

#### CALL TO ORDER

Mayor Paul Helenberg called the meeting to order at 7:30 p.m. followed by the Pledge of Allegiance.

#### ROLL CALL

Councilmembers Ray Teter, Glenn Pingree, Earl Queen, and Jack Reilly were present. Councilmember Mask was excused due to illness.

#### AGENDA ORDER

Mayor Helenberg requested an addition to the published agenda. He stated the current police collective bargaining contract allows for a wage opener to consider increasing wages effective July 2010 through December 2010. Helenberg stated the city has been in negotiations for this request and he would like to update councilmembers on the process and seek a formal determination from the council. Councilmembers did not object to this addition.

#### BUSINESS FROM THE FLOOR

Lester Frymire, a 67 year member of the Sunnyside Grange requested the city alleviate a parking problem that exists in front of the grange building. The mayor requested Chief Heuer to look into this situation.

Charlie Curry, Toutle River RV Resort, described a program in Australia where small towns are designated as an RV Friendly Town. He noted the Australian cities must meet certain criteria, however he felt this program may be a good idea for the city, could also help to promote tourism and would bring business to local shops. Mr. Curry also suggested the city try to secure a sister city with another city in Australia to kick off the program. Curry suggested that business owners be asked if they would support this idea, and if so, he volunteered to help with the program, including purchasing some signage for the city.

#### ANNOUNCEMENTS

Mayor Helenberg announced that former Mayor Barbara Larsen passed away last Sunday. Mayor Larsen's service to the community included over 40 years of public service including city councilmember, mayor and school board member. In addition, for many years she served as a foster parent, caring for over 200 foster babies. Mayor Helenberg extended condolences to her family and asked for a moment of silence in honor of Mayor Larsen.

#### DEPARTMENT REPORTS

Public Works Director      On behalf of the public works director, Mayor Helenberg reviewed the Title VI program requirement for federal highway funding (Cowlitz Street West) entitled Non-Discrimination Agreement Population Under 100,000. City Engineer Mike Johnson stated implementation of this program is a requirement for obtaining federal funding for the Cowlitz Street West reconstruction project. City Attorney Frank Randolph stated the Title VI program is not in controversy with what the city already does, however he cautioned that the city needs to review current policies so make sure that they are in compliance with all provisions of Title VI.

Councilmember Reilly made a motion, seconded by Teter to direct the mayor to work with staff and the city attorney to verify the city's compliance with Title VI requirements and to authorize the mayor to sign the Non-Discrimination Agreement Population Under 100,000 required for federal funding after this review has been completed. By roll call vote, unanimous 'Aye'.

Clerk-Treasurer              Councilmembers reviewed the third quarter budget reports as presented by Covington. Funds requiring the use of reserves were identified.

Councilmembers also reviewed the third quarter utility

report, including a summary of customer usage. Water revenues are still required to meet sewer service needs, however year to date revenues are exceeding expenditures by approximately \$11,000.

Exhibit Hall Manager Councilmember Reilly noted that the owners of the Rose Tree Restaurant held a fundraiser for the Exhibit Hall Society, which netted approximately \$300. He felt the city should write a letter thanking John and Sara Lee for their efforts.

#### COUNCIL AND AD HOC COMMITTEE REPORTS

Mayor Paul Helenberg Presented a Proclamation Encouraging Support Of ‘Tents For Troops’ which encourages recreational vehicle camps and campgrounds to provide free camping for active military personnel and their families. This campaign was initiated by Charlie Curry, owner of Toutle River RV Resort.

Request for council workshop meeting to discuss the preliminary budget for fiscal year 2011. Mayor Helenberg reported he has been working with staff to reduce budgetary needs. An additional \$41,000 needs to be reduced to balance the 2011 proposed budget. By consensus, councilmembers agreed to schedule a workshop, Wednesday, November 3, 2010 at 5:30 p.m. in the Castle Rock Senior Center.

Councilmember Glenn Pingree Will be attending a CARE Coalition meeting on October 28<sup>th</sup>.

Councilmember Jack Reilly Will be attending a Housing Advisory meeting on October 27<sup>th</sup>. In answer to Mayor Helenberg’s question, Reilly stated that CAP is collecting donations for personal items (soap, razors, toothpaste etc) to be distributed to the homeless.

#### CONSENT AGENDA

Approval of October 11, 2010 city council minutes.

Councilmember Reilly made a motion, seconded by Pingree to accept the minutes as presented. By roll call vote, unanimous ‘Aye’.

#### REGULAR AGENDA

##### OLD BUSINESS -

- Cowlitz County Tourism Bureau provided a written request to the city for participation in the Awesome Brochure; funding at a cost of \$2200.

Mark Plotkin, Cowlitz County Tourism Director distributed samples of the AWESOME brochure and a copy of documents used for promotion of tourism. As part of their integrated marketing plan, the brochure is used as a companion document and is listed on their website. The brochures are distributed in over 45 lodging areas, to all of the brochure advertisers, forest service visitor centers, both SeaTac and Portland airports have the brochure as well as all visitor centers along the I-5 corridor between Canada and the California border. Mr. Plotkin stated this year there will not be any brochures left over. In other years, there have been between 3%-5% of the brochures left over.

Mayor Helenberg felt that the expense is a good investment for the city’s tourist economy, based on the exposure that the brochure receives. Councilmembers Reilly and Pingree noted that the city’s Hotel-Motel tax revenues are down and they questioned if funds are available. Covington noted that the Hotel –Motel Fund requires the use of reserve funds to meet 2010 funding

obligations. Councilmember Queen noted that in previous years, the Senior Center has had boxes that were not distributed. Mayor Helenberg suggested that brochures be delivered to the Exhibit Hall/Visitors Information Center and they will decide local distribution needs. In answer to Covington's question, Mr. Plotkin stated he has not received a financial commitment for the Castle Rock Chamber of Commerce. He felt it was important to keep all cities active in this brochure. Mr. Plotkin asked Mayor Helenberg to appoint a designated point of contact, with authority to approve the city's portion in the brochure.

Councilmember Pingree made a motion, seconded by Queen to expend \$1800 from the Hotel-Motel Fund for participation in the AWESOME brochure, for distribution in 2011.

Discussion: Mayor Helenberg disagreed with the reduction in the contribution, citing that tourism is the only economy within our city. In answer to Councilmember Teter's question, Mr. Plotkin provided historic information as to how the contribution amount was determined. Plotkin stated the \$400 reduction would not greatly impact the brochure and they would continue to work with the city to promote the city.

By roll call vote, unanimous 'Aye'.

- Ordinance No. 2010-14, an ordinance establishing a Stormwater Capital Improvement Fund, on second reading.

Councilmember Teter made a motion, seconded by Queen to approve Ordinance No. 2010-14, on second reading. By roll call vote, unanimous 'Aye'.

- Ordinance No. 2010-15, an ordinance amending Ordinance No. 2010-09, extending the effective time to complete the Westside annexation process and to defer the utility 'out of city' rates until June, 2011, on second reading.

Councilmember Queen made a motion, seconded by Pingree to approve Ordinance No. 2010-15, on second reading.

Discussion: Mayor Helenberg explained that the annexation process is progressing. Covington noted the city has received signatures from owners of approximately 61% of the assessed property values. The annexation requires only 60%; however the city planner suggested obtaining signatures of around 70%, to secure the 60% minimum, in case the county does not validate some of the signatures.

By roll call vote, unanimous 'Aye'.

- Approval of levee operations and maintenance manual amendments as requested by the FEMA. Mayor Helenberg stated the Public Works Director has requested approval of the amended manual. At the request of the Corps of Engineers, Vorse amended the manual to include identification of city personnel responsible for implementation of the manual. Once council has approved the amendments, Vorse will resubmit the manual to the Corps of Engineers for their approval.

Councilmember Reilly made a motion, seconded by Queen to approve the amendments to the Levee System and Stormwater Structures Operation and Maintenance Manual as submitted by the Public Works Director. By roll call vote, unanimous 'Aye'.

#### NEW BUSINESS –

- Ordinance No. 2010-16, an ordinance regarding parking violation penalty, on first reading. City Attorney Frank Randolph explained that the city's current ordinance references Rules of Court IRLJ 6.2, with a fine of \$300 for parking violations. He believes the amount cited is a typographical error, because the referenced statute is only \$30. Randolph stated Chief Heuer estimated that \$100 would be the break even point to cover the city's cost for issuing tickets for parking violations. Randolph provided an outline of those costs, and recommended approval of the ordinance as submitted.

By roll call vote, Councilmember Queen made a motion, seconded by Pingree to approve Ordinance No. 2010-16, on first reading.

Discussion: In answer to Councilmember Reilly's question, Mr. Randolph stated this ordinance is for all posted regulated parking areas within the city.

By roll call vote, unanimous 'Aye'.

- Ordinance No. 2010-17, an ordinance repealing Castle Rock Municipal Code, Chapter 1.24 regarding labor by prisoners, on first reading.

Councilmember Pingree made a motion, seconded by Queen to approve Ordinance No. 2010-17 as submitted. By roll call vote, unanimous 'Aye'.

- Shintaffer Street - offer to share paving costs with Red Canoe and BNK Paving; city's portion

would be approximately \$3,300.

Mayor Helenberg stated he has been in contact with Red Canoe Credit Union representatives and their contractor regarding an offer to share costs to pave the section of Shintaffer Street located adjacent to the new Red Canoe development. The mayor stated Red Canoe has offered to pay \$3300 and BNK Paving has offered \$1500 toward the cost of paving, provided the city agrees to pay the remaining \$3300. Mayor Helenberg said that the public works director has indicated he has funding in the Street Fund to accommodate this request.

Councilmember Reilly made a motion, seconded by Teter to approve the offer made by Red Canoe Credit Union and BNK Paving and to allocate expending up to \$3300 for the city's share of the cost to pave that section of Shintaffer Street, between Front Avenue and Huntington Avenue North. By roll call vote, unanimous 'Aye'.

- Riverfront Trail Extension project bid results. Council review and possible bid award.

City Engineer Mike Johnson distributed a summary dated October 25, 2010 regarding the review of bids for the Riverfront Trail Extension North Segment.

Ten bids were received, of which one bid (Woodland Constructors Inc) was rejected due to submittal after the bid deadline. One bid (Frank Construction Company) was reviewed and considered non-responsive and rejected by Washington State Department of Transportation for not completing, or meeting the disadvantaged business owners' requirement.

The remaining eight bids for Base Bid plus Alternatives A1 through A4 are as follows:

Nutter Corporation, Vancouver, WA	\$378,710.22
The Nestaval Corporation, Kelso, WA	\$385,710.00
Tapani Underground, Battle Ground, Wa	\$397,549.00
Construct Company, Sumner, WA	\$443,319.50
Landis & Landis Construction, Marylhurst, Or	\$465,723.00
Colf Landscape Construction, Vancouver, Wa	\$476,531.00
2KG Contractors, Portland, OR	\$488,790.00
Pacific Tech Construction, Longview, WA	\$508,707.38
*Engineers Estimate for the project:	\$438,305.00

Johnson stated the low bidder, Nutter Corporation of Vancouver, Washington is currently a Washington State registered and licensed contractor and appears to have the relevant qualifications to complete the project. Johnson stated he is recommending council award the bid to Nutter Corporation.

Councilmember Pingree made a motion, seconded by Queen to accept the bid submitted by Nutter Corporation of Vancouver, Washington in the amount of \$378,710.22 for the Riverfront Trail Extension project.

Discussion: Councilmember Teter expressed concern that the bid is almost \$70,000 below the engineer's estimate for the project. Mr. Johnson stated the bid is a unit price contract and noted that the final amount of the project probably will not be exacting as they bid. The contractor is only paid based on the quantities used and Johnson stated the city has a project engineer assigned to oversee the project, including verification of quantities used. He noted that the current bidding climate is very aggressive. In answer to Councilmember Reilly's question, Johnson stated the bid document was not based on a 'not to exceed' value. Mayor Helenberg added that any change order must be approved by council.

By roll call vote, unanimous 'Aye'.

In answer to Covington's question, Mr. Johnson stated the contract approval notice will be a mailed tomorrow, with work beginning in approximately three weeks.

- Approval of contract with Humane Society of Cowlitz County in the amount of \$7,000 for fiscal year 2011.

Councilmember Reilly made a motion to approve the contract with the Humane Society of Cowlitz County. Motion died due to lack of a second.

Councilmember Teter stated he has concerns over the late fees and Councilmember Pingree said he also has concerns over city staff time required for reviewing the new allowances for low income license fee reductions. Mr. Randolph noted that 2011 animal licenses are now available for purchase beginning in November and the Humane Society took proactive steps to notify Castle Rock residents of the new licensing fees and requirements for proof of rabies vaccination. Randolph felt late fee is minimal and provides residents with two months to pay for their dog license before they are penalized. He noted that the city does have input in establishing fees and penalties, however this may affect the Humane Society's ability to provide animal control services to the city, since they also take care of enforcement of civil infractions. Covington noted the city council recently adopted the ordinance which included establishing the fee

schedule and any changes would require an amendment to that ordinance. Randolph questioned if the city council would be able to find anyone else to provide animal enforcement at an annual cost of \$7,000, plus revenues from license fees. Mayor Helenberg noted that the new city ordinance was based on those of from Longview and Kelso. This allowed continuity for the Humane Society employees involved with enforcement. Councilmember Reilly noted that any animal owner who can show proof of current rabies vaccination of their animals will meet the licensing criteria.

Councilmember Pingree made a motion, seconded by Reilly to approve the Humane Society contract for animal control services in the amount of \$7,000 for fiscal year 2011. By roll call vote, Councilmembers Teter, Pingree and Reilly voted 'Aye'. Councilmember Queen voted 'Nay'. Motion carried.

- Mayor Helenberg stated the police bargaining unit has requested consideration of a salary increase from July 1<sup>st</sup> through December 31, 2010 in the amount of approximately 2%. Councilmember Queen, Chief Heuer and the mayor have been participating in negotiation meetings with the labor union and their representative. The mayor stated that the city's negotiating team have advised the union that the city does not have the funds to provide for a 2% increase in this current fiscal year and the bargaining contract already allows for a 2.5% increase in 2011. Mayor Helenberg stated that according to information obtained through Municipal Research and Service Center, the final decision on their request must be made by the council.

Councilmember Pingree made a motion, seconded by Teter to reject the proposed raise for the police department.

Discussion: In answer to Mr. Randolph's question, Mayor Helenberg stated the union representatives also questioned some of the financial reports and answers to those questions have been submitted to their union representative. Following that, the mayor has not had any further contact from the union representative. In answer to Councilmember Teter's question, Mayor Helenberg stated the city has met with the union three or four times already. Helenberg suggested the city should consider a wage freeze, noting that the insurance is estimated to increase 15%, and other increases include costs for labor and industries and passage of the liquor initiatives would reduce the city's revenues by \$22,000. City Attorney Randolph noted there is not a contractual requirement for the wage increase. Councilmember Teter stated he likes the idea of cost of living increases, however if Social Security is not providing for any increase, the city shouldn't. Mayor Helenberg also commented that he can see a future need for employees to begin contributing toward their health insurance coverage.

Vote on the motion: Councilmember Teter, Pingree and Reilly voted 'Aye' and Councilmember Queen voted 'Nay'. Motion to decline the request for a wage increase passed.

#### ADJOURNMENT

Mayor Helenberg adjourned the meeting at 8:47 p.m.

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Paul Helenberg, Mayor

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Clerk-Treasurer