



CASTLE ROCK CITY COUNCIL AGENDA

Regular Meeting: Monday, May 23, 2022
7:30 PM

Location
Castle Rock Senior Center
222 Second Ave SW
Castle Rock, WA 98611

AGENDA

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1. CALL TO ORDER

- a. Pledge of Allegiance
- b. Roll Call
- c. Changes to Agenda

2. PROCLAMATIONS & PRESENTATIONS

- a. Scholarship Presentation by Myron Nelson.

3. BUSINESS FROM THE FLOOR/PHONE

4. DEPARTMENT REPORTS

- City Attorney Frank Randolph
- Police Chief Charlie Worley
- Public Works Director Dave Vorse
- City Engineer Tom Gower
- Clerk-Treasurer Carie Cuttonaro

5. COUNCIL AND AD HOC COMMITTEE REPORTS

- Mayor / Mayor Pro-Tempore / Councilmembers
- CRCDA Representative Nancy Chennault

6. PUBLIC HEARINGS

7. CONSENT AGENDA

- a. Approve the minutes of the May, 9 2022 Regular Council Meeting.

8. OLD BUSINESS

9. NEW BUSINESS

- a. Ordinance No. 2022-04, an ordinance amending a section of Castle Rock Municipal Code Chapter 9.21 Parades, Athletic Events and Other Special Events, increasing general liability insurance requirement.

b. Ordinance No. 2022-05, an ordinance amending City of Castle Rock, Washington Municipal Code, sections 13.06.080 and 13.06.100 regarding fees and utility collection procedures.

AND

Resolution No. 2022-03, a resolution relating to setting the amount charged for miscellaneous fees for water and sewer account customers.

10. OTHER BUSINESS

11. ADJOURNMENT

NEXT REGULAR COUNCIL MEETINGS:

<u>2Q22</u>	<u>3Q22</u>	<u>4Q22</u>	<u>1Q23</u>
April 11	July 11	October 10	January 09
April 25	July 25	October 24	January 23
May 09	August 08	November 14	February 13
May 23	August 22	November 28	February 27
June 13	September 12	December 12	March 13
June 27	September 26	Tuesday, December 27	March 27

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City Council may add and take action on other items not listed on this Agenda.

1. CALL TO ORDER

Mayor Paul Helenberg called the regular meeting of the Castle Rock City Council to order at 7:33 PM.

a. Pledge of Allegiance

Mayor Helenberg led the Pledge of Allegiance.

b. Roll Call

Councilmembers present: Art Lee, Lee Kessler, Earl Queen, and Ellen Rose. Councilmember Paul Simonsen arrived at 7:37 PM.

Staff present: City Attorney Frank Randolph, Public Works Director Dave Vorse, City Engineer Tom Gower, City Planner Rachel Granrath, and Clerk-Treasurer Carie Cuttonaro.

c. Changes to Agenda

Added the National Police Week Proclamation.

2. PROCLAMATIONS & PRESENTATIONS

The proclamation was read by Clerk-Treasurer Carie Cuttonaro and presented by Mayor Paul Helenberg to Officer Berndt of the Castle Rock Police Department.. Mayor Helenberg proclaimed May 11-17, 2022 as National Police Week.

3. CITIZEN COMMENTS - please limit to 3 minutes

4. DEPARTMENT REPORTS

- City Attorney Frank Randolph

- Police Chief Charlie Worley

- Public Works Director Dave Vorse

Public Works Director Dave Vorse gave a verbal report.

1. Annual Drinking Water Quality Report - 2021

2. Drinking Water Comparison Presentation

- City Engineer Tom Gower

City Engineer Tom Gower gave a verbal report.

- Clerk-Treasurer Carie Cuttonaro

5. COUNCIL AND AD HOC COMMITTEE REPORTS

- Mayor / Mayor Pro-Tempore / Councilmembers
 - CRCDA Representative Nancy Chennault
- Mayor Paul Helenberg gave a verbal report.

6. PUBLIC HEARINGS

7. CONSENT AGENDA

Councilmember Queen made a motion, seconded by Rose to approve the Consent Agenda as presented. Motion carried by roll call vote. Councilmembers Lee, Kessler, Queen, Simonsen, and Rose voted 'Aye'.

- a. Approve the minutes of the April 25, 2022 Regular Council Meeting.
- b. Approve the April 2022 invoices as described in the Fund Transaction Summary Report, in the amount of \$379,814.81.

8. OLD BUSINESS

- a. Ordinance No. 2022-03, an ordinance of the City Council of the City of Castle Rock finding the City of Castle Rock Shoreline Master Program Periodic Review required by RCW 90.58.080(4) has occurred; repealing and replacing the City of Castle Rock Shoreline Master Program, on second reading.

Councilmember Kessler made a motion, seconded by Lee to approve Ordinance No. 2022-03. Motion carried by roll call vote. Councilmembers Lee, Kessler, Queen, Simonsen, and Rose voted 'Aye'.

9. NEW BUSINESS

- a. Castle Rock Lions Club has advised the City of their intent to sell fireworks in 2022, per CRMC 5.32 (c). Permit application and insurance submitted. \$10.00 application fee due.

Councilmember Kessler made a motion, seconded by Queen to approve Castle Rock Lions Club intent to sell fireworks in 2022. Motion carried by roll call vote. Councilmembers Lee, Kessler, Queen, Simonsen, and Rose voted 'Aye'.

- b. Castle Rock Eagles #556 has advised the City of their intent to sell fireworks in 2022, per CRMC 5.32 (c). Permit application and insurance submitted. \$10.00 application fee due.

Councilmember Kessler made a motion, seconded by Queen to approve Castle Rock Eagles #556 intent to sell fireworks in 2022. Motion carried by roll call vote. Councilmembers Lee, Kessler, Queen, Simonsen, and Rose voted 'Aye'.

- c. Castle Rock Boy Scout Troop #313 has advised the City of their intent to sell fireworks in 2022, per CRMC 5.32 (c). Permit application, fee and insurance submitted. Landowner permission has not been received.

Councilmember Kessler made a motion, seconded by Queen to approve Castle Rock Boy Scout Troop #313 to sell fireworks in 2022 contingent on written permission from the landowner.

Motion carried by roll call vote. Councilmembers Lee, Kessler, Queen, Simonsen, and Rose voted 'Aye'.

d. Required number of readings for ordinances and resolutions.

Clerk-Treasurer Carie Cuttonaro presented. Currently, number of readings for ordinances and resolutions has been two. CRMC requires one reading for resolutions and two readings for ordinances, unless ordinance is an emergency reading or all five members are present and voting 'Aye'. City Attorney Frank Randolph agrees, if Council chooses to follow CRMC, to have a clean division.

Councilmember Queen made a motion, seconded by Rose to follow CRMC regarding the required number of readings for ordinances and resolutions from this date forward. Motion carried by roll call vote. Councilmembers Lee, Kessler, Queen, Simonsen, and Rose voted 'Aye'.

e. Request to open a Fibre Federal Credit Union checking account to be used for daily deposits with a minimum balance of \$2,000.

Clerk-Treasurer Carie Cuttonaro presented.

Councilmember Queen made a motion, seconded by Rose to approve the request to open a Fibre Federal Credit Union checking account for daily deposits with a minimum balance of \$2,000.

Motion carried by roll call vote. Councilmembers Lee, Kessler, Queen, Simonsen, and Rose voted 'Aye'.

10. OTHER BUSINESS

11. ADJOURNMENT

There being no further business, Mayor Helenberg adjourned the meeting at 8:03 PM.

Mayor Paul Helenberg

Clerk-Treasurer Carie Cuttonaro

ORDINANCE NO. 2022-04

AN ORDINANCE AMENDING A SECTION OF CASTLE ROCK MUNICIPAL CODE CHAPTER 9.21
PARADES, ATHLETIC EVENTS AND OTHER SPECIAL EVENTS, INCREASING GENERAL LIABILITY
INSURANCE REQUIREMENT.

WHEREAS, the City Council finds that festivals and events provide an opportunity for increased tourism, which in turn stimulates the local economy; and

WHEREAS, the City Council has made it a priority to “create a ‘sustainable’ positive Castle Rock image” and to promote special events that further this priority; and

WHEREAS, special events increase the demand for City services, and such increased demand needs to be considered when planning special events; and

WHEREAS, in establishing standards and requirements for special events it is imperative to ensure the health and safety of our citizens and those visitors that come to enjoy such activities; and

WHEREAS, Washington Cities Insurance Authority recommends a minimum of two million (\$2,000,000) per occurrence and two million (\$2,000,000) aggregate to provide sufficient coverage.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Castle Rock do ordain amendments to Castle Rock Municipal Code (in part) for section 9.21.080 as follows;

9.21.080 Insurance.

~~(1) The following insurance shall be required in connection with the issuance of a permit for a special event not protected under the First and Fourteenth Amendments of the United States Constitution, unless otherwise waived the Mayor or his/her designee: \$1,000,000.00 commercial general liability insurance per occurrence combined single limits, \$2,000,000.00 aggregate unless waived by the City.~~

(1) The following insurance shall be required in connection with the issuance of a permit for a special event not protected under the First and Fourteenth Amendments of the United States Constitution, unless otherwise waived by the Mayor or his/her designee: \$2,000,000.00 commercial general liability insurance per occurrence combined single limits, \$2,000,000.00 aggregate unless waived by the City.

(2) The Public Works Director or Clerk-Treasurer is authorized and directed to require written proof of such insurance prior to permit issuance. The insurance policy shall be written on an occurrence basis, shall name the City of Castle Rock as an additional insured, shall be written for a period not less than twenty-four (24) hours prior to the event and extending for a period of not less than twenty-four (24) hours following the completion of the event, and shall contain a provision prohibiting cancellation of the policy, except upon thirty (30) days prior written notice to the City.

Section 2. This ordinance shall be effective five days after publication.

ADOPTED by the City Council and signed by the Mayor on this 23rd day of May, 2022.

Mayor Paul Helenberg

ATTEST:

APPROVED AS TO FORM:

Carie Cuttonaro, Clerk-Treasurer

Frank Randolph, City Attorney

Date of Publication: _____

ORDINANCE NO. 2022-05

AN ORDINANCE AMENDING CITY OF CASTLE ROCK, WASHINGTON MUNICIPAL CODE, SECTIONS 13.06.080 AND 13.06.100 REGARDING FEES AND UTILITY COLLECTION PROCEDURES

WHEREAS, the Castle Rock City Council wishes to amend procedures for collection of returned payments; and

WHEREAS, changes to procedures are intended to update collection processes; and

WHEREAS, the intent of this action does not exempt customers from being responsible for payment of the full amount of their customer account balance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Castle Rock, Washington that Castle Rock Municipal Code, Section 13.06.080 and Section 13.06.100, are amended as follows:

Section 13.06.080 Combined billing due date – Delinquency – Notice of disconnection.

Combined billings for water, sewer and stormwater service will be mailed on a monthly basis and are due and payable 20 days after the date of the billing date ("due date"). As of the due date, any account with a remaining balance due will be considered delinquent and the following action will be taken:

A. On the twenty-fifth day following the billing date, a ~~\$10.00~~ rebilling fee charge as established by resolution of the city council shall be assessed to all delinquent accounts with balances exceeding \$11.00. In addition, a "delinquent account/shutoff notice" will be mailed to the person or persons billed for such service at the address shown in the city's billing records of the city's intent to discontinue service if payment is not made. Those customers having a residual balance of \$11.00 or less will not receive this notice; however, residual balances will be rebilled and are payable with the next monthly billing cycle. Government agencies are excluded from the delinquent collection process.

Exception: If the twenty-fifth day is on a weekend, or holiday, the delinquent account/shutoff notice will be processed on the next regular business day.

B. In the event that the occupant/customer is not the property owner, a copy of the delinquent account/shutoff notice will be mailed by first class mail to the property owner of record, or their agent. This will serve as the owner's notice of the city's intent to discontinue services due to nonpayment of the account. Verification of recorded property ownership will be through the Cowlitz County assessor's office.

C. If the customer disputes the amount due on the account, the customer shall have 10 days from the date of the delinquent account/shutoff notice within which to file a written request to have the account reviewed by the clerk-treasurer or the clerk-treasurer's designee. The request shall state the reasons why the customer believes the amount to be in error and shall provide any supporting evidence. Any customer seeking timely review of a utility bill in writing shall be heard before discontinuance of utility services. The decision of the clerk-treasurer or the clerk-treasurer's designee shall be final. Following the results of the appeal, if the customer owes the

city any money, the customer shall pay the amount due within the time ordered by the clerk-treasurer or the clerk-treasurer's designee. If the amount is not paid, utility service shall be discontinued.

D. As of the second Tuesday of the month following the delinquent account/shutoff notice, accounts that have a past-due balance greater than \$11.00, but less than or equal to \$50.00 will be charged a ~~\$10.00~~ delinquency administration fee as established by resolution of the city council. Accounts that have a past-due balance greater than \$50.00 will be charged a ~~\$25.00~~ disconnect/reconnect fee as established by resolution of the city council and services will be disconnected.

E. Customers disconnected for nonpayment and requesting reconnection of utility services after regular business hours will be assessed the cost of all city personnel overtime expenses incurred as a result of providing this service. Those costs, along with all other charges, must be paid prior to reconnection.

F. Disconnection of service will be considered a lien on the property in accordance with RCW 35.21.290. Disconnection for nonpayment shall not occur on a day preceding a weekend or holiday, or when it would not be practical to restore services on the following day.

Section 13.06.100 Collection – Bad check. In the event a utility bill is paid with a check that is returned for any of the following reasons: insufficient funds, uncollected funds, account closed, postdating, or other irregularity not the fault of the city, the following will occur:

A. ~~A \$15.00 returned check fee will be added to the account.~~ A returned check fee as established by resolution of the city council will be charged to the account.

B. ~~The customer will be sent a letter, certified mail, return receipt requested, notifying them of the returned check and the added returned check fee. This letter will also require full payment by cash, money order or cashier's check, within three calendar days of notification to the city by the Postal Service that the letter was delivered or that delivery was attempted. If payment is not received, as required, utility service will be disconnected and a \$10.00 disconnect fee will be assessed to the account balance. Service will not be restored until the account balance is paid in full and a \$15.00 reconnection charge is paid. The customer will be notified by telephone or by door hanger to redeem such check together with the returned check fee. Payment is due in cash, cashier's check or money order the business day following the issued date of notice. If payment is not received, as required, utility service will be disconnected and a disconnect fee as established by resolution of the city council will be assessed to the account balance. Service will not be restored until the account balance is paid in full, including a reconnect fee as established by resolution of the city council.~~

C. Customers disconnected for nonpayment and requesting reconnection of utility services after regular business hours will be assessed an additional ~~\$65.00~~ overtime reconnection fee as established by resolution of the city council, which must be paid, along with all other charges, prior to reconnection.

D. Discontinuation of service will be considered a lien on the property. Disconnection for nonpayment shall not occur on a day preceding a weekend or holiday, or when it would not be practical to restore service on the following day.

The effective date of this ordinance shall be August 1, 2022.

PASSED by the City Council and signed by the Mayor on this ____ day of _____, 2022.

Mayor Paul Helenberg

Attest:

Approved as to form:

Clerk-Treasurer

City Attorney

RESOLUTION NO. 2022-03

A RESOLUTION RELATING TO SETTING THE AMOUNT CHARGED FOR MISCELLANEOUS FEES FOR WATER
AND SEWER ACCOUNT CUSTOMERS

WHEREAS, pursuant to Chapter 13.06, of the Castle Rock Municipal Code, the City Council of the City of Castle Rock hereby enacts this resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Castle Rock, Washington as follows:

Section 1. Rebilling Fee. The rebilling fee is ten dollars (\$10.00).

Section 2. Delinquent Administration Fee. The delinquent administration fee is ten dollars (\$10.00).

Section 3. Disconnect/Reconnect Fee. The disconnect/reconnect fee is forty dollars (\$40.00), or twenty dollars (\$20.00) for each separate disconnection and reconnection.

Section 4. Returned Check Fee. The returned check fee is thirty-five dollars (\$35.00).

Section 5. Overtime Reconnection Fee on Delinquent Accounts. The overtime reconnection fee on delinquent accounts is one hundred twenty dollars (\$120.00).

BE IT FURTHER RESOLVED that the fee set forth shall be in effect as of August 1, 2022.

PASSED by the City Council and signed by the Mayor on this ____ day of _____, 2022.

Mayor

Attest:

Approved as to form:

City Clerk

City Attorney