacing the light fixture.

Betty Uhlenkott, 123 Shintaffer Street NW, agreed with Mr. Barlow that potholes are not being repaired correctly. She felt that when potholes are repaired correctly the fill remains in the hole.

Vorse stated that Cowlitz PUD has offered the option of exchanging a light fixture on this street for a fixture on another street for a one time swap fee of \$300. The light at the intersection of Front Avenue and Huntington Avenue North could be a candidate for this type of exchange.

Councilmember Yund noted that Shintaffer Street has better illumination then half the streets within the City. Warren Street SW has the same number of lights and is twice the length.

In response to a question from Councilmember Queen, Ms. Uhlenkott indicated that only one car has been moved off the street since her complaint at the last meeting. She feels that the City is wasting funds having the street swept without first notifying residents to move their vehicles.

- 1951 Councilmember Yund made a motion, seconded by Queen to deny the request for an additional street light on Shintaffer Street NW. However, an increase in bulb

wattage could be considered if the fixture does not have to be replaced. By roll call vote, unanimous Aye.

Vorse will report on the costs to increase light wattage at the next meeting.

- 2029 Mayor Larsen opened the Public Hearing at 8:06 p.m. to take public comment on a proposed budgetary amendment to increase expenditure appropriations for fiscal year ending December 31, 2007 for the Water/Sewer Fund in the amount of \$15,500. The amendment will require a fund transfer of non-appropriated funds from the sewer to the water expenditures.

Clerk-Treasurer Ryana Covington detailed that the Water Fund exceeded its appropriated level in December 2007. Funds are available in the Water/Sewer Fund for this fund transfer.

- 2121 There being no further discussion, Mayor Larsen closed the public hearing at 8:09 p.m. and resumed regular session.

- 2133 Covington presented the Planning Commission Annual Report of 2007. The City Planner will attend the next regular meeting and be available to answer any questions.

Councilmember Mask requests that the new council-members receive a copy of the Planning Commission's recommendations for the CAP subdivision.

- 2251 Public Works Director David Vorse provided a comparison of water and sewer hookup fees charged by other entities within Cowlitz County.

In response to a question from Councilmember Yund, Vorse indicated that other entities require one of three methods for the installation of the service line:

1. The property owner must hire a private contractor to install the service line. However, issues can arise when attempting to have a contractor return to repair a failure;
2. City crews install the service line and charge for the cost of labor, material and equipment. With this method it can be difficult for the property owner to anticipate costs;
3. City crews install the service line and charge a flat rate for the work that is needed. In this way the property owner can foresee costs.

The city's proposed amended connection fee establishes a flat rate that is based upon labor, material and equipment costs. These costs were determined by evaluating cost trends over the past three years.

Councilmember Mask pointed out that these cost comparisons are unmistakable. However, as a property owner this expense is hard to accept.

Vorse detailed that only the cost for labor, material and equipment was calculated. The greater expense is the System Development Charge (SDC) which has not been reevaluated since 2000. The SDC covers the cost for providing treatment and the distribution/collection system to the property.

- 2730 Vorse presented a Memorandum of Agreement and Support Agreement with the Department of the Army (DA) as a provision for DA Levee Certification services. The Support Agreement estimates the cost of this service at \$30,065 which is higher than earlier estimates. Vorse noted that \$20,000 was budgeted for this certification with an additional \$10,000 for tree removal. He suggested that tree removal could be delayed until 2009 to provide additional funds for certification. The contract requires funds for this project to be paid in advance to the Department of the Army. These funds will be placed in an escrow account with the remainder returned to the City at the end of the project. Vorse noted that Covington would like the opportunity to have the auditor review this agreement.

In response to a question from Councilmember Mask, Vorse indicated that this work could be contracted through a private firm. However, it would be difficult for a private firm to compete for this service, since the Army Corps of Engineers (ACOE) was involved with the design and building of the levees. They are familiar with the history of the levee system and have approved all work done to the levees. The ACOE has the mapping and GPS of the levee system at their disposal. In addition, the ACOE would have to review and approve any improvements.

Vorse clarified that the levee certification is not required by the ACOE. However if the levee is not certified, the protection levels on the FEMA FIRM maps would denote a lower Flood Level Classification. Homeowner would then be required to purchase flood insurance coverage.

Covington detailed that the City will not receive an invoice for this work but must provide payment prior to the commencement of any work. These funds are deposited in a separate account that the ACOE can then draw from as they see fit. Vorse noted that these terms have applied to other communities and the ACOE completed work within the budgeted amount. However, there is no guarantee that the levees will receive certification. The levees would be evaluated and any problems identified. He added that Castle Rock does have a history of excellent annual Levee Inspection Reports from the ACOE.

In response to a question from Councilmember Yund, City Attorney Tom O'Neill pointed out his concern regarding the Memorandum of Agreement Article X - Responsibility for Costs. This section holds the City responsible for costs

incurred to discharge liability. This is the only agent that can reasonably perform this work, therefore they can set the terms.

3231 Councilmember Yund made a motion, seconded by Marcil to enter into the Memorandum of Agreement and Support Agreement with the DA for certification of the levee, pending approval by the state auditor. By roll call vote, unanimous Aye.

3311 Clerk-Treasurer Ryana Covington reviewed the 2007 End of Year Financial Report. The following funds used a portion of the Beginning Fund Balance to meet expenditure requirements: General, Arterial Street, Public Works Vehicle Replacement, Water/Sewer Operating, Regional Water, Regional Sewer, Stormwater Management and Ambulance Services. Covington presented a comparison of the actual beginning fund balance and the anticipated fund balance used for the 2008 Budget.

Covington noted that the 2008 beginning balance for General Fund is \$357,058.82, which is \$157,941 less than estimated. The 2008 General Fund Budget includes a police vehicle replacement (\$18,500), street project (\$32,000) and Entrance Features Project Phase 3 (\$10,000) which could be postponed until funds become available.

The Department Supervisors and Councilmembers Yund and Marcil will participate in committee meetings to develop a recommendation to resolve the General Fund deficit.

3914 Covington reports that the formatting on the Federal W-2 Reports has changed. Harris Computer Systems could not provide an upgrade for the City's ASP DOS Payroll application. Harris allowed a temporary upgrade of the ASP DOS Payroll application to an ASP Windows Payroll product to allow for the printing of 2007 W-2s.

Harris has offered to provide the Windows Payroll Application (\$1000) at no charge if the City agrees to upgrade the ASP DOS budgetary and utility billings systems to an ASP Windows version. The Purchase Agreement offered software that includes Fund Accounting for \$1000, Payroll System at no charge, Utility Billing for \$1000 and Business License for \$1000 with the current annual maintenance to remain the same. Professional Services under this agreement would amount to \$1,250 for consulting and \$725 for data conversion. The total amount for software and services is \$4,975.

Covington provided options for funding this upgrade without using the General Fund. The cost for this service could be applied to all of the funds as budgeting is used throughout all of the funds or the Accumulative Reserve Fund could be used as the source for a loan to fund this upgrade.

Due to previous efforts, Covington is confident that Harris cannot provide utility billing conversion services for the \$725 as stated in the agreement. The current DOS utility billing software was a program specially developed for the City. Covington estimates that any conversion costs will be much higher.

City Attorney Tom O'Neill pointed out two areas of the contract relating to Data Conversion and Warranty Disclaimer allows Harris flexibility in the terms of the contract.

Vorse cautioned that a new handheld meter reading device would also need to be compatible with the utility billing system.

Covington indicates that the City could possibly enter into this agreement without the utility billing for a contract reduction of \$1000. Proposals for the utility billing system upgrade can be requested from various providers.

City Attorney Tom O'Neill would like to see dispute resolution language included in this agreement.

As requested by Councilmember Yund, Covington will contact Harris to ascertain if they would enter into this agreement without the utility billing system while still providing the free payroll application. She will also contact other companies to request proposals.

4454 Report of Meetings

Councilmembers Queen, Reilly and Mask attended an Association of Washington Cities (AWC) New Council Training Workshop in Tacoma. Councilmember Mask also attended a CAP Meeting where he had a brief introduction to the development of the CAP Subdivision; 'Field of Dreams'. They anticipate that construction will begin in April.

Mayor Larsen attended a Cowlitz County Health Board Meeting.

Clerk-Treasurer Ryana Covington and Councilmember Reilly attended a Cowlitz-Wahkiakum Council of Governments Board meeting last Thursday in which the 2008 federal recommendation of projects were reviewed. The number one priority this year will be cleanup of the Toutle River Watershed.

4630 Councilmember Yund made a motion, seconded by Queen to approve Ordinance 2008-01 amending Castle Rock Municipal Code Chapter 13.12, in part, relating to water and sewer connection charges, on first reading. By roll call vote, unanimous Aye.

4651 Councilmember Marcil made a motion, seconded by Mask to approve Resolution 2008-01 adopting the Cowlitz County Solid Waste Management Plan, on second reading. By roll call vote, unanimous Aye.

- 4690 As requested by council, Covington provided a summary of expenses in 2005, 2006 and 2007 for legal services with Davis Grimm Payne & Marra.

Councilmember Yund would like a limit set on the use of this service without further approval by council.

In response to a question from Councilmember Mask, City Attorney Tom O'Neill specified that this is a specialty service for personnel issues. Having an agreement in place provides supervisors with access to a quick response for personnel issues. Councilmember Yund noted that this service has yielded good results in the past.

- 4837 Councilmember Yund made a motion, seconded by Marcil to approve the 2008 Agreement for Legal Services with David Grimm Payne and Marra not to exceed \$2000, subject to later council action. By roll call vote, unanimous Aye.

- 4873 Councilmember Mask reported that some residents have expressed interest in serving on a Mandatory Garbage Collection Investigative Committee.

Tape 2 of 2

Side A

- 0004 Councilmember Mask indicated that he is not for or against mandatory garbage collection. However, he voiced concern that dumping costs will increase when the landfill closes in two years which may exasperate collection issues if collection is not mandatory.

Councilmembers Yund and Marcil noted that Cowlitz County has a thirty year contract with the option of two 5 year extensions with Waste Control which sets tipping fees for the duration of the contract.

Councilmember Mask specified that the following citizens have expressed interest in serving on the Mandatory Garbage Collection Investigative Committee: Gary Martin, Donna Quaife and Helen Kleine.

Councilmember Marcil pointed out that there are two large containers for each household lining every alley in Longview, where garbage collection is mandatory. He questioned where Castle Rock residents would find room for these street side containers.

Councilmember Mask stated that he would abide by the recommendations of the Mandatory Garbage Collection Investigative Committee.

In response to a question from Gary Martin, Castle Rock Storage, Covington reports that Castle Rock and Cowlitz County are the only entities in Cowlitz County that do not have mandatory garbage collection. Councilmember Marcil

cautioned that the City should not impose mandatory garbage collection until Cowlitz County does.

Councilmember Mask reports that while at the AWC Workshop in Tacoma he discussed this issue with officials from other cities. Only one of those cities polled does not have mandatory garbage collection. Most residences that subscribe to a garbage collection service are kept clean.

In response to a question from Councilmember Queen, Councilmember Mask reports that Kevin Willis, from Waste Control stated that 60% to 75% of Castle Rock residences subscribe to their garbage collection service. Vorse stated that Waste Control's Joe Willis provided information that denoted 500 residences and 94 commercial businesses in Castle Rock subscribe to garbage collection service with Waste Control. This would be approximately 50% of residences.

Councilmember Queen is concerned with issues that could arise from adding this charge to the utility bill. He does not want water service disconnected as a result of the additional cost incurred for garbage collection services, as has happened in other communities. Councilmember Mask suggested that this service could be charged separately. Councilmember Queen requested information as to the actual costs for mandatory garbage services. Councilmember Mask requests that Public Works Director David Vorse attend these committee meetings to serve as staff advisor.

In response to a question from Councilmember Queen, Covington asked that if the City is responsible to bill for this service, she asked that the committee also take into consideration the limitation of the existing billing system the clerical staffing in the finance office.

In response to a question from The Daily News Reporter Barbara LaBoe, Councilmember Queen clarified that only residents of the City of Castle Rock would qualify to serve on this committee. Councilmember Mask stated that Gary Martin would qualify to serve on this committee since he operates a business within the City. In response to a question from Councilmember Queen, Martin reports that he does not have garbage collection service at his business, but rather takes it home where he does have collection service.

Councilmember Mask believes that Councilmember Reilly would not object to serving on this committee. Betty Uhlenkott indicated that she would consider serving on this committee.

Councilmember Mask calculated that the committee should be prepared to make a recommendation by the first regular meeting in April.

1190 Covington reports that AWC Risk Management Service Agency has offered the option of an additional \$5 million liability coverage at 49¢ per capital for a total additional cost of \$1,046 over the amount budgeted for 2008 coverage.

In response to a question from Councilmember Marcil, Covington stated that the current liability coverage is \$5 million.

By consensus, this coverage will remain as is due to budget restraints.

1282 Covington stated that a council representative is needed for the Low Income Housing Committee. Councilmembers Yund and Marcil will serve on this committee. A citizen will also be needed to serve on this committee.

1345 Councilmember Yund made a motion, seconded by Marcil to approve Ordinance 2008-02 amending the water and sewer fund in the amount of \$15,500, on first reading. By roll call vote, unanimous Aye.

1393 There being no further business, Mayor Larsen adjourned the meeting at 9:25 p.m.

Larsen

Mayor Barbara

Clerk-Treasurer