

- 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.
- 0062 Councilmember Queen made a motion, seconded by Reilly to approve the minutes of the February 23, 2009 Regular Council Meeting. By roll call vote, unanimous Aye.
- 0088 Third District Cowlitz County Commissioner Axel Swanson extended a formal invitation to attend the Government Summit on March 25th from 6 to 9 p.m. at the Regional Convention Center to discuss budget concerns. The purpose of the summit is to look for ways and opportunities to improve efficiency. Hopefully this will lead other agencies and jurisdictions to do the same.

Commissioner Swanson added that the Board of Commissioners wish Mayor Larsen well and hope that she has a speedy recovery.

- 0388 Coni Bush, the owner of Lacey Rhá's Cafe, introduced Jim Worl who would like to organize a 3 kilometer run/walk, with proceeds to benefit the Library.

Jim Worl, the owner of 906 and 932 Front Avenue SW, stated that he became inspired to organize an event to help keep the Library open after discussing the issue with his tenants. Many of the residents at his apartments use the computer at the Library for internet access.

Wohl asked if the City would provide liability insurance coverage for this event. The event will be called "I Topped The Rock to Save the Library". The proposed route would begin at the Library heading east to Front Avenue; then north to where the Riverfront Trail meets Front Avenue NW. Runners/walkers will then follow the Riverfront Trail south to 'The Rock'. Participates can top 'The Rock' where they will receive an "I Topped The Rock" ribbon. Runners/walkers will complete the course by following Front Avenue to A Street SW. Speed competitions could be held along Front Avenue SW. Mr. Wohl added that the downtown area could be blocked off for vendors and musicians with all proceeds going to the Library. This event could take place in early summer or fall to avoid scheduling conflicts with other events.

In response to a question from Councilmember Yund, Clerk-Treasurer Ryana Covington specified that council has approved sponsoring events by providing liability insurance, as long as a city staff member participates in the planning process. Vorse noted that additional planning would need to be in place if walkers are to cross A Street SW. Councilmember Yund noted that The Friends of the Library is a 501(c)(3) nonprofit organization. Councilmember Yund

designated Public Works Director David Vorse to serve as the City representative in the planning process to verify that liability requirements are met.

Vorse specified that personnel will be needed at each street crossing. The primary concern will be crossing A Street, as it is a state highway.

- 0972 Linda Knowles, Castle Rock Eagles #556, requests approval to conduct the Eagles 5th Annual Youth Parade on Saturday June 27th at 3:00 p.m. The parade is held as part of the Washington State Eagles Annual Youth Convention at the Castle Rock Middle School. The short parade will follow the same route as in previous years.
- 1048 Councilmember Yund made a motion, seconded by Reilly to approve the Eagles Youth Parade on Saturday June 27th at 3:00 p.m. with the same route as the last four years. By roll call vote, unanimous Aye.
- 1063 Councilmember Yund requests a copy of the ordinance pertaining to Fireworks Permits. Covington asks that the Castle Rock Eagle's Fireworks Permit Application be tabled until she has the opportunity to provide council with a copy of that ordinance.
- 1140 Mayor Pro Tempore Marcil adjourned regular session at 7:47 p.m. for a ten minute executive session to discuss potential litigation and property acquisition, with no action anticipated.
- 1168 Mayor Pro Tempore Marcil resumed regular session at 7:57 p.m. with no action taken.
- 1192 City Attorney Tom O'Neill reports that the Quit Claim Deed for the Lions Volunteer Park has been recorded. This park is now city property. Covington noted that the previous owners, Castle Rock Lion's Club, have received a tax statement for 2009 payable property taxes. O'Neill will contact the Cowlitz County Treasurers Office regarding taxes on this property.
- 1222 Police Chief Bob Heuer reports that the 1999 Ford patrol vehicle has not been working, which forced him to use the 1991 Chevrolet. The chief thanked Mayor Pro Tempore Marcil for donating his labor to repair the 1999 Ford. Initially the estimated cost to repair the vehicle was approximately \$2000.
- Chief Heuer recounted the ceremony in which Officer Worley received the Red Cross' Hero Award.
- 1315 City Engineer Mike Johnson stated that the Final Plat for the Lower Columbia Community Action Council (CAP) 'Field of Dreams' Subdivision received approval with conditions. One of the conditions for approval is the required maintenance bond, in the amount of \$90,000, to secure adequate function of the

roadway and utilities for a period of two years. Johnson stated that CAP, as a nonprofit organization, is having a difficult time retaining a traditional maintenance bond. CAP proposes instead to provide a 'Letter of Credit' in the amount of \$90,000 to assure that any defects or repair work is corrected in that two year period. In response to a question from Councilmember Reilly, Johnson clarified that the two year maintenance period is taken from the city's Development Guidelines.

1398 Councilmember Reilly made a motion, seconded by Queen to accept a 'Letter of Credit' in the amount of \$90,000, instead of a maintenance bond for the CAP 'Field of Dreams' Subdivision. By roll call vote, unanimous Aye.

1414 City Engineer Mike Johnson reviewed alternatives for painting the filter tanks for the Water Treatment Plant Improvement Project:
Alternative 1 - would complete surface preparations using a power tool cleaning and paint per specifications for no increase in cost.
Alternative 2 - uses an enhanced power tool cleaning to bare metal in heavily corroded areas and a rust inhibiting primer for an increase of \$17,050.
Alternative 3 - would use an industrial abrasive blast cleaning over the entire tanks to near white metal in heavily corroded areas and a rust inhibiting primer for an increase of \$43,988.
Alternative 4 - is an abrasive blast cleaning to near white metal over the entire tanks for an increase of \$53,815.

Johnson specified that there is a difference of opinion as to the level of effort that will be needed for Alternative 2. The estimate of \$17,050 was provided by the painting contractor. Johnson recommends council approve Alternative 2, on a 'time and material basis' as a good choice. Alternative 2 would extend the life of these tanks another ten to fifteen years before touchups may be needed for the worst areas.

Johnson advised that the painting contractor believes that he found lead paint at the Water Treatment Plant today. Additional samples were taken and results should be available tomorrow. Johnson stated that earlier field tests did not detect lead paint.

1647 Councilmember Reilly made a motion, seconded by Queen to approve the Water Treatment Plant Improvement Project Filter Painting Change Order Alternative 2, not to exceed \$17,050, based on time and material. By roll call vote, unanimous Aye.

1697 In response to a question from City Attorney Tom O'Neill, Public Works Director David Vorse reports that one condition for final plat approval remains for the CAP 'Field of Dreams' Subdivision. Vorse has not received the key to control the street lights. They cannot be turned on without the control key. According to the contractor, he locked the keys in with the PUD meter. PUD has indicated that

they would retrieve the keys for us, but this has not happened. O'Neill will call PUD tomorrow and request that they retrieve the keys and give them to Vorse.

1884 Vorse reviewed the benefit/cost analysis for water and sewer services located west of Castle Rock. The following annual revenue estimate is based on 2008 usage and 2009 city rates: The annual revenue for water is \$56,224, plus sewer revenues of \$40,463 for a total annual income of \$96,687 (without tax). The utility tax would net an additional \$4,834.

Revenues for new service connections:

¾" water connection: \$2,770 of which \$500 goes to the Regional Water Fund. A Residential sewer connection: \$4,100 of which \$1,500 goes to the Regional Sewer Fund.

Vorse noted that a proposed subdivision (Castle Rock Meadows development) has 76-78 residential lots. The revenue for new water service to 76 lots is \$210,520, of which \$38,000 goes to the Regional Water Fund. (Net \$172,520). The cost for new sewer service to 76 lots is \$311,600, of which \$114,000 goes to the Regional Sewer Fund (Net \$197,600). Additional revenue sources from building and planning permits may be realized as homes are built- if the area is annexed. If this area was not annexed all utility fees would be assessed at 1.5 times the city rate.

The estimated annual expenditures for the water and sewer systems west of Castle Rock are:

Hard cost:

Wholesale cost of water from Regional Water is	\$28,857
Treatment cost of sewer from Regional Sewer is	\$36,649
Billing	\$ 732
Repairs	<u>\$ 2,000</u>
Total Annual Hard Costs	\$68,238

Soft cost:

Reading Meters (24 hrs)	\$ 623
Process Billing & Payments (110 hrs)	\$ 3,005
Delinquent Accounts - notices & shutoff (84 hrs) (60 hrs CH & 24 hrs PW)	\$ 2,290
Responding to Complaints (48 hrs) (24 hrs CH & 24 hrs PW)	\$ 1,307
Operation and Maintenance (64 hrs) (Includes hydrant flushing, valve programming, pump station issues, manhole and main inspections)	\$ 1,737
Repairs (30 hrs)	<u>\$ 814</u>
Total Annual Soft Costs (360 hrs)	\$ 9,776 Annual
Total Monthly Soft Costs (30 hrs)	\$ 815 Month
Initial Account Setup Costs (57 hrs)	\$ 1,792 One Time

In response to a question from Councilmember Yund, Vorse noted that it appears that this system would provide an annual net revenue of approximately \$28,000. An initial assessment indicates that approximately half of these customers would pay less if the city provided this service.

Johnson noted that currently there are relatively few customers per foot of pipe. It is very probable that the customers per foot of pipe will increase. With projected development this system could be a potential funding opportunity for the city. If this system is acquired prior to development the city could retain the connection fee revenues to invest in the system or in the regional system. The city also would have a greater degree of control over the growth of the system.

In response to a question from Councilmember Mask, Johnson clarified that development within the city limits is required to connect to city utilities if the development is within 200 feet of the system.

In response to a question from Councilmember Mask, Vorse stated that only property that has enough acreage to sustain a septic drainfield can develop a private septic system.

In response to a question from Councilmember Reilly, Vorse clarified that there are two different issues - one is the feasibility of taking over this system and the second is annexation of this area. Both would involve a public process. It would be Cowlitz County's decision whether or not to give this system to the City and the City's decision whether or not to accept it.

Councilmember Yund thanked Vorse for providing this analysis. Many residents in this area would welcome the opportunity to connect to City utilities. The development of a private septic system costs approximately \$18,000 in addition to the acreage need. It would be more conducive to development to have the ability to connect to the City's system for \$4,100.

By consensus, councilmembers asked Vorse to continue working with the county staff to move forward the process to take over management of this system.

Vorse noted that he would like to have a public meeting, in conjunction with Cowlitz County, to take public comment on the proposal for the City to provide water and sewer service in this area. Information could be prepared for each address, based on past usage, comparing the City's rate with Cowlitz County's rate.

- 2386 Vorse would like a public meeting before the next regular council meeting to take public comment on the goals of the city's proposed Water Use Efficiency Plan. This plan is required by the State of Washington to encourage water conservation by both the City and their customers.

- 2445 Clerk-Treasurer Ryana Covington requests payment of February expenditures in the amount of \$449,234.65 as outlined on the Summary of Claims and further described as check numbers 38336 through 38427 for general expenditures and check numbers 20533 through 20576 for payroll expenses. Audit committee members Councilmembers Yund and Mask reviewed the expense vouchers prior to the meeting.
- 2458 Councilmember Queen made a motion, seconded by Reilly to approve payment of February 2009 invoices in the amount of \$449,234.65, as described in the Summary of Claims. By roll call vote, unanimous 'Aye'.
- 2473 Covington specified that the deadline to submit a resolution for the Primary Election is May 26th and for the General Election is August 11th. She noted that during the budget workshop meetings, councilmembers expressed an interest in submitting excess levy requests to the voters as an alternative funding option. Covington recommended that council form a committee to examine funding options.

Tape 1 of 1

Side B

2575 Report of Meetings

Councilmembers Queen and Yund attended a meeting to discuss ideas to promote local business opportunities.

Mayor Pro Tempore Marcil attended a Boundary Review Board Meeting. This committee will continue taking applications to replace Ty Vo, as his term has expired. Mayor Pro Tempore Marcil also attended a meeting to evaluate radio read meter options.

Councilmember Mask reports that Barbara Mask is resigning as CARE Coalition representative due to medical issues. A new representative will be needed. Mayor Pro Tempore Marcil will attend the CARE Coalition meetings as the city representative. The City representatives for the Cowlitz-Lewis Economic Development District will be Councilmember Reilly, with Councilmember Yund serving as the alternate.

- 2772 City Attorney Tom O'Neill requests that consideration of Ordinance 2009-01 remain tabled as the Arthur's have had a death in the family.
- 2819 Police Chief Bob Heuer noted that the parking signs in the downtown business district read "2 hour parking only from 8:30 a.m. to 7:30 p.m.", however the ordinance limits parking in this area from 8:00 a.m. to 6:00 p.m. Monday thru Friday. Heuer suggests that the ordinance be changed to make it consistent with the signage.

In response to a question from Councilmember Mask, Heuer clarified that the signage does not specify Monday thru Friday, but the ordinance does. Currently, this parking restriction is not enforceable on weekends and holidays, however, this also could be changed by changing the ordinance. Vorse noted that at times Saturday is the busiest day of the week for this area.

Mayor Pro Tempore Marcil pointed out that additional provisions could be specified by bolting another plate below these signs. Heuer noted that the signage is not required to specify days of the week. To provide enforcement on weekends and holidays, no change is needed on the signage if the restriction of Mondays thru Fridays is removed from the ordinance. Vorse noted that the primary violators of this time restriction are business owners and residents of the apartments located above businesses.

Councilmembers agree that the time specified in the ordinance needs to be changed to match the time on the signage and the restriction of Monday thru Friday should be removed from the ordinance.

- 3280 Mayor Pro Tempore Marcil reports that the Police Department obtained a cost estimate of \$6000 to provide the hookup needed for the emergency generator at City Hall. This cost could be shared between all of the funds except the Library and Exhibit Hall as these departments realize no benefit from this equipment as they are closed during emergency events. For a one time cost of \$545.45 each, this expense could be share between the following funds: Executive, Police, Finance, Building & Planning, Street, DOT Spoils Site, Water, Sewer, Regional Water, Regional Sewer and Stormwater Management.

Public Works Director David Vorse pointed out that the DOT Spoils Site would not benefit from this equipment. Covington explained that she split the expense between all funds that have employee expenses. Vorse specified that the employee salary is taken from the Street Fund with a portion taken from the DOT Spoils Site Fund. The DOT Spoil Site Fund is dependant upon the sale of dredge spoils with restrictions on the use of those resources. Covington noted that if the DOT Spoils Site Fund was removed from this cost share the expense would be \$600 to each of the remaining funds.

Councilmember Mask indicated that \$545.45 will not make a great impact on this fund and all funds should share equally of this cost. Mayor Pro Tempore Marcil noted that the City has had this generator for two years and it is still unusable.

- 3612 Councilmember Mask made a motion, seconded by Queen to provide the hookup for the emergency generator at City Hall at a cost of \$6000 shared between the following funds: Executive, Police, Finance, Building & Planning, Street, DOT Spoils Site, Water, Sewer, Regional Water, Regional Sewer and Stormwater Management, for a cost of \$545.45 for each fund.

During discussion: Paul Helenberg, 331 B Street SW, suggests that the contract for the DOT Spoils Site should be reviewed as there are many restrictions on the use of revenues obtained from the sale of dredge spoils. Park Board Commissioner Roy Henson also voiced concern that this is not the type of use that this fund was intended for.

Councilmember Mask amended the motion to include the condition that this use must be compliant with the provisions of the DOT contract for the use of revenue from the sale of dredge spoils.

Councilmember Yund agrees that the DOT Spoils Site would not realize a benefit from this generator. In response to a question from Councilmember Mask, Covington specified that if the DOT Spoil Site did not share in this expense the cost to the remaining funds would increase to \$600 each.

Vote on motion: By roll call vote, unanimous Nay, motion failed.

- 3758 Councilmember Mask made a motion, seconded by Reilly to provide the hookup for the emergency generator at City Hall at a cost of \$6000 shared between the following funds: Executive, Police, Finance, Building & Planning, Street, Water, Sewer, Regional Water, Regional Sewer and Stormwater Management, for a cost of \$600 for each fund. By roll call vote, unanimous Aye.

In response to a question from Councilmember Mask, Mayor Pro Tempore Marcil stated that C & L Electric will be the contractor for that project.

- 3835 Councilmember Yund made a motion, seconded by Reilly to approve Resolution 2009-02 designating Public Works Director David Vorse as the applicant agent with FEMA for the January flood event and Clerk-Treasurer Ryana Covington as the alternate, on second reading. By roll call vote, unanimous Aye.

Vorse reports that damages sustained from the December snowstorm will be eligible for FEMA reimbursement.

- 3885 Councilmembers reviewed the agreement for legal services from Davis Grimm Payne and Marra. Councilmember Reilly noted that the cost for legal services will remain the same as in 2008.
- 3923 Councilmember Reilly made a motion, seconded by Queen to approve the 2009 agreement for legal services with Davis Grimm Payne & Marra. By roll call vote, unanimous Aye.
- 3934 Councilmember Queen reports that Police Officer Jeff Gann indicated that he could obtain a system to record Council Meetings for under \$1000. This system would include a fixed camera with two speakers that would record the meeting

onto a DVD. Mr. Queen stated that Officer Gann could install the equipment. Officer Gann will provide information at the next meeting.

Councilmember Yund noted that the option of televising the meetings through Comcast has not been presented to the public yet. The public should at least have the opportunity to accept or reject this option. The goal is providing government transparency of proceedings. Mayor Pro Tempore Marcil added that Comcast should be contacted to see if they would notify their customers of this option through the Comcast bill.

4190 Vorse reports that it appears that the Transportation Enhancement Fund through the Department of Transportation has awarded the City \$66,500 to repair the Riverfront Trail after the Army Corps of Engineers completion of the levee project. Vorse added that funding for the Corps project has not yet been approved.

4229 There being no further business, Mayor Pro Tempore Greg Marcil adjourned the meeting at 8:55 p.m.

Mayor Pro Tempore Greg Marcil

Clerk-Treasurer Ryana Covington