

CALL TO ORDER

Mayor Paul Helenberg called the April 27, 2015 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: Lee Kessler, Earl Queen and Ellen Rose. Councilmembers Mike Davis and Ray Teter were absent.

PROCLAMATION/S

Mayor Helenberg presented David McClay, Interim Director for Lower Columbia Mental Health Center with a proclamation for Mental Health Month. Mr. McClay thanked the mayor, adding that his department assisted over 6,000 participants from Cowlitz County in the last fiscal year.

The mayor also presented a proclamation to Chaplain Tom Haan, for National Police Week; May 10th through May 16th. Pursuant to Public Law 103-322, flags will be flown at half-staff on Friday, May 15th for Peace Officer's Memorial Day in honor of those officers who have lost their life while serving within the capacity of law enforcement officer.

DEPARTMENT/COMMITTEE REPORTS

Department Reports

1. Assistant City Attorney Nicole Tideman provided an assessment of the city Personnel Policy relating to Educational Assistance. She noted the policy states the city may provide educational assistance to employees; which is discretionary and does not require the city to do so. Policy requires the employee to submit a request to their department supervisor. In turn, the department supervisor will provide a recommendation to the mayor on whether or not the request should be approved. Part of that recommendation would include consideration to assess if there is an adequate budget to support the cost of the educational assistance. This policy specifically addresses that the additional training or education be applicable to the employee's position, or potential position. However part of the department supervisor's recommendation to the mayor needs to include an assessment to see if there is adequate budget available to support the request. She noted the city would take these issues into consideration when making a final decision on the request. Nothing binds the city into mandating approval of the request.
2. Councilmembers reviewed a request for Educational Assistance submitted by Officer Jeff Gann, in the amount of \$1,308.79 for Spring quarter books and tuition for classes he has enrolled in at Lower Columbia College. Councilmember Kessler stated he would like to explore other ways to address this type of request. The education incentive is important, but could become very costly for the city. Kessler noted this expense was not included in the current adopted budget cycle. Kessler tabled further consideration of this request until additional research can be conducted. Kessler also suggested the city

discuss this issue with the police collective bargaining representative. Mayor Helenberg stated this was an issue of discussion during the last negotiation and it was the city's stance that they did not want to include this in the bargaining contract. Sergeant Neves suggested this may become a bargaining issue and he would be willing to discuss this with city representatives. Mayor Helenberg requested Chief Heuer provide him with a list of Officer Gann's earned college education credits.

Mayor Helenberg stated in the past, the city has used this policy under various circumstances. This included allowing employee time off to take classes, employees taking classes and then repaying the city for the expense, to mandated classes from the department supervisor. Chief Heuer stated he was concerned over budgetary issues this policy may have on the city. Mayor Helenberg stated the policy does not mandate the city to pay for the training the employee is requesting to take. The mayor added that he was not aware Officer Gann was seeking to obtain a degree; and asking the city to pay for all of his college expenses.

Councilmember Kessler requested clarification from Tideman. He asked if at any step of the policy; does the department supervisor, city council or mayor have the discretion to decline to pay for the classes. Tideman stated ideally the employee would go to the classes and then submit for consideration reimbursement of costs after the classes have been completed. The department supervisor would review and then provide a recommendation to the mayor. However employees can submit their request prior to attending classes and the city would still need to assess if this was in the best interest of the city. Proof of satisfactory completion of the class may be required as part of the city's consideration. Tideman reiterated the city is not required to approve the employee's request for financial assistance. She added that many cities use this as a tool for in-house promotions; however it is still at the city's discretion.

Councilmember Kessler asked if there was any hazard to the city if one employee's request is approved, but another employee is denied. Tideman stated requests are considered case by case and there should be a valid reason for the decision. However a valid reason may include lack of available funding. Final decision is based on the department supervisor's recommendation. Tideman stated, arguably everyone in their positions should already have the training to do their current position. If the employee is seeking to better themselves for possible promotion, or for another position; it would be at the discretion of the city to agree to provide assistance.

Mayor Helenberg reiterated that further consideration of Officer Gann's request for educational assistance is tabled.

3. Public Works Director Dave Vorse reported that he has ordered 'No Littering' signs and they will be installed next week.

4. City Engineer Mike Johnson provided an update on two public works projects:
 - SR504 Pedestrian Improvement Project: this project is funded by two grants (from Transportation Improvement Board and Washington State Department of Transportation); total of \$518,000. Essentially the project includes installation of a new concrete pedestrian path along Mount Saint Helens Way; from Old Pacific Highway to El Compadre Restaurant on the north side and from Dougherty Drive to Mount Saint Helens Motel on the south side of the roadway. The project will also include a raised island, improved street lighting and ADA ramps. A pedestrian crosswalk also will be installed near Boyd Street. Johnson stated final design should be completed soon and he hopes to seek bids within the next couple of weeks. Construction is estimated to be from July through September.
 - Front Avenue SW Sidewalk Project: includes improving the pedestrian corridor in this area. Project will repair of sidewalks along Front Avenue SW between A Street SW and Dike Road, including upgrading all ADA ramps. Engineers are currently finishing the design work. In answer to Councilmember Queen's question, there will be some tree removal required. No replacement tree planting is anticipated with this project. This project is funded by a Transportation Improvement Board grant; with a 5% local match requirement.
5. Mayor Helenberg attended a joint Mayor's meeting last Wednesday with representatives from Congresswoman Herrera-Beutler's office. The mayors discussed various local issues at that meeting.

The mayor also reported attending the Cowlitz County Rural grant presentation with Dave Vorse.

6. Mayor Helenberg reminded councilmembers that the Annual Spring Clean-Up Day is this Saturday, May 2nd.
7. Nancy Chennault, city representative to Cowlitz Economic Development Council provided the following report:
 - **Met with representatives from U.S.** Congresswoman Herrera-Beutler's office. Herrera-Beutler has requested Chennault serve on a steering committee to evaluate issues and needs facing Cowlitz County. By consensus, councilmembers voiced support for Chennault to serve as the city's representative on this committee.
 - **Chennault represented Castle Rock and the Castle Rock America In Bloom project at the Proven Winners conference in California. Chennault attended meetings and gave presentations on the city's success through America In Bloom.**
 - **Chennault reported that Cowlitz Economic Development Council is currently working on \$3.5 billion dollars in capital investment negotiations. Not all project negotiations will be successful; but investors are looking at Cowlitz County for development.**
 - **The Cowlitz Community Report Card will be published on May 19th.**

- **Chennault also attended the Fire and Ice Scenic Loop committee meeting. The draft plan is available for review on the Cowlitz-Wahkiakum Council of Government website and input is still being solicited for the plan.**

CONSENT AGENDA

1. Councilmember Queen made a motion, seconded by Rose to approve the minutes to the April 13, 2015 regular council meeting. By roll call vote, unanimous 'Aye'.

OLD BUSINESS –

1. Councilmember Queen tabled discussion regarding consideration to adjust the Chief of Police salary.
2. Councilmembers reviewed a request submitted by V.F. McClellan, North Street to adjust his account for utility services \$470.30 due to a leak in his system. Leak adjustment request includes the December 2014 and January 2015 billing periods. Vorse stated he has been in contact with Mr. McClellan to provide required documentation for this leak. In addition, Vorse spoke with McClellan's grandson, Rick Miller. Mr. Miller is the person who did the repair work. In accordance with municipal code, Vorse recommends approval of this leak adjustment request. Councilmember Queen made a motion, seconded by Rose to approve the leak adjustment request submitted by Mr. McClellan in the amount of \$470.30 due to a utility leak. By roll call vote, unanimous 'Aye'.
3. Councilmember Queen made a motion, seconded by Rose to approve Resolution No. 2015-03, a resolution authorizing and providing for incurrence of indebtedness with United States Department of Agriculture in the amount of \$103,000 for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving and/or extending its sewer facility to serve an area lawfully within its jurisdiction to serve, on first reading. By roll call vote, unanimous 'Aye'.
4. Councilmember Rose made a motion, seconded by Queen to approve Resolution No. 2015-04, a resolution authorizing and providing for incurrence of indebtedness with United States Department of Agriculture in the amount of \$329,000 for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving and/or extending its street system with an overlay project to serve an area lawfully within its jurisdiction to serve, on first reading. In discussion, Mayor Helenberg stated loan payments will be made by the Castle Rock City Transportation Benefit District. By roll call vote, unanimous 'Aye'.
5. Councilmember Queen made a motion, seconded by Rose to approve Resolution No. 2015-05, a resolution authorizing and providing for incurrence of indebtedness with United States Department of Agriculture in the amount of \$220,000 for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving and/or

extending its water line and utility meter system to serve an area lawfully within its jurisdiction to serve, on first reading. By roll call vote, unanimous 'Aye'.

6. Mike Johnson provided a summary of the bids received for the Reservoir Cleaning and Inspection project. The engineer's estimate for this project was \$7,013.50. Bidders and their respective bid amounts, including sales tax were as follows:

Bidder	Location	Amount
H2O Solutions LLC	Yakima, WA	\$ 5,098.28
Reliable Diving LLC	Maple Valley, WA	\$ 5,308.68
Inland Potable Services Inc	Centennial, CO	\$ 6,862.44
Liquivision Technology Inc	Klamath Falls, OR	\$ 8,909.84
Ballard Marine Construction	Washougal, WA	\$33,529.93
Blackwater Marine	Kirkland, WA	\$99,897.06

Mr. Johnson recommended councilmembers award the bid to H2O Solutions. Councilmember Queen made a motion, seconded by Rose to award the bid for the Reservoir Cleaning and Inspection project to H2O Solutions in the amount of \$5,098.28. By roll call vote, unanimous 'Aye'.

ADJOURNMENT

There being no further business, Mayor Helenberg adjourned the meeting at 8:04 p.m.

RECONVENE MEETING

Resident Bob Currin asked if he could make a comment on the council's consideration to increase wages for the police chief. Mayor Helenberg reconvened the meeting at 8:05 p.m. to allow Mr. Currin to address councilmembers on this issue.

PUBLIC COMMENT

Resident Bob Currin asked city councilmembers why they felt the Chief of Police deserved to have an increase in salary and questioned the chief's duties. Mr. Currin stated he objects to Councilmember Kessler being able to participate in the decision process because Kessler also serves as a Reserve Police Officer, with the Chief of Police serving as his supervisor. Currin felt this would create a conflict of interest. In response to this concern, City Attorney Frank Randolph stated the law provides that as long as the full city council agrees to allow Kessler to serve in both capacities; there is no conflict. Councilmember Queen also noted that Kessler is not paid when working as a Reserve Police Officer; this is a volunteer position.

Councilmember Queen stated that he did not agree with Mr. Currin's assessment of the chief's duties. Queen stated he has lived in Castle Rock for over 47 years and it is his opinion that Chief Heuer is the best police chief the city has ever had. Queen stated he has ridden in the police vehicle with the chief and has observed what he does.

Councilmember Kessler stated one issue the public usually questions is the policy to allow

police officers to take their vehicles home. Smaller agencies, such as Castle Rock, expect their officers to respond to incident calls directly from their homes. Kessler stated Chief Heuer has chosen to drive the oldest vehicle; which Kessler felt is a credit to the chief. Kessler stated there have been times when he has disagreed with what is happening in the department; and has discussed this with the chief. Kessler stated he has seen many changes over the years in law enforcement. He felt that Chief Heuer continues to stay updated on those issues. Kessler noted law enforcement has become increasingly litigious. Currin agreed, citing that he has full respect for law enforcement officers and appreciates the work they do.

Mr. Currin asked if the chief is ever called out to address issues within his department. Chief Heuer outlined an incident that occurred last week which required his response. Mr. Currin thanked the city council and Chief Heuer for answering his questions.

Mayor Helenberg stated he has been researching salary averages for each of the city's supervisory positions, based on cities with populations of 1500 – 2499. He noted the chief's salary is \$5,712/month, with the State average being \$5,725/month. The Clerk-Treasurer's salary is \$5,327; with the State average being \$6,046. The salary for the Public Works Director is slightly higher than State average. Mayor Helenberg stated he was using the AWC Salary Survey for 2014 as his reference.

Mayor Helenberg asked if there were any further public comments. None were provided.

ADJOURNMENT

There being no further business, Mayor Paul Helenberg adjourned the regular meeting at 8:22 p.m.

Mayor Paul Helenberg

Clerk-Treasurer Ryana Covington