

CALL TO ORDER

Mayor Paul Helenberg called the December 12, 2016, regular meeting of the Castle Rock City Council to order at 7:34 pm., followed by the Pledge of Allegiance. The following councilmembers were present: Art Lee, Lee Keesler, Earl Queen, Paul Simonsen and Ellen Rose.

BUSINESS FROM THE FLOOR

1. Krystal McMillan, resident on Michner Street SW, requested city council take into consideration reducing the speed limit on Michner Street SW, including within the Field of Dreams subdivision. She stated thirty-eight children, between the ages of one year old to eighteen years old reside in that neighborhood. She felt reducing the speed limit to 10 mph – 15 mph would make the neighborhood safer. McMillan added there are no speed limit signs, nor signage denoting 'children at play'. Public Works Director Dave Vorse stated unless posted, the speed limit within the city is 25 miles per hour.

Vorse stated recent legislative changes allow cities to reduce speed limits if they choose to. City Attorney Frank Randolph stated he would research the law to ascertain what is required of the city. In answer to Vorse's question, Ms. McMillan stated the streets she would like to have included are Third Avenue to Ace Drive, Michner Street SW, Shear Street SW and Ace Drive. In answer to Councilmember Kessler's question; McMillan stated there is one resident that creates issues when driving, however other times it is just drivers passing through. Mayor Helenberg stated this issued will be discussed in further detail at the January 9, 2017 city council meeting.

2. Dan Hughes, property owner, requested that city council consider making the access road into the boat launch a designated city street. Hughes stated Castle Rock School District owns the road and the city has an agreement to maintain it. Mr. Hughes owns property ; which has a Maddux Road address assigned by Cowlitz County. There was initially an old county easement for access to that property. Recent property line changes by other property owners in the area have eliminated his ability to access his property through this old easement. He would like to build a house on this property. In evaluating his options; he could either create an access from West side Highway; with the structure sited approximately 300 feet off of that road, or he could use the access road to the boat launch; which goes directly past his land. Public Works Director Dave Vorse stated if the city council agrees to accept the road as a city street; it would still be owned by the School District. Vorse added if the city designates this a public road; anyone can have right of access if additional lots are developed.

Vorse explained that the existing road is considered a driveway access to the boat launch and ball field properties. However the road was built to city street standards, with 22' width and sufficient base. The road is currently paved and there is a bike path on one side. Councilmember Kessler asked how future maintenance of the roadway would be funded. Vorse stated because it is currently considered an access road to the boat launch; any maintenance is paid from the Boat Launch Fund. If city council designates this as a city street; funding for future maintenance would be available from the Transportation Benefit District. Mayor Helenberg noted the road has a good base and was paved in 2010. Councilmember Simonsen asked if there will be a cost to upgrade this to a city street. Councilmember Kessler and Rose felt this was a good option to explore. Mayor Helenberg stated this issue would be included for discussion and council action at the January 9, 2017 city council meeting.

3. Mayor Helenberg noted there were several people in attendance who were interested in the city's response to the purchase offer that was made to the city for the former Exhibit Hall building. The mayor stated due to the timing of the offer, he has not been able to share the information with councilmembers. An executive session will be called during this meeting to inform councilmembers on

the offer. When regular session is reconvened, the public will have the opportunity to provide comments to city council.

#### PRESENTATION

- Chief Heuer presented Sergeant Neves with an award commemorating 25 years of service as a law enforcement officer; including fourteen years with the City of Castle Rock. Chief Heuer stated he worked with Neves for most of those years, including during his term with the City of Kalama Police Department. Heuer said Sgt Neves has been an inspiration to him and he is proud to know him; both personally and professionally.
- Mayor Helenberg also commended the police officers for their help with the Festival of Lights parade and celebration.
- Mayor Helenberg and City Councilmember Art Lee presented Chief Heuer with a special Service Award for his work with Domestic Violence Victims. Mayor Helenberg stated Chief Heuer has worked diligently on this issue. In response to Councilmember Lee, Heuer noted this was the third time he has received this award.

#### DEPARTMENT REPORTS

##### Clerk-Treasurer Ryana Covington

1. Provided council with a November Cash Activity Report. She noted this was preliminary, since it included expenditures that are to be approved later this meeting. Covington stated the following funds had exceeded their balances:
  - Building Code Account Fund (\$977.62); revenues have not been sufficient to support contracted costs for building official services. Resolution of this overage has been addressed in proposed Ordinance No. 2016-14; amending the budget to provide for a transfer of funds from General Fund. In addition, City Council also will be considering proposed Resolution No. 2016-13, amending the building code fees and charges. These fees have not been increased since 2008 and are not adequate to support contracted services.
  - Street Construction Capital Fund (\$14,706.77); this will be resolved with the pending \$15,000 interfund transfer that was included in the current year budget.
  - Regional Water Capital Improvement Fund (\$12,433.98); funds from the RCAC loan were receipted into the Regional Water Fund, instead of this fund. Staff will be correcting this error.
  - Boat Launch Facility Fund (\$25,233.37); the Port of Longview has been invoiced for their \$49,350 contribution to the boat launch hydraulic evaluation project. When payment is received, this overage will be resolved.
2. Announced that Karlene Akesson has been hired to fill the vacant Deputy Clerk I position in the Finance Office. Karlene worked for many years at Bredfields True Value Hardware.

Mayor Helenberg - commended Jana Gann for her outstanding work with the Festival of Lights event. This takes many months of planning and the city had a great turnout for this annual event. In spite of the rainy weather, all had a great time. This was Jana's first year as event coordinator. Gann thanked Castle Rock Public Works, Nancy Chennault and the volunteers for their support. Mayor Helenberg stated he thoroughly enjoyed dressing up as Frosty The Snowman and greeting all of the children.

Councilmember Paul Simonsen – toured the public works facilities with Public Works Director Dave Vorse. He commended Vorse for providing this information and for his expertise.

Councilmember Ellen Rose – reported the Christmas hats have been replaced on the minions at the

north end of town.

Nancy Chennault – CEDC Representative

- Cowlitz Economic Development Council meeting will be upcoming. She will be attending this meeting with the city's new representative, Mayor Helenberg.

PUBLIC HEARING

Mayor Helenberg closed regular session and opened a public hearing at 8:13 p.m. to take testimony on the proposed 2017 fiscal year budget for the city, including the 2017-2022 Capital Facility Plan and a proposed 2% utility rate increase for water, sewer and stormwater customers. The utility increase will equate to a \$3/month total increase in the utility bill, based on the average customer use.

Copies of documents available to the public included the following:

- Estimated Revenue Report, showing comparisons between 2015, 2016 and proposed 2017 budgets
- Estimated Expenditure Report, showing comparisons between 2015, 2016 and proposed 2017 budgets.
- Copy of 2017 – 2022 Capital Facilities Plan
- Copy of proposed Ordinance No. 2016-12, increasing Stormwater utility rates
- Copy of proposed Resolution No. 2016-11, amending the water and sewer utility rates
- Copy of proposed Ordinance No. 2016-13, adopting the 2017 fiscal year budget

There being no public comment offered, Mayor Helenberg closed the Public Hearing and resumed the regular council meeting at 8:17 p.m.

CONSENT AGENDA

1. Councilmember Queen made a motion, seconded by Kessler to approve the minutes of the November 28, 2016 regular city council meeting. By roll call vote; unanimous 'Aye'.
2. Councilmember Art Lee reviewed November invoices and did not note any issues. Councilmember Queen made a motion, seconded by Rose to approve payment of November invoices as described on the Fund Transaction Summary report in the amount of \$286,369.98 and further described as: as adjustment number 471-11/16, check numbers 47709 through 47782 for general expenditures, adjustment numbers EFT Payroll Draw 11/15/2016 and EFT Payroll 11/30/2016, NACHA Batch numbers 1805545 (Draw pay) and 1807962 (Month end pay), and payroll check numbers 24873 through 24892. By roll call vote; unanimous 'Aye'.

OLD BUSINESS

1. Councilmember Kessler made a motion, seconded by Lee to approve Ordinance No. 2016-11, an ordinance approving the assignment of a non-exclusive telecommunications franchise with Astound Broadband LLC, on second reading. By roll call vote, unanimous 'Aye'.
2. Councilmember Lee made a motion, seconded by Queen to approve Ordinance No. 2016-12, an ordinance amending Stormwater fees, effective with January 2017 billing cycle, on second reading. Discussion: Councilmember Simonsen stated he has discussed the issue of stormwater rates with the Public Works Director; however he still has issues with assessing the fee for customers residing west and east of the freeway. He felt this water runoff in those areas did not affect the city because it drains directly into ditches and then into the Cowlitz River. He felt those living within the protection of the levee system should only be assessed that fee. Simonsen proposed amending the ordinance to exempt properties east and west of the freeways from paying stormwater fees.

Mayor Helenberg noted that all properties dependent on city services, such as from Water and Sewer Treatment Plant facilities, and services such as city police protection are all sharing in the cost to support stormwater infrastructure. This includes maintenance of the dike/levee system that protects the two treatment plants. The mayor stated it is not fair for the people within the immediate levee system to pay for all of the stormwater costs when all utility customers benefit from the levee system.

Simonsen stated the fee is based on the amount of impervious surface; not on the cost for protection of the levee system. The mayor countered that the levee system protects the infrastructure and city services that benefit all city customers.

Councilmember Kessler stated he understood the point Simonsen was making; however any decrease in fees for one group would result in an increase in fees for the remaining customers. Clerk-Treasurer Covington noted that all stormwater revenues are kept within a separate fund specifically for stormwater related issues and uses. Simonsen stated, in his opinion, the city was wrong to incorporate these fees in the first place.

Councilmember Kessler said it is not uncommon for others to pay for services they do not directly receive. As an example, he stated all pay for taxes to support street infrastructure even though they may not drive on all streets. He did not know the impact to the customers if fees were not assessed to them; however he did know the impact to them if services such as City Hall, police and fire were not available to them because of failure to the stormwater system.

In answer to Councilmember Kessler's question, Vorse stated the city's stormwater management ordinance was modeled after the one adopted by the City of Kelso. Vorse noted if the levee fails, or becomes de-certified; costs will increase for all because they would be required to obtain flood insurance. Vorse summarized for many reasons it is essential the stormwater system be maintained. Vorse stated city development standards require new development to have retention/detention capabilities. He noted there are several businesses that have installed such systems and they receive a discount on their stormwater fees. Vorse noted other entities pay for their stormwater facilities through assessment of diking district fees; or a combination of diking district fees and stormwater management fees. Councilmember Simonsen stated he understood the reasoning for assessing fees for all users; however he does not support this fee for those not receiving a direct benefit. Mayor Helenberg stated there were several catch basins located in the upper levels of the city and on Spirit Lake Highway that flow into the city's system.

By roll call vote on the above motion; Councilmember Simonsen voted 'Nay', Councilmembers Lee, Kessler, Rose and Queen voted 'Aye'. Motion passed.

3. Councilmember Lee made a motion, seconded by Kessler to approve Resolution No. 2016-11, a resolution amending water and sewer utility rates; imposing a 2% increase effective January 2017 billing cycle, on second reading. By roll call vote; unanimous 'Aye'.
4. Councilmember Queen made a motion, seconded by Kessler to approve Ordinance No. 2016-13, an ordinance adopting the budget for fiscal year ending December 31, 2017, on second reading. By roll call vote; unanimous 'Aye'.

5. Councilmember Kessler made a motion, seconded by Lee to approve the 2017-2022 Capital Facilities Plan. By roll call vote; unanimous 'Aye'.

#### NEW BUSINESS

1. Councilmember Kessler made a motion, seconded by Queen to approve Resolution No. 2016-12, a resolution amending Castle Rock Personnel and Policy Procedures, Section VI, Part H relating to Longevity Pay, on first reading. By roll call vote, unanimous 'Aye'.
2. Councilmember Kessler made a motion, seconded by Queen to approve Ordinance No. 2016-14, an ordinance amending the 2016 fiscal year budget for various funds, on first reading. By roll call vote; unanimous 'Aye'.
3. Councilmember Kessler made a motion, seconded by Queen to approve Resolution No. 2016-13, a resolution amending building code fees, on first reading. By roll call vote, unanimous 'Aye'.
4. Councilmember Kessler made a motion, seconded by Queen to cancel the December 27<sup>th</sup> city council meeting date and to reschedule that meeting for Monday, December 19<sup>th</sup>. By roll call vote, unanimous 'Aye'.

#### EXECUTIVE SESSION

Mayor Helenberg adjourned regular session at 8:39 p.m. for a fifteen minute Executive Session to discuss sale of city property. Mayor Helenberg resumed regular session at 8:44 p.m.

#### OTHER BUSINESS

1. Mark Nelson and his wife Ruth provided testimony in support of the sale of the city's former Exhibit Hall building located on Front Avenue NW. Mr. Nelson resides in Scappoose, Oregon and is a supporter of Creation Center, a non-profit organization. A group of supporters would like to purchase the city-owned building located on Front Avenue NW (former Exhibit Hall) with the intent to site the Mt. St Helens Creation Center at that location. They felt this purchase would provide the following benefits to the city:
  - increase traffic to the downtown area
  - improve the appearance of the building
  - improve the general area by beautification of the building

Nelson stated a future plan that was also discussed was creation of a business incubator center for new businesses.

Pastor Joel Royce, Castle Rock Baptist Church, spoke in favor of the sale. He serves on the board for the Creation Center. He stated siting the Castle Rock Creation Center in Castle Rock would provide year-round potential of 4500 visitors/year.

Paul Taylor, moved to the Pacific Northwest two years ago to serve as Director of Mt. St Helens Creation Center. He envisions the center to be operated as a visitor center, with a gift shop. There is also the potential to work with other groups to possibly allow hosting of events.

John Leffler, Castle Rock Christian Church, stated he has followed the work done by the Creation Center and supports them coming to the community.

Mayor Helenberg stated the city has submitted a counter-offer, which has been provided to the city's real estate agent.

2. Councilmember Paul Simonsen questioned why there are police vehicles and bicycles parked in the Public Works lot. He stated this equipment is taking up space in the covered bays; while the public works vehicles are kept outside. Councilmember Kessler stated the police vehicle is used for the reader board and the police department parks the vehicle there, when charging. Kessler added that the police department is in the process of getting rid of the bicycles. Simonsen felt the police department should either pay rent to public works for the use of that building; or remove their equipment. Councilmember Kessler stated this issue was discussed during the 2016 budget meetings and it was his recollection that there was an equitable trade for space relating to the development of a server room and Internet service. Councilmember Simonsen felt it was unacceptable to have a rusty police vehicle parked in a covered bay, while public works vehicles are parked outside. Councilmember Kessler felt this was an unbalanced conversation without Chief Heuer or Sgt, Neves being present. Councilmember Queen noted when the police department confiscates equipment, they need a secure place to store it. Mayor Helenberg stated this issue could be discussed at a later date, if needed.

#### ADJOURNMENT

There being no further business, Mayor Helenberg adjourned the meeting at 9:05 p.m.

---

Paul Helenberg, Mayor

---

Ryana Covington, Clerk-Treasurer