

CASTLE ROCK CITY COUNCIL
REGULAR MEETING
May 23, 2011

CALL TO ORDER

Mayor Paul Helenberg called the May 23, 2011 Regular Meeting of the Castle Rock City Council to order at 7:30 p.m., followed by the Pledge of Alliance.

ROLL CALL

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

BUSINESS FROM THE FLOOR

Waste Control Manager Ken Young and Co-Owner Joe Willis report that garbage service is going well. Mr. Young requests contact if any complaints are received. Clerk-Treasurer Ryana Covington expressed appreciation for continuing support of the annual Cleanup Day. Mr. Willis commended Public Works Director David Vorse for his work on the Cleanup Day event.

In response to a question from Mayor Helenberg, Mr. Willis reports that negotiations for the purchase of the Weyerhaeuser Landfill are in the final stages, if Weyerhaeuser can successfully re-permit the site. Willis stated it makes more sense sending local waste to this site than shipping it east. Especially since other national solid waste companies were trying to negotiate purchase of the site for shipping waste into our county. This purchase will help Cowlitz County retain the lowest tipping fee west of the mountains.

PUBLIC HEARING

Mayor Helenberg adjourned regular session at 7:39 p.m. and opened the public hearing to take comments on the draft City of Castle Rock Annex to the Natural Hazards Mitigation Plan for Cowlitz County.

City Planner T.J. Keiran reports that he has been working with the Cowlitz County Department of Emergency Management (DEM) for the last 18 months to update the Cowlitz County Hazard Mitigation Plan. This plan identifies potential natural hazards to private property and public infrastructure while establishing ideas to minimize and mitigate the adverse impact of those hazards. This plan is required by FEMA to allow the county to be eligible for disaster relief funding. The plan is available at the Department of Emergency Management website www.co.cowlitz.wa.us/dem.

Eight priorities have been identified as capital improvement projects to minimize potential hazards in Castle Rock:

1. Three portable generators for potable water wells; estimated cost of \$40,000;
2. Portable pumps for stormwater flooding; estimated cost of \$50,000;
3. Replacement of City Hall Complex; estimated cost of \$1,200,000;
4. Two portable generators for sewer lift stations; estimated cost of \$50,000;
5. Permanent generators at City Hall; estimated cost of \$75,000;
6. Huntington Avenue South erosion control at Lions Pride Park; estimated cost of \$750,000;
7. Increase the level of the Riverfront Trail West on the south side of the PH10 Bridge to prevent flooding; cost estimate unavailable at this date
8. Stormwater pump vault for the west side; cost estimate to be determined

Vorse noted that Item #1 is already included in the current budget for this year. In response to a question from Councilmember Teter, Vorse indicated that these items are not listed according to priority. Councilmember Teter feels that replacement of the City Hall Complex should be lower on the priority list.

There being no further comment, Mayor Helenberg closed the public hearing at 7:47 p.m. and resumed regular session.

DEPARTMENT REPORTS

Mayor Helenberg reports that Chief Heuer is attending a conference. He will contact Heuer to schedule a workshop to discuss purchasing policies.

Public Works Director David Vorse

Presented the Annual Drinking Water Quality Report based upon 2010 monitoring results. In June, this report will be sent or hand delivered to every water customer using the system. Once again, the system had no violations and Environmental Protection Agency has determined that the water is safe. The Washington State Department of Health now requires the inclusion of the Water Use Efficiency Plan on this annual report. This plan includes two goals:

1. Reduce the city's water loss by 2% annually so that by 2019 the water loss is at 10% or less. In 2010, this goal had been reached with a water loss of 8.8%.
2. Reduce the average consumption per capita by 1 gallon per day so that the average daily consumption per capita is 114 gallons. This goal was reached in 2010 with an average daily consumption per capita of 75 gallons.

Both of these goals have been accomplished due to leak detection, water main and meter replacement projects. New goals are required to be established every six years.

In response to a question from Councilmember Reilly, Vorse described the Rainwater Reclamation Program, using rain barrel collection and education for the appropriate use of that water. Working with the Castle Rock School District, this program should begin this fall.

Vorse reports that the city has been awarded \$155,000 for the Al Helenberg Memorial Boat Launch Project Phase 2 the Cowlitz County Rural Development Program as match for the Washington State Recreation and Conservation Office Boating Facilities Program (RCO BFP) grant of \$479,000. The final decision on the RCO BFP grant will be on June 22nd, however indications are that we will receive that funding. These grants will enable completion of the boat launch facility.

Notice has been received from the Washington State Department of Transportation for the 2011-2013 Safe Routes to School Program of an award in the amount of \$322,000. This program requires a combined effort with an educational component to be fulfilled by the Castle Rock School District, an engineering component that will be provided by Gray & Osborne and an enforcement component to be fulfilled by the Police Department.

Mayor Helenberg noted that through the hard work of David Vorse and Barbara Roller, the city has been very successful in obtaining grants. City Planner T.J Keiran noted that these grants alone total nearly \$1 million.

Councilmember Glenn Pingree expressed appreciation to all involved in the annual Cleanup Day event. Mayor Helenberg added that a lot was accomplished. This was an outstanding community effort.

City Engineer Mike Johnson

Reports that the sanitary sewer main is being installed between First and Second Avenues as a part of the Cowlitz Street West Revitalization Project. Mayor Helenberg complimented the excellent job maintaining pedestrian access to businesses during this project. Councilmember Pingree specified that many residents are frequenting businesses to observe the work.

Clerk-Treasurer Ryana Covington

Reports that the Public Works Department has assisted her with working on the census for the West Side Annexation. There are approximately 25 more residents to contact. This census should be finalized this weekend.

Librarian Vicki Selander

Librarian Vicki Selander reports that the last of the old public access computers is failing. Local vendor Commwise Computer Service has submitted a bid for 3 new computers in the amount of \$2230.55. There are sufficient funds remaining from the Bill and Melinda Gates Foundation grant for this purchase.

Covington noted that this item had not been included on the agenda, as required by council's adopted policy. City Attorney Frank Randolph clarified only during a special meeting of the

council, do budgetary items need to be included on the agenda before a decision can be made. This does not apply to a regularly scheduled council meeting. Covington noted that allowances need to be made for public input on budgetary items.

Councilmember Pingree made a motion, seconded by Teter to allow the Library to purchase three public access computers from Commwise Computer Service in the amount of \$2230.55. This purchase shall be in compliance and funded from the Bill and Melinda Gates Foundation grant. By roll call vote, unanimous Aye.

City Attorney Frank Randolph

Stated he would like to begin a discussion regarding the regulation of medical marijuana. In Washington State, when an application is submitted, it is vested under the existing law. Two Business License Applications were submitted for a Medical Marijuana Dispensary prior to the governor veto of the proposed legislation. It appears that statewide support for medical marijuana legislation is substantial. There will probably be approximately seven months to consider the regulation for medical marijuana. It would be beneficial to determine the position of the citizens of Castle Rock on this issue. A voter referendum would provide an accurate assessment. It is not yet clear if Washington legislation will allow local jurisdictions to prohibit medical marijuana dispensaries. Zoning provisions could be added to restrict dispensaries within city limits; however, state legislation could void that law.

City Planner TJ Keiran clarified that the Cowlitz Wahkiakum Council of Governments is initiating an informal fact finding compilation amongst planners. Mayor Helenberg specified that a workshop should be scheduled to allow compilation of facts and ascertain the will of the citizens.

Exhibit Hall Director Karen Johnson

Reports that she will be attending the Cowlitz County Tourism Advisory Meeting at Hoffstadt Bluffs Visitors Center on Thursday.

Johnson is working on a cooperative project with Washington State Digital Archives using equipment provided by the Washington State Library to scan the obituary section from the City's historic newspaper "The Advocate" and post them online. Volunteers will perform this work. There will be no cost to the city.

COUNCIL AND AD HOC COMMITTEE REPORTS

Mayor Paul Helenberg

Reports that he has been working with the Public Works Department at the boat launch to install a sanitary sewer pump station and mains for the host site. This work is funded through a grant from the Port of Longview.

Councilmember Reports

Councilmember Ray Teter requests that information and a timeline regarding the Cowlitz Street West Revitalization Project be posted on the city website. Councilmember Reilly would also like project photos posted. Vorse noted that a progress report is emailed and hand delivered following weekly construction meetings each Tuesday. This report could also be posted online.

Councilmember Pingree will attend a CARE Coalition meeting on Wednesday.

Councilmember Reilly attended a Cowlitz Housing First Coalition meeting.

Student Representative Genevieve Grant

Reports that the Associated Student Body elections were held at the High School. There are now 16 student body representatives on the ASB Council. Online voting proved popular with students. Every effort was made to embody actual government procedures. Grant is working with her history teacher to allow class polls on city issues as part of next year's Current World Problems curriculum. She can then report poll results and student input to councilmembers.

Community Economic Development Representative Nancy Chennault

Mayor Helenberg noted correspondence from CEDC Representative Nancy Chennault regarding the 'Colliding Generations Leveraging the Difference' workshop scheduled for June 7th at Lower Columbia College.

CONSENT AGENDA

May 9, 2011 Regular Council Meeting

Councilmember Pingree made a motion, seconded by Reilly to approve the minutes of the May 9, 2011 Regular Council Meeting. By roll call vote, unanimous Aye.

REGULAR AGENDA:

OLD BUSINESS:

Review of utility deposit fees. Initial discussion was tabled at the November 8, 2010 Regular Council Meeting. Councilmember Reilly specified that he does not feel that deposits should be increased for every resident due to the problems of a few property owners. By council consensus, the utility deposit will remain \$80.

Acceptance of Pipe Experts LLC contract as complete for sanitary sewer cleaning in the amount of \$13,122.14. City Engineer Mike Johnson recommends acceptance of the contract with Pipe Experts as complete, in accordance with the plans and specifications. Councilmember Pingree

made a motion, seconded by Reilly to accept the contract with Pipe Experts LLC as complete, for sanitary sewer cleaning in the amount of \$13,122.14. By roll call vote, unanimous Aye.

NEW BUSINESS:

Riverfront Trail Extension Project Engineering Services Supplemental Agreement Number 5 for an additional \$16,500, for a contract total of \$156,422. City Engineer Mike Johnson specified that this project took longer than anticipated. The contract provided 40 working days for inspection, however over 55 were actually used. The start of this project was unexpectedly pushed back due to delays waiting for permits and utility relocation. In response to a question from Councilmember Pingree, Johnson detailed that grants funds will be exceeded by approximately \$35,000, which may need to be recovered from the DOT Spoils Site Fund if an additional grant cannot be obtained. In response to a question from Councilmember Reilly, Johnson clarified that this is a Unit Quantity Contract that contained estimates for rock, excavation and paving. The quantities were exceeded when WSDOT required a width increase of the trail extension to the railroad bridge. In response to a question from Councilmember Pingree, Johnson clarified that he anticipates one more change order for approximately \$5,000 which was included in the \$35,000 overrun estimate.

In response to a question from Councilmember Teter, Vorse clarified that grant funds are reimbursed into the DOT Spoils Site Fund as invoices are submitted. In addition, Vorse has contacted funding agencies in search of additional revenue. Mayor Helenberg noted that close to \$35,000 is also outstanding from one vendor who has been hauling dredge spoil material.

Councilmember Pingree made a motion, seconded by Queen to approve the Riverfront Trail Extension Project Engineering Services Supplemental Agreement Number 5 for an additional \$16,500, for a contract total of \$156,422. By roll call vote, unanimous Aye.

Resolution 2011-07 authorizing an application for federal funding assistance for a Land and Water Conservation Fund (LWCF) project to the Recreation and Conservation Office (RCO) for the Castle Rock Pump Track, on first reading. Vorse clarified that an Authorizing Resolution is required to pursue grant funding. Councilmember Reilly made a motion, seconded by Teter to approve Resolution 2011-07 authorizing an application for federal funding assistance for a Land and Water Conservation Fund (LWCF) project to the Recreation and Conservation Office (RCO) for the Castle Rock Pump Track, on first reading. By roll call vote, unanimous Aye.

Wastewater Treatment Plant Primary Digester Project

Vorse outlined the Request for Proposal options for the Wastewater Treatment Plant Primary Digester Project as follows:

1. As Councilmember Teter suggests, purchase of blowers can be postponed to ascertain if new blowers will be needed following internal digester repairs and diffuser replacement.
2. New coating on the outside of the digester can be delayed or included as an additive item.

These two components will reduce the engineer's project estimate to a total of \$147,000.

Covington explained increases and reductions in the Regional Sewer beginning fund balances from 2008 to 2011. Until 2010, the Regional Sewer System consisted of a partnership with Cowlitz County prior to the city's acquisition of the west side utilities. This system is no longer maintained through a partnership. Within this four year period, the decrease in the fund balance has been approximately \$50,000.

Vorse recommends using \$119,000 of the Regional Sewer Capital Improvement beginning fund balance, and if needed, use a portion of the Regional Sewer beginning fund balance for this project. In response to a question from Councilmember Teter, Vorse affirmed that any major failure in the regional sewer system would require a large investment to resolve. In addition there are significant annual loan payments required on this system. Covington further recommended that council consider reviewing the utility fund balances and consider moving residual to capital project funds. Vorse stated that Rural Development may have grant/loan funding available at the end of the year. The mayor stated this option could be used if the city finds that new blowers will be required. Councilmember Pingree made a motion, seconded by Queen to approve work on the primary digester at the Wastewater Treatment Plant, to include the proposed costs reductions, for a project cost not to exceed \$150,000. By roll call vote, unanimous 'Aye'.

Vorse stressed that the Wastewater Treatment Plant is not in failure mode and the plant has not been out of compliance. These improvements will reduce staff maintenance times and create a more efficient plant.

Councilmember Teter suggested council create a policy to establish targets for fund balance amounts in each fund.

Correspondence:

Mayor Helenberg read a letter from Sheriff Mark Nelson inviting councilmembers and community leaders to meet for a collaborative workshop to discuss city issues. The workshop will be held June 7th.

Ordinance No. 2011-04

Councilmember Pingree made a motion, seconded by Reilly to approve Ordinance No. 2011-04, an ordinance amending the number of fireworks stands allowed within the city to be limited to a

total of three stands. By roll call vote, unanimous 'Aye'.

Resolution No. 2011-08

Councilmember Pingree made a motion, seconded by Queen to approve Resolution No. 2011-08, a resolution adopting the City of Castle Rock Multi-Hazard Mitigation Plan, on first reading. By roll call vote, unanimous 'Aye'.

Councilmember Reilly made a motion, seconded by Pingree to adopt Resolution No. 2011-09, a resolution amending the annual parking permit fee at the boat launch to allow for establishment of a fee for owners of multiple trailers, on first reading. Mayor Helenberg stated this has been requested by boat owners who possess multiple boats and who do not want to purchase multiple annual fees at the current rate. Councilmember Queen noted that persons purchasing for additional trailers, must have already purchased an initial annual parking fee, at the established rate before they can purchase at the lower fee. By roll call vote, unanimous 'Aye'.

Mayor Helenberg stated that the police department is now issuing parking tickets at the boat launch parking facility to those who have not purchased a parking permit.

Greg Marcil, representing the Castle Rock Lions Club submitted a letter requesting council approval to sell fireworks on property owned by Duane Yeager, located at 209 Huntington Avenue South, for the Fourth of July fireworks season. Mr. Marcil also included a letter from Mr. Yeager authorizing the use of his property for this purpose. Councilmember Pingree made a motion, seconded by Teter to approve the request and to extend the request to allow sales during the 2011 fireworks season, contingent upon approval by the fire marshal. By roll call vote, unanimous 'Aye'. Covington noted that the city has not yet received a copy of the Lion's Club State fireworks application form.

Mayor Helenberg announced that he has received notice from Washington Department of Transportation advising the elimination of the posted Huntington Avenue North crosswalk, between the bakery and the hair salon. The mayor suggested that the city submit a letter to WSDOT requesting that the crosswalk be moved to accommodate foot traffic from Cedar Street travelers, with the city taking responsibility for maintaining the crossing. Councilmember Teter made a motion, seconded by Pingree directing that a letter be sent to WSDOT engineering requesting the crosswalk to be moved from mid-street of Huntington Avenue North to the south side of Cedar Street intersection. By roll call vote, unanimous 'Aye'.

There being no further business, Mayor Helenberg adjourned the meeting at 8:50 p.m.

Mayor Paul Helenberg

Clerk-Treasurer