

REGULAR CITY COUNCIL MEETING

November 12, 2008

A. Call to Order – Pledge of Allegiance Mayor Gainer called the Regular City Council meeting to order at 6:00 p.m.

B. Roll Call – Excused Absences Councilmembers present included Councilmember Mather, Councilmember Nixon, Councilmember Overhauser, Councilmember Huff, Councilmember Stockton, Councilmember Trulove, and Councilmember McKeenan. Staff members present included Ms. Fisher, Ms. Niemeier, Mr. Smith, Mr. Ault, Mr. Bollar, Mr. Johnson, Ms. Rodriguez, Mr. Jennings, Ms. MacDonald, Mr. Campbell, Mr. McClure, Mr. Simmons, Mr. Ableman, Mr. Winters, and Mr. Wahl.

C. Minutes of the Regular City Council meeting of October 28, 2008 were approved as distributed.

D. Claims and Vouchers nos. 96694 through 96816 in the amount of \$429,361.37, payroll warrants nos. 53443 through 53495 in the amount of \$30,479.39; direct deposits nos. 24372 through 24529 in the amount of \$239,715.88; claims warrants nos. 96485 and 96639 through 96668 in the amount of \$319,507.30; and transfers to claims clearing fund for distribution in the amount of -\$18,008.78 for a total payroll of \$571,693.79 were approved as read.

E. Claims for Damages None

F. Small Contracts Ms. Niemeier stated that the three small contracts are with Northwest Mailing for the postage machine, Pacific Software for installation of the i-series, and Inland Fence for the Golden Hills pocket park. Councilmember Overhauser moved for approval of the small contracts. Councilmember Trulove seconded. Councilmember Huff asked if the Golden Hills park is the city's property. Ms. Niemeier stated that it is. Councilmember Huff asked about the software. Ms. Niemeier stated that it is for installation and training for the new i-series. Councilmember Nixon asked if they put in a bid. Ms. Niemeier stated that they listed their hourly and after hours amount and they were averaged. Carried unanimously.

G. Information Items Jim Huttenmaier and Robin Toth, Greater Spokane Incorporated, provided an activity update for the third quarter of 2008. Mr. Huttenmaier stated that recruitment activities resulted in 210 new jobs. Economic development is a long term process. Cascade Aerospace is establishing a North American presence at the Spokane airport. It has taken eleven years for them to make a decision and for the project to come to fruition. Cheney will benefit because the employees like to live close to where they work. There have already been inquiries about Cheney, Medical Lake, and the surrounding outlying areas. A manufacturing firm has toured areas in Cheney. Ms. Toth stated that they worked on the planning process for the West Plains a couple years ago. The firm they selected is pulling together information on what can be done with properties in the West Plains. They anticipate having a report from them that has priority sites in the West Plains. It should be completed by the first quarter of next year. Mr. Huttenmaier stated that the high school dropout rate in Spokane County is 25-30 percent. They take an informational piece into the schools beginning in seventh grade to tell the students there are options available to them. The goal is to reach all 36,000 high school students by the end of 2009. They have visited with people in Cheney School District. They appreciate the strategic partnership they have established with the City of Cheney. They are looking forward to continuing the partnership. Ms. Rodriguez stated that this is the second of three summaries of the code amendments they are working on. The summary covers land use reviews and other types of reviews. They are standardizing the language and making sure everything has a purpose in Titles 21-23. The amendments are on the internet. The ordinance will be brought to the Council the first meeting in December. It has to be passed by December 25. They may ask for an extension if the state does not have enough time. Mayor Gainer proclaimed November 2008 as American Diabetes Month. Mayor Gainer proclaimed that the City of Cheney will continually recognize and support our country's service members and their families in peace, in crisis, and in war. Mr. Jennings stated that Mr. McClure has been named a Certified Building Official. There are only five people east of the Cascades and two in Spokane County that have the certification. Mayor Gainer stated that we are very lucky to have Mr. McClure working for the city. Ms. Fisher stated that she would like to postpone the employee introduction and the economic development presentation to December 9.

H. Appointments Mayor Gainer stated that he would like to appoint Carrie Kreilkamp and Jill Weiszmann and reappoint Kerry Pease to the Park Board. Councilmember Huff moved to approve the appointments. Councilmember McKeehan seconded. Carried unanimously.

Councilmember Overhauser moved to move Item 3 to Item 1. Councilmember McKeehan seconded. Carried unanimously.

I. Citizen Comments None

J. Action Items

1. 08-179 – Resolution D-553 – Pathways to Progress Contract Ms. Fisher stated that the extension of the Pathways contract has been lengthened and the amount of the appropriation has been reduced. That was done in light of the discussions at Council and at the committee level. We are having tough economic times, but she refuses to let that play out in Cheney. We have to develop partnerships with the stakeholders in the community. Everybody is an ambassador for Cheney. Pathways has been in a transition phase. She proposes with this contract that we put benchmarks in place. Cities compete for businesses, people, and dollars. It takes partnerships to fold that together to take Cheney to the next level. She and Mr. Jennings will work with Pathways to bring the deliverables back to the Council. She recommended passage of the contract. Mr. Jennings is vice president of the Pathways board and has a pivotal role. Mr. Jennings stated that the key concern is the accountability question and demonstrating a value to the city for their dollar. The plan is to outline the basics and then come back on a regular basis to show that they are achieving the basics. It is an organization in transition. He does not think it will be the same type of organization in a year that it is now. Councilmember Nixon stated that we give the money to EWU and we do not get anything in return. He feels that we are giving the money to the University and we have no control over it. That is what he has seen over the last couple of years. The annual budget is top heavy. If you gave \$15,000 to the Cheney Merchants Association you would get more from it. He thinks we should work together, but he has not seen the Pathways director since he has been on the Council. He feels that the money is going in the wrong direction. He thinks Pathways has some good use. He has explained the B&O tax to some businesses. They are willing to pay, but they do not want the money to go to EWU. He thinks we should spend the money wisely. Councilmember Huff stated that he thinks Pathways has done some good things. He would rather see the \$15,000 go to the directors of Pathways instead of EWU. He thinks for us to write a check to EWU is not the right way to go. Councilmember McKeehan stated that the \$15,000 is going to pay the director who is working for Cheney. One of his biggest disappointments in Cheney is the downtown. He is in favor of Pathways. Councilmember Nixon stated that if you put someone else in control of the money, it will be better spent. Councilmember Overhauser stated that she thought the Merchants Association came from the work of Pathways. Fred Pollard, Pathways, stated that a Main Street program is for the different facets of downtown. One facet was the development of a Merchants Association. That was started with Mayor Gainer, but it was not done directly under Pathways. Councilmember Trulove stated that there are three issues that he sees. Two issues are that there is concern that the money will pay for a faculty member's salary at EWU and whether we are getting a fourth of that person's time. The third issue is that we have never had a set of short term goals or benchmarks and a way to link achievements to budget decisions. We need to be able to measure what is accomplished. Ms. Fisher stated that that is what she and Mr. Jennings will do. Fred Hurand, EWU Planning Department, stated that the Pathways board has always been the driving force. The financial contribution by EWU has been substantially more than the other participants. The director funding has mostly come from EWU to provide assistance to the City. Much of the work that was done by the students came out of the other departments. He cannot guarantee that there will be students to buy things at businesses, but there has been a lot of effort by the students to look at marketing. There has been a huge contribution on the University's part. Councilmember Overhauser moved for approval of Resolution D-553. Councilmember McKeehan seconded. Councilmember Mather stated that her first concern is that everyone keeps talking about downtown, but the people that pay taxes are not just downtown. She wants to make sure that it is fair to everyone in Cheney. All areas of town need attention. The second concern is that she had heard that the director has not attended the last couple meetings. That person needs to be present at the meetings. Councilmember Nixon asked if the money for the B&O tax has to go to EWU. Mr. Hurand stated that he has not followed the progress on that. The money goes to EWU, but the board is the one that manages the funds. Councilmember Overhauser stated that it has to do with the nonprofit status. Mr. Pollard stated that the director is present at all of the board meetings and some of the committee meetings. He is not present at the council meetings, but that can be addressed. The B&O tax is the only vehicle allowed for any Main Street Program in the state to collect funds. The funds have to be

used for downtown. Councilmember McKeehan stated that he thinks the vitality of the downtown is an asset to the entire city. If we have a vibrant downtown, it will bring people to town. Councilmember Trulove stated that the idea of benchmarking is an idea that he has not heard before. We need to know what the benchmarks are fairly quickly. We need to be assured that EWU is putting in as much as we are and that the person is available when we need them. The effort has to look beyond just downtown. It makes more sense to have benchmarks. There is community misunderstanding about the program because people do not know what they are doing and what has been accomplished. Councilmember Nixon questioned if he can vote since he is on the board of Pathways. Mr. Smith stated that he can as long as he has disclosed that he is on the board. Carried with Councilmember Huff and Councilmember Nixon voting nay.

2. 08-183 – 2009 Budget – Public Hearing – Fire and Parks and Recreation Mayor Gainer opened the public hearing at 6:59 p.m. Ms. Niemeier stated that this is the third of four public hearings. No action is required. Mr. Winters stated that the first priority of the Fire Department is to provide a highly trained force to serve the citizens of Cheney. We have to train them to national standards. We have never put a lot of value on that. The discretionary items include a laptop for the medic truck, an upgrade to facilities, two PDT terminals to go in three vehicles, money for personal protective equipment and uniforms, and funding for training courses. Mr. Simmons stated that their goals are to merge parks services with recreation, acquire a shuttle bus, and develop a funding strategy for the fifty acre park. The full park master plan will be brought to Council on December 9th. The discretionary items include an increase in parks maintenance staff, a new mower, and a shuttle bus. Councilmember Huff asked if the lifeguards are trained to do chemicals. Mr. Simmons stated that they can do some of the basic stuff. They primarily test the water and add chlorine if it is low. He will check to see if they can do more. Mayor Gainer closed the public hearing at 7:15 p.m.

3. 08-178 – Resolution D-551 – Cheney Booster Stations Two and Three Upgrade Project – Consultant Agreement Mr. Ableman stated that they are trying to achieve 1500 GPM through a three pump series. They are looking at taking one pump and turning it into a variable frequency drive. With the variable frequency drive, they will be able to maintain the top level in the high zone tank. The telemetry will be tied back to the SCADA system. Councilmember Trulove moved for passage of Resolution D-551. Councilmember Stockton seconded. Carried unanimously.

4. 08-180 – Resolution D-554 – AFSCME C Contract Ms. Fisher stated that Ms. Showalter is ill. The changes include an additional personal leave day. They have the lowest leave days of all the other represented groups. There is an MOU that the city will pay for CDL physicals. They run \$100 or less. There are eight or nine employees that need those physicals. Most cities and entities pay for the employees to have the physicals. This proposes a 5.4% increase. That is CPI. In 2010, we are proposing 100% of CPI with a 2.5% minimum and a 4.5% maximum. The employer rights were upgraded throughout the contract. This bargaining unit also agreed to contribute 15% toward medical benefits. Councilmember Huff moved to approve Resolution D-554. Councilmember McKeehan seconded. Councilmember Trulove stated that we are being very generous with holidays and benefits given the change in economic circumstances. He hopes the employees recognize it. A lot of employees are not getting raises and are just hoping to keep their jobs. Carried unanimously.

5. 08-181 – Resolution D-555 – AFSCME S 2009-2010 Contract Ms. Fisher stated that these are the management employees in Public Works. There are very little changes. Employer rights were changed in all contracts. They agreed to contribute 15% to their medical benefits. The wage increase is 5.4% in conjunction with CPI. In 2010, there will be a 2.5% minimum and 4.5% maximum. There is an MOU attached. It gives the Wastewater Treatment supervisors a \$450 per month stipend during the WWTP expansion. They will also be considered exempt employees during that time. That saves us in overtime costs. The Finance Committee approved a change order that saved well over \$50,000 for the plant expansion. Councilmember Huff moved for approval of Resolution D-555 and the MOU. Councilmember McKeehan seconded. Carried unanimously.

6. 08-182 – Resolution D-556 – Police Guild Contract 2008-2009 Ms. Fisher stated that this took a long time. The officers have worked without a contract for the past two years. Employer and employee rights were changed in this contract. Hours of work took a considerable amount of time on both sides. A comparative salary study was done. For 2009, the salary increase is CPI plus 1.5%. Beginning January 1, 2008, the field training officer will receive 3% premium pay while training. They also agreed to pay 15% of the medical premiums. Councilmember Huff moved for approval of Resolution D-556. Councilmember Nixon seconded.

Councilmember Nixon questioned if we can afford this. Ms. Fisher stated that we can. It has been reviewed with Ms. Niemeier. Carried with Councilmember Mather abstaining.

7. 08-173 – Ordinance U-93 – 2009 Budget Ordinance Ms. Niemeier stated that some of the items in the letter from the Mayor and City Administrator were not included in the budget. That adds \$39,000 to the general fund and \$11,000 to Parks and Recreation. It brings the total to \$31,684,200. If the Council would like to adjust something they should contact Ms. Fisher. Councilmember Huff stated that when we had the meeting on October 7, we had \$605,000 in discretionary items. Two weeks ago he received a letter from the Mayor and last week he received the same letter from the Mayor with attachments. He asked how much money we had for discretionary items. He thought it was \$650,000. Ms. Niemeier stated that it was and there was some added. As of December 5, the departments are no longer spending money. Cash carryover will be used. If we add these items, we will be closer to \$800,000. She does not think we will really spend \$800,000. There will probably be more cash carryover. In the general fund, we should have about \$3 million to carryover. Councilmember Trulove stated that sales tax revenue is way lower than expected in the state. Ms. Niemeier stated that we will meet our budget just fine this year because we budgeted for lower revenue. Councilmember Huff moved for the second reading of Ordinance U-93 in title and summary form only. Councilmember McKeehan seconded. Carried unanimously. Councilmember Huff moved to defer this to the next meeting. Councilmember Stockton seconded. Councilmember Trulove asked if they can discuss the budget more at the next meeting. Ms. Fisher stated that she will send out an email to the councilmembers to meet with them. Councilmember Trulove stated that if they are going to have final passage at the next meeting, they should be able to discuss the department budgets individually. Carried unanimously.

K. Council Reports Councilmember Mather attended the Park Board meeting. She stated that she is glad to see there are new people on the board. Councilmember Stockton stated that he echoes the sentiment that we should honor our veterans and their families and those who are serving our country. Councilmember McKeehan attended the town hall meeting with the Mayor and department heads.

L. Staff Reports Ms. Fisher stated that she has been busy. She went to the open house for the changes in the nuisance ordinance. She attended the town hall meeting. She and the other stakeholders will meet with EWU to discuss student conduct in the community. All Cheney School District water meters have been changed. The meters in the parks are being changed. We have changed about fifty residential meters. We repaired a sizable leak at Nolan Brown and N 3rd Street. The Water Division is reading their own meters. She is pleased with the progress. We have made considerable strides. Councilmember Huff asked about the report from Art O’Neil. Ms. Fisher stated that she should be getting that any day now. Councilmember Nixon asked if we have gotten any money from banners. Ms. Fisher stated that we have not. Councilmember Nixon asked if we get any money for advertising on bus benches. Mr. Jennings stated that they are not regulated. Councilmember Overhauser stated that the City of Spokane is eliminating paid advertising on the benches.

M. Mayor’s Report None

N. Executive Session None

O. Adjournment Councilmember Huff moved to adjourn the meeting. Councilmember McKeehan seconded. Carried unanimously. The meeting was adjourned at 7:41 p.m.

City Clerk

Mayor