

Castle Rock City Council  
Regular Meeting  
April 25, 2011

#### CALL TO ORDER

Mayor Paul Helenberg called the April 25, 2011 Regular Meeting of the Castle Rock City Council to order at 7:30 p.m., followed by the Pledge of Allegiance.

#### ROLL CALL

The following councilmembers were present: Ray Teter, Glenn Pingree, Earl Queen, Jack Reilly and Mike Mask.

#### BUSINESS FROM THE FLOOR

Julian and Melissa Robinson, representing The Healing Hand of God, to discuss their proposal to locate a business within the city limits for provision of education and resources to qualified clients under Washington State Medical Marijuana RCW 69.51A.

City Attorney Frank Randolph cautioned that although a bill to establish a regulatory system to dispense medical marijuana to qualifying patients has passed the Washington Legislature, it has not been signed by the Governor. Therefore this bill is not law yet. Currently it is not legal to run or intend to run a medical marijuana dispensary. Any person giving a statement during a public meeting that they run or intend to run a medical marijuana dispensary is providing evidence of a crime. Although council will listen to speakers, Randolph recommends that they refrain from comment at this time. If signed by the Governor, this legislation will take effect January 2013.

Bob Billings, Centralia Emergency Room Physician, reports that he sees patients in a cannabis clinic in Olympia. Dr. Billings assured that if this legislation goes into effect, clinics will be run in a professional manner with sufficient oversight to verify adherence to state and federal law.

Mike Mullins, representing Stoney Girl Gardens Foundation, provided a written presentation entitled, "An Introduction to the Industry of Medical Marijuana the Northwest Impact and What it Means to You." He feels confident that the medical marijuana industry will be huge and will provide economic opportunities for local businesses. He believes that education thru integration will clarify that medical marijuana patients are our neighbors, family members, business owners and forthright citizens.

Jennifer Valley from Happy Valley, Oregon, detailed her 32 year struggle with cancer. Following her prescription for medical marijuana, her daily pill prescriptions have been reduced and doctor visits have also been reduced. She stated that research shows that ten percent of patients generate 69% of health care costs. Valley felt that the use of medical marijuana can help reduce health care costs for everyone. In addition, according to U.S. Drug Enforcement Administration Drug Availability Steering Committee Report, 90% of the \$132 billion marijuana industry is run by Mexico. This indicates that Washington State is forfeiting an industry with an annual value of over \$1 billion.

Julian Robinson, 156 Sandy Bend Road, noted biases that she has encountered being a medical marijuana patient. The potential economic impact that The Healing Hand of God could have in Castle Rock is huge, as patients travel to visit the doctor on staff for medical recommendations. She felt that we now have the opportunity to work together as a community to determine how this business will be conducted. There is a large network of patients in their 50's and 60's that want access in a safe manner without offending the community.

Peggy Button, 1896 Spirit Lake Hwy, is a medical marijuana patient. She stated that the only safe access requires traveling to Tacoma; which is difficult. Education is needed, there is too much stigma.

Dianne Swanson, Castle Rock School District Prevention/Intervention Specialist representing the Castle Rock CARE Coalition, noted that research indicates that the most effective method of drug prevention is reduced access and availability. Studies have shown that Marijuana has replaced alcohol as the number one drug of choice. Having a medical marijuana dispensary in the community will reduce the perception of harm. This will increase the number of new users and enable existing addictive behaviors to continue. She felt this is not a message that we can afford to send to our youth.

Jim Worl, property owner at 906 and 932 Front Avenue South, specified that some kids can smoke marijuana and later stop, while some will go on to use heroin or crack cocaine. Some grow out of that stage and some do not. The social norm that marijuana is now acceptable with parents would tell our youth that it is alright. If medical marijuana is truly helping patients then it should be heavily regulated. Castle Rock should not be a central location for marijuana access. Instead he encourages healthy activities such as the upcoming "I Topped The Rock" event.

Bobby Jack Curren Jr., 229 Front Avenue South, clarified that the discussion tonight relates to medicinal use, not the promotion of recreational use by our youth. He recounted how beneficial the use of marijuana tea was for his aunt while she was dying from cancer. Medical access is the issue up for discussion.

Lori Baker, CARE Coalition, specified that as an employee of the Castle Rock School District she hopes to teach kids that it is not alright to use drugs or alcohol. The community would send a mixed signal by dispensing medical marijuana from the center of town.

James Bobst, 409 North Street, read the Vision Statement of the Castle Rock City Council. He requests council review this statement when making decisions with the potential for social impact.

Steve White, Cowlitz County Sheriff Chaplain, noted the hard work that has been expended to present a positive image of Castle Rock. He asked, do we want Castle Rock to be known as the place to get medical marijuana? What does it profit a man to gain the world but lose his soul, also applies to our city. Council should consider the greater impact when making this decision.

Brian McCrady, CARE Coalition, as an employee in the field of prevention he knows that perception is critical when educating youth. The perception that it is acceptable to use marijuana

breaks down barriers. Marijuana is very addictive and extremely hallucinogenic with paranoia as a side effect. As a community, it is critical to send our youth the right message. McCrady asked: what is in the best interest of our youth, as they are more valuable than revenue?

Mayor Helenberg closed further discussion on the issue.

## DEPARTMENT REPORTS

Chief Bob Heuer read the Washington Association of Sheriffs and Police Chief's 2010 Crime Statistics Report for the City of Castle Rock. The overall crime per 1000 population was 29.8 compared to 39.8 for the state as a whole which is a decrease of 24.9% from 2009. Violent crime was reduced 66.7% and property crime was reduced 21.5% from 2009. The crime rate in Castle Rock has shown a constant downward trend by reducing 73% from 2003 to 2010. Mayor Helenberg commended the Police Department for the good work.

Public Works Director David Vorse thanked Councilmember Queen and Buck Davis for their assistance installing boat bumpers on the launch. It has made a significant difference in safety. Mayor Helenberg noted that many favorable comments have been received.

Vorse reports that Cowlitz County is preparing to bid on material for 2011 overlay projects. The 2011 adopted budget allocated \$8,000 to be transferred from the REET Fund to the Street Fund to fund an overlay project. Contracting with Cowlitz County can save \$25 per ton on a street overlay. Three street sections could be considered:

1. The remaining section of Pioneer Avenue NE from LaRue Street to North Street for \$18,600;
2. Roake Avenue SE from C Street to the Elementary School for \$16,500 and
3. D Street SW from First Avenue to Front Avenue for \$15,300

Vorse stated that council has three options:

1. Do nothing;
2. Partner with Cowlitz County to receive a reduced rate with an estimated cost of \$75/ton or
3. Bid independently at an estimated cost of \$100/ton

In response to a question from Councilmember Mask, Vorse specified that there is approximately \$11,000 in the Street Fund. Mask would like to retain the revenue in the Street Fund to allow for contingencies encountered during the Cowlitz Street West Revitalization Project.

In response to a question from Councilmember Teter, Vorse affirmed that the city has until June to opt out of the Cowlitz County bid. Mayor Helenberg noted that the Cowlitz Street project needs should be apparent by June. Councilmember Queen would like Roake Avenue SE completed. Vorse clarified that a bid can be placed for 165 tons for Roake Avenue while still retaining the alternatives of opting out completely or reducing the amount of material for a different project.

Councilmember Queen made a motion, seconded by Reilly to partner with Cowlitz County to overlay Roake Avenue SE.

Discussion: Councilmember Mask does not feel that it is prudent to make this decision until June. These funds may be needed for Cowlitz Street West. Vote: By roll call vote, councilmembers Queen and Reilly Aye, the rest Nay, motion failed.

Councilmember Pingree made a motion, seconded by Teter to partner on Cowlitz County's overlay bid, evaluate the Street Fund in June and if sufficient funding is available rank the Roake Avenue SE overlay as number one priority. By roll call vote, unanimous Aye.

City Engineer Mike Johnson reports that 6200 feet of sanitary sewer has been cleaned and inspected. It was apparent there were a lot of problems with grease in the system. In addition, there were a few areas needing to be repaired or replaced. A section along Front Avenue North has numerous breaks and needs to be replaced in conjunction with the Front Avenue North Reconstruction Project. Johnson will provide a more detailed report at a later meeting.

In response to a question from Mayor Helenberg, Johnson reported that the Cowlitz Street West Revitalization Project is waiting for Nutter Corporation to return the signed contract, along with bonds.

Johnson summarized that the contractor has finished paving for the Riverfront Trail Extension Project. Delivery of the electrical cabinet and lights is scheduled for May 17<sup>th</sup>. Mayor Helenberg and councilmembers noted receiving numerous positive comments regarding this project.

Clerk-Treasurer Ryana Covington updated that staff has 30 days to complete the door-to-door survey required for the Westside Annexation. This process will begin next week. In response to a question from Councilmember Pingree, Covington stated that an adult would need to accompany any students that assisted with this survey. Vorse suggested handing out a Welcome to Castle Rock pamphlet during the survey process.

Librarian Vicki Selander outlined that the remodel of the restrooms and new computer room have been completed. The Library Board has voted to name the new room the Amy Thompson Room, as she bestowed the funds for these improvements. The new heating system is appreciated and only a few cleanup items remain.

## COUNCIL AND AD HOC COMMITTEE REPORTS

Councilmember Glenn Pingree attended the 911 Open House.

Councilmember Pingree would like to table further discussion of a vendor policy to allow the Police Department to present an alternative purchasing policy. In the meantime, he requests that every reasonable effort be made to buy locally.

Castle Rock High School Student Representative Genevieve Grant reports that Associated Student Body elections will be held tomorrow. In response to questions from Councilmembers Mask and Reilly, Grant explained that the school does not publish a school newspaper in which to report council proceedings to the student body.

Mayor Helenberg noted the recap of the April 20, 2011 Community Economic Development Committee board meeting provided by city representative, Nancy Chennault.

### CONSENT AGENDA

Approval of April 11, 2011 regular meeting minutes. Councilmember Reilly made a motion, seconded by Queen to approve the minutes as presented. By roll call vote, Mask abstained, the rest Aye.

### REGULAR AGENDA

#### OLD BUSINESS -

Castle Rock Eagles Club fireworks permit application approval (contingent on approval by Fire Chief). Covington noted that the site plan that is needed for approval from Fire District #6 for the Castle Rock Eagles Firework Permit, has not been completed. However, written permission has been obtained from the property owner. Councilmember Pingree made a motion, seconded by Queen to approve the Castle Rock Eagles Firework Permit Application contingent upon approval by Fire District #6. By roll call vote, unanimous Aye.

Correspondence from Commissioner James Misner regarding distribution of proposed Interlocal Agreement Cowlitz County Regional Tourism Development 'Partnership' Program known as "The Big Idea" and Tourism Board of Directors. Mayor Helenberg noted concern that the proposed Interlocal Agreement for the "Big Idea" only allows the funds to be available from June 1<sup>st</sup> of the year received to May 31<sup>st</sup> of the following year. This is a limited window to apply for matching grants. Grant applications typically must be submitted the year prior to funding. In addition, all projects must be approved by a selected Board of Directors, and is not solely decided upon by the individual entity. Councilmember Teter also pointed out that when the "Big Idea" was presented to council, each entity would have an equal number of representatives on the Board of Directors. The proposed interlocal agreement gives Cowlitz County one additional representative. Mayor Helenberg stated he would contact Commissioner Misner for clarification on these items.

#### NEW BUSINESS –

Lions Club fireworks letter of intent. Mayor Helenberg stated the city has not yet received the letter from this organization and the issue was tabled until a Letter of Intent to Apply for a Fireworks Permit is received from the Castle Rock Lions Club.

Replacement of damaged patrol vehicle proposal. Police Chief Bob Heuer reports that AWC/RMSA has issued a \$16,674 check for the patrol vehicle which was totaled in a recent accident. Heuer requests approval to purchase a replacement vehicle using the insurance funds for the down payment and the Local Criminal Justice Fund for the remainder. Columbia Ford has a "turnkey" Crown Victoria patrol car that is partially equipped and ready to go. Councilmember Mask asked if it would be more cost effective to purchase another Expedition, instead of the Crown Vic. Heuer answered that the cost for the proposed vehicle is \$46,000. When the city initially purchased the Ford Expedition, that cost was \$48,000. However, the city received a 10% discount on the cost of the Expedition because it had been ordered by another department, and then not purchased by that department. In response to a question from Councilmember

Reilly, Police Reserve Staff Sergeant Lee Kessler specified that the cost to equip the Expedition would be a slightly higher, but the residual value is also higher. However, ordering and equipping an Expedition would delay vehicle availability by a few months. The Crown Vic could be ready for service within a few days.

Mayor Helenberg clarified that price of the “turnkey” Crown Vic is \$27,998 with minimal additional equipment needed. The cost for an Expedition is \$27,286 plus approximately \$1500 to equip. In response to a question from Councilmember Mask, Police Sergeant Scott Neves detailed that they would eventually like to purchase an additional SUV, but due to time constraints he would recommend purchase of the “turnkey” Crown Vic.

Councilmember Mask made a motion, seconded by Reilly to use the insurance funds as a down payment to purchase the Crown Victoria from Columbia Ford on a three year payment plan. Discussion: Mayor Helenberg noted unfavorable comments from the community following the purchase of the Expedition, due to the economic downturn. Vote: By roll call vote, unanimous Aye.

Chief Heuer stated he would like to discuss a proposal to purchase a new phone system for his department, using the local criminal justice funds. Sergeant Neves stated all other agencies have switched to a fiber optic based system, with Castle Rock being the only department still remaining on a dial up system. If Castle Rock does not upgrade their phone systems, the city would be required to bear the entire cost to support the dial up system. In answer to Councilmember Mask’s question, Sergeant Neves stated that once the initial \$5,000 startup costs have been paid, the fiber optic system would save the city approximately \$70 to \$100 per month in long distance charges. Neves stated this would be a co-project with Cowlitz Fire Protection District #6. The fire district would bear their own cost for the upgrade. Neves stated the city would share the server and connectivity for secured data for both agencies. Mayor Helenberg asked that the request for council action to purchase the system be included on the next council agenda. In answer to Councilmember Mask’s request, Chief Heuer stated he would have a summary available for council review at the next meeting.

Sergeant Neves explained that his department will be participating in the Every Fifteen Minutes program at the Castle Rock High School. Neves provided a summary of this program and encouraged councilmembers to attend the assembly this Friday.

EXECUTIVE SESSION – Mayor Helenberg adjourned regular session at 9:00 p.m. for a ten-minute executive session to discuss pending litigation. Regular session was reconvened at 9:05 p.m.

#### ADJOURNMENT

Mayor Helenberg adjourned the meeting at 9:06 p.m.

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Mayor Paul Helenberg

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Clerk-Treasurer