

0025 Mayor Barbara Larsen called the regular meeting of the Castle Rock City Council to order at 7:30 p.m., with the following councilmembers present: Khembar Yund, Greg Marcil, Earl Queen, Jack Reilly and Mike Mask.

0079 Councilmember Reilly made a motion, seconded by Yund to approve the minutes of the August 11, 2008 Regular Council Meeting. By roll call vote, Councilmember Mask abstained, the rest Aye, motion passed.

0200 City Planner TJ Keiran reports that on August 11, 2008, Bo Oswald on behalf of Harry Henke with Dai-Yo Properties, submitted a Notice of Intention to Commence Annexation Proceedings. This request would annex ten properties totaling 34.6 acres located in the northeast corner of the Four Corners area with a total assessed value of \$743,310. They are using the petition method of annexation, also known as the 60% method.

Keiran stated if council wants to consider the annexation request, a meeting must be scheduled no later than sixty days after the filing of this request. The last Regular Council Meeting within the sixty day period is on September 22, 2008. At that meeting council will decide:

1. Whether to accept, reject, or geographically modify the proposed annexation;
2. Whether the simultaneous adoption of a comprehensive plan is required; and
3. Whether an assumption of indebtedness is required.

Prior to that meeting, staff will present information regarding annexation procedures and requirements then request direction from council.

Keiran stated a simultaneous adoption of a comprehensive plan also may be needed. The Comprehensive Plan currently zones this area as residential and industrial. The applicant's proposal includes a combination of commercial, residential and industrial zoning which is consistent with what the City intended for this area. Keiran noted that the Planning Commission will also need to review the application to make sure that no peninsulas or islands are created. Irregular shapes such as those, can create confusion for emergency responders and maintenance personnel.

Keiran stated he will address the council at their September 8th meeting to discuss procedures of annexation. Council should then be prepared to take action on the annexation request at the Regular Council Meeting on September 22, 2008.

0780 Councilmember Mask made a motion, seconded by Yund to accept the Notice of Intention to Commence Annexation Proceedings from Dai-Yo Properties and consider the request at the September 22, 2008 Regular Council Meeting. By roll call vote, unanimous Aye.

0855 Keiran introduced Harry Henke and Bo Oswald.

In response to a question from resident Deanna West, Mr. Henke clarified that the Kelso property currently being developed by Dai-Yo Properties is a single family residential development located on Pacific Avenue near the Three Rivers Golf Course.

Bruce Singleton, resident, noted that his property on West Side Highway is adjoining the proposed annexation property. He expressed concern that his property will become an isolated peninsula. Keiran pointed out that the west side of West Side Highway is not included in this annexation. The Planning Commission will work with property owners and Cowlitz County to avoid irregularly shaped jurisdictions.

In response to a question from Mr. Singleton, Mr. Henke specified that the average residential lot size in the proposed development will be 9,000 to 10,000 square feet or approximately four lots per acre.

Keiran clarified that zoning changes would be included in the annexation. The city's minimum lot size for an R-1 Single Family Residential lot is 6,000 square feet. This annexation will require a Comprehensive Plan and zoning map amendment. The Planning Commission has recognized that a new neighborhood commercial zoning district is needed for the 'Four Corners' area. The fees for the Comprehensive Plan amendment will be paid by the applicant. Keiran requests council approval to begin working with the Planning Commission to write a neighborhood commercial zoning district.

In response to a question from Councilmember Mask, Keiran indicated that two Planning Commission meetings should be sufficient to write a new zoning district.

By consensus, council agreed that the Planning Commission should proceed with the process of writing a new neighborhood commercial zoning district.

1485 Mayor Larsen adjourned regular session at 7:53 p.m. for a ten minute executive session to discuss possible litigation. No action is anticipated.

1504 Mayor Larsen reconvened regular session at 8:00 p.m. with no action taken.

1569 Public Works Director David Vorse reports that last week the Public Works crew pressure washed City Hall to prepare it to be painted. The estimated cost for the city crew to paint City Hall using city equipment is \$800.

In response to a question from Councilmember Mask, Vorse indicated that the Senior Center will not be painted. However, dry rot was discovered in the T-1-11 siding on the south side of the Senior Center. This siding was installed in 1982.

Vorse does not have a cost estimate for that repair. This repair could be included in next year's budget.

In response to a question from Councilmember Yund, Clerk-Treasurer Ryana Covington reviewed that the 2008 budget for General Fund line item Building Repairs and Maintenance included appropriations of \$5,000. To date \$1,350.65 was expended in 2008 for City Hall repairs with \$3,649.35 remaining.

Three City Hall maintenance item requests remain:

1. Paint City Hall for an estimated cost of \$800
2. Repair the T-1-11 siding damage on the south side of the Senior Center, no cost estimate is available at this time
3. Electrical work to the Archives Room for an estimated cost of \$2,471.71

Vorse requests prioritization of these items.

In response to a question from Councilmember Yund, Covington specified that the electrical work for the Archives Room would provide for rewiring, and installation of the heating and lighting for that room.

In response to a question from Councilmember Marcil, Vorse stated that the Senior Center damage appears to be limited to two sheets of siding around the south window. However, the extent of the damage cannot be determined until these sheets are removed.

- 1897 Councilmember Yund made a motion, seconded by Queen to approve the painting of City Hall by the Public Works Department for \$800.

During discussion: In response to a question from Councilmember Mask, Vorse specified that this project includes cleaning the exterior of City Hall then applying primer, two coats of paint and trim. Sherman Williams 25 year exterior paint will be used.

Vote on motion: By roll call vote, unanimous Aye.

- 1940 In response to a previous request from Councilmember Reilly, Vorse presented a list of concerns regarding the Cascade Network Franchise Agreement. He met with Cascade Networks President Brian Magnuson and addressed the "section" items. Other concerns are Right-of-Way Permits, the cost to repair damaged lines and why the City would want another utility in the right-of-way.

- 2060 Vorse summarized the results of the Small Works Roster estimates for erosion repair at Lions Pride Park. Each of the estimates exceeded the \$5,000 appropriated from the Stormwater Management Fund for this project. The removal of vegetation along the levee (budget cost of \$10,000) was also budgeted from this fund. It is now unclear if the Army Corps of Engineers will require the

trees to be removed from the levee. In addition, the exact cost for levee certification is unknown at this time. The Levee Certification Project will probably need to be phased and should only require \$15,000 this fiscal year.

Vorse clarified that the Lions Pride Park Erosion Project requires that the concrete sections be broken into 6” pieces for placement in the erosion cavity, then the voids must be filled with 5/8” minus rock and compacted. The City does not have the equipment to do this work. A stormwater line and catch basin also will be installed to divert stormwater and prevent the ground from becoming saturated. Additional concrete sections are located near the Skate Park that may need to be transported for this project.

Two estimates for this project were received from each contractor; an estimate that does not include the hauling of the additional material and a full estimate that includes hauling.

Estimates were as follows:

| <u>CONTRACTOR</u> | <u>FULL EST</u> | <u>W/O HAULING</u> |
|------------------------|-----------------|--------------------|
| Triple S Excavation | \$22,876.73 | \$21,241.21 |
| Tim Brown Construction | \$30,181.80 | \$20,665.66 |
| Markea Trucking | \$30,524.72 | \$28,587.17 |
| Spencer’s Trucking | \$40,027.77 | \$37,715.23 |

The low estimate of \$20,665.66 did not include the additional hauling. Vorse estimates that if the Public Works Department also installed the stormwater line and catch basin this estimate could possibly be reduced to around \$17,500. He cautioned that these are estimates, not bids. The Stormwater Management Fund could be used for this project, if the removal of trees from the levee is postponed this year.

Councilmember Marcil voiced concern that other projects would not get completed if the city crew installed the stormwater system and hauled the additional material. Vorse noted that winter rainstorms could cause further erosion if the repairs are not done before winter. Councilmember Marcil added that repair costs would increase with further erosion. Councilmember Queen would prefer to go with the lowest bidder for the full estimate which would allow the Public Works Department to complete other projects.

2461 Councilmember Marcil made a motion, seconded by Queen to allow the full estimate low bidder, Triple S Excavation, to complete the Lions Pride Park Erosion Repair Project for an estimated cost of \$22,876.73.

Tape 1 of 2

Side B

Vote on motion: By roll call vote, unanimous Aye

In response to a question from Mayor Larsen, Vorse indicated that the contractor has 30 days to complete this project.

By consensus, council agreed that the Lions Pride Park Erosion Repair Project will be funded from the Stormwater Management Fund and the removal of trees from the levee will be deferred.

2599 Vorse reviewed the results of the 2008 - 2009 Chemical Procurement Bid. The low bids are:

| Chemical | Bidder | Bid | Freight |
|---|--------------------------------------|--------------------------------|-------------------|
| 4,000 – 8,000 gallons Aluminum Sulfate | Cascade Columbia Distribution Co. | \$398.80/dry Total: \$4,594 | \$25/ Invoice |
| 400 gallons 12.5 % Sodium Hypochlorite | Univar | \$6.34/gallon Total \$2,536 | \$75/ Delivery |
| 2,000 lbs. Sodium Fluoride | Cascade Columbia Distribution Co. | 68¢/lb. Total: \$1,360 | \$25/ Invoice |
| 3,000 lbs. Chlorine | JCI Jones Chemicals, Inc | \$1.166/lb. Total: \$3,498 | |

There was a 37% increase in the current price of Aluminum Sulfate and Chlorine gas and an 8% increase for Sodium Hypochlorite.

In response to a question from Councilmember Reilly, Vorse explained that bids are procured annually for the chemicals needed at the Water Treatment Plant. This process locks in the price for the entire year and assists with the budget process.

2844 Councilmember Mask made a motion, seconded by Queen to accept the low bids for the chemicals needed at the Water Treatment Plant. By roll call vote, unanimous Aye.

2882 Vorse reported that a final Site Plan Review regarding the boat launch project is scheduled for this Thursday. All environmental permits have been submitted and it is anticipated that work will begin on the upland portion of the project later this year.

3001 Councilmembers considered Ordinance No. 2008-04, an ordinance granting a franchise agreement to Cascade Networks, Inc., for the placement of fiber optic lines.

Mr. Brian Magnuson, President of Cascade Networks stated that their company does not incorporate a pruning program. He described that the line is hung from poles and they can thread it through tree branches.

In answer to Councilmember Reilly’s question, Magnuson cited that Castle Rock will benefit in the following ways:

- Linkage of the PUD substations will help reduce a cascading power effect, which reduces outages. He is currently working with the PUD on this project.
- Castle Rock High School would be able to provide the K20 system (managed by the University of Washington) enabling distance learning opportunities.
- Fiber optic connectivity would provide an opportunity for Castle Rock Police Department to gain higher speed access to the Spillman system
- Fiber optic could be used to provide connection of communication (phone) system access from City Hall to the public works shops. This service would cost approximately \$1500.
- Developers also seek areas with fiber optic connections for industrial and commercial property sites. This can be used as a sales benefit for properties.

Mr. Magnuson also serves the communities of Kalama, Woodland, Kelso and Longview.

In answer to Councilmember Yund's question, Vorse stated that it is important for fiber optic providers to belong to the Utility Locate Service. To repair such a line can be very costly if damaged accidentally.

Magnuson stated he is partnering with the PUD to inventory and identify all fiber optic and electric lines. These will be located on a GIS system.

Magnuson stated his system does include redundancy, however there are some areas with a 'single point of failure'. He can provide these areas with wireless as a backup.

- 3813 Councilmember Yund made a motion, seconded by Reilly to adopt Ordinance No. 2008-04. an ordinance granting a non-exclusive franchise to Cascade Networks, Inc to use certain streets and public ways for construction, operating and maintaining a communication system and fixing the terms and conditions, on second reading.

City Attorney Tom O'Neill noted that the original ordinance has been modified to mitigate the city's concerns. In addition, the franchise provides for a pass-thru of utility taxes to the customer.

Councilmember Yund and Reilly stated their motion included those modifications and conditions as presented at this meeting. By roll call vote, unanimous 'Aye'.

- 3920 Mr. David Hunt, Executive Director of the Columbia River Channel Coalition distributed informational pamphlets pertaining to his organization. Their current primary emphasis is to deepen the Columbia River channel an additional three feet, which will accommodate the larger, more fuel efficient ships. The cost of this project is \$160 million dollars. The states of Washington and Oregon appropriated matching funds of \$55.4 million dollars. At this time, they are approximately 70% complete. They are seeking partners to support their efforts

to obtain the final \$36 million dollars from federal appropriations.

Another issue of concern is the rehabilitation of the jetty system at the mouth of the river. Funding for this project will require federal appropriations in the amount of \$150 - \$250 million dollars.

Currently over 100 entities consisting of ports, governmental agencies, chambers, labor unions and private organizations have agreed to support the Columbia River Channel Coalition. Mr. Hunt invited the City of Castle Rock to join as a supporter of their organization.

4463 Councilmember Queen made a motion, seconded by Mask to support the Columbia River Channel Coalition and their efforts.

4489 Clerk-Treasurer Covington presented the budget report for the month of July. Beginning fund balances are being used by funds whose expenditures exceeded the revenues. These funds are: General Fund (in the amount of \$45,965), Street Fund, Exhibit Hall, Library, Local Criminal Justice, DOT Spoil Site (project related), Regional Sewer System (loan redeemed) and the Consumer Deposit Fund. The Street Fund balance shows a deficit of \$16,476.58, however on August 20th, the city did receive \$28,733.22 in reimbursement from Department of Transportation for completion of the sidewalk project funded with the Street Fund.

In answer to Councilmember Mask's question, Covington stated that the Ambulance Fund will be closed in September and proceeds paid to the Cowlitz Fire Protection District #6, as outlined in the Interlocal Agreement signed at time of annexation into the district.

4576 Councilmember Yund made a motion, seconded by Marcil to approve the work estimate provided by Advanced Electrical in the amount of \$2,471.71 to install heaters and lighting in the city archive room. By roll call vote, unanimous 'Aye'.

4590 Council Report of Meetings:

Councilmembers Reilly, Queen and Mask attended a workshop with the Planning Commission relating to the proposed zone and map amendment processes.

Councilmember Yund will be attending a 9-1-1 Operations meeting. It is estimated that the city's cost for this service may increase an additional \$10,000. He will provide more information to the city clerk.

4618 Mayor Larsen appointed Councilmembers Yund and Marcil to negotiate a new contract with Chauffeurs, Teamsters and Helpers Local 58 for the public work's labor contract.

- 4652 Mayor Larsen also appointed Councilmember Marcil to assist her in re-negotiating the lease agreement with the Castle Rock Senior Center.
- 4661 Councilmembers reviewed correspondence from Philip Blair, 237 Michner Street SW requesting an adjustment to his utility bill. Mr. Blair stated that the city inadvertently opened the water valve to his residence instead of his neighbor. This resulted in a higher consumption for June and July's usage.
- 4114 Councilmember Reilly made a motion, seconded by Queen to approve an adjustment in the amount of \$31.97 toward Mr. Blair's utility bill due to the city's error. By roll call vote, unanimous 'Aye'.
- 4740 Mayor Larsen stated she has received a letter asking the city to support HR 676, which endorses a National Health Insurance Act. Councilmember Mask asked how such a system is to be funded. Mayor Larsen stated this information was not provided, however the United States Conference of Mayors passed a resolution in support of the legislation. By consensus, Councilmembers tabled any action on this issue due to lack of information.
- 4874 Jerry Baldwin, 525 Allen Avenue SE is requesting an additional adjustment to his utility account due to a leak which affected consumption amounts for the months of June and July. Mr. Baldwin already has received a leak adjustment for the month of June; the additional adjustment requested is \$21.31 for the month of July.
- 4937 Councilmember Marcil made a motion, seconded by Reilly to approve Mr. Baldwin's request for an additional adjustment of his utility account in the amount of \$21.31 for July services. By roll call vote, unanimous 'Aye'.

Tape 2 of 2

Side A

- 0010 Larry Bowers, 709 Eaton Court advised that he was gone to Alaska from July 5th through July 25th. His bill for that period was \$574.46. Mr. Bowers did have someone water his plants and taking care of his pets. Councilmembers asked if that person could have inadvertently left the water on for a lengthy period. Mr. Bowers stated that the caretakers denied do so and he has already checked and did not find any leak.

On August 4th, Public Works personnel noticed a faucet dripping, which could have had a minor effect on the use. No other leak was detected by city personnel.

Councilmember Mask asked to abstain from voting on this issue since he is personal friends with this resident.

- 0308 Councilmember Yund made a motion, seconded by Reilly to approve an adjustment of Mr. Bower's utility bill in the amount of \$207.82, due to unusual

circumstances; in accordance with city ordinance. By roll call vote, Councilmember Mask abstained; the remaining councilmembers 'Aye'. Motion carried.

- 0439 Councilmember Yund suggested that staff investigate the possibility of adopting an ordinance to allow the use for four-wheelers, golf carts and electric vehicles for in-city commute purposes. Councilmember Marcil stated that cities must have under 5,000 population to qualify.

Councilmember Yund feels this could be a benefit to both our citizens and to our business district.

- 0699 Mayor Larsen announced that Longview Housing Authority will be hosting a grand re-opening of the newly renovated Riverview Apartments on August 26th at noon. This apartment complex provides housing options for low income residents.

- 0744 Mayor Larsen announced that she sent a Key to the City to the widow of Wendall Dougherty. Mr. Dougherty served as city clerk for many years, and provided volunteer services to the local fire department, Senior Center and other civic groups. Mayor Larsen read a thank you letter from Mrs. Dougherty's daughter, residing in Spokane, Washington.

- 0825 Mayor Larsen adjourned the meeting at 9:17 p.m.

Mayor Barbara Larsen

Clerk-Treasurer