

REGULAR CITY COUNCIL MEETING
December 23, 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, and Councilmember Trulove. Staff members present included Ms. Niemeier, Mr. Schwartz, Mr. Jennings, Mr. Sale, Mr. Simmons, Mr. Ableman, Mr. Noland, Mr. Winters, Mr. Lesser, Mr. Steiner, and Ms. Showalter. Councilmember McKeehan was excused.

Mayor Gainer apologized for the long agenda. There is business that needs to be taken care of.

C. Minutes of the Regular City Council meeting of December 9, 2008 were approved as distributed.

D. Claims and Vouchers nos. 97108 and 97121 through 97237 in the amount of \$214,983.64 were approved as read.

E. Claims for Damages None

F. Small Contracts Ms. Niemeier stated that there are two small contracts. The first is with Real Vision Software for annual software support for \$3,000. The second is with IBM to prepare the i-series for return for \$437. Councilmember Overhauser stated that the IBM contract has already been signed and she moved to approve the small contracts. Councilmember Stockton seconded. Carried unanimously.

G. Information Items Mr. Winters stated that Matt Jung has been a resident for two years. He recently got a job with Valley Regional Fire Authority in Auburn, Washington. He thanked Mr. Jung for his service to the City of Cheney. Mr. Noland stated that we have been approached by Cheney School District about our excess fiber. We only have two of the fibers lit. We have a large capacity of dark fiber that we are not using. The Cheney School District has all of their schools except Windsor Elementary on their own network. Our fiber goes by Windsor. CenturyTel has indicated that they would build the last mile and lease dark fiber from us. CenturyTel would then give the School District a rate that would save them money over a T-1 line. It would provide revenue for us and CenturyTel. He would like to do a cost study for leasing the dark fiber with the Council's consent. There are other parties that have contacted us that are interested in leasing some of the other fiber. Councilmember Huff asked why we do not do this ourselves instead of involving CenturyTel. Mr. Noland stated that we would have to provide the equipment to light it and technicians. We would probably have to have someone on staff, but we could explore that to see what the cost would be. The part that might be hard is the last mile. He does not know if it is our jurisdiction to build that. Councilmember Trulove stated that there are a lot of restrictions on utilities doing fiber. Mr. Noland stated that we could light it, but we could not provide any content. Councilmember Huff asked about the light poles. Mr. Noland stated that we are currently paying rent to Inland Power and Avista for use of their poles to get the fiber to the freeway. EWU originally paid for the installation of the fiber. We pay for the maintenance and the pole attachment fees until that dollar amount is equal to EWU's investment. After that we will split the costs. Councilmember Huff stated that he thinks we should do it ourselves if it does not cost too much. He would like to keep all of the profit if it is possible.

H. Appointments None

I. Citizen Comments None

J. Action Items

1. 08-204 – Ordinance U-101 – Extending Interim Zoning Controls Mayor Gainer opened the public hearing at 6:11 p.m. Mr. Jennings stated that interim zoning controls were adopted in June. The re-write of the code is complete. It still needs to be taken before the Planning Commission. We had 180 days to complete this, but we did not make it. Another 180 days would be more than enough to complete the process. Councilmember Huff stated that he thought we had two readings already. Mr. Jennings stated that they were

just information items. Mayor Gainer closed the public hearing at 6:14 p.m. Councilmember Huff moved for the first reading of Ordinance U-101 in title and summary form only, that reading considered the second and third, and placed before Council for final passage. Councilmember Stockton seconded. Carried unanimously. Yes votes: Councilmember Mather, Councilmember Nixon, Councilmember Overhauser, Councilmember Huff, Councilmember Stockton, Councilmember Trulove. Ordinance U-101 passed.

2. 08-188 – Resolution D-560 – 2009 IAFF Contract Ms. Showalter stated that this is a one year contract primarily for cleaning up the language. We provided language that leaves this open to discuss medical comparables and incentive pay. The new parts of this contract include light duty language, a management bill of rights, clothing allowance, and it provides 100% of CPI. Councilmember Huff moved for approval of Resolution D-560. Councilmember Stockton seconded. Councilmember Huff stated that he would like more than a one year contract. Ms. Showalter stated that this year we had three one year contracts because we had short contracts during our interim city administrator period. These will all be open again next year and we can go back to three year contracts. Otherwise all of the contracts would have been open in the same year. Carried unanimously.

3. 08-208 – Resolution D-570 – Street Division Dump Truck 2009 Purchase Mr. Ableman stated that he would like to use the interlocal agreement for purchasing with the City of Spokane instead of a formal bid process. We can start the bid process by January 5. Councilmember Huff moved to approve Resolution D-570. Councilmember Overhauser seconded. Councilmember Nixon asked what the cost of the truck is. Mr. Ableman stated that it will be approximately \$130,000. Carried unanimously.

4. 08-209 – Resolution D-571 – Well 8 Declaration of Covenant Mr. Ableman stated that this is housekeeping for part of the permitting process for the Department of Ecology. It states that we will not do anything on the property within 100 feet of the well. Councilmember Huff moved to approve Resolution D-571. Councilmember Trulove seconded. Carried unanimously.

5. 08-206 – Ordinance U-103 – 2009 Salary Ordinance Ms. Showalter stated that this includes all of the salaries that have been approved in the budget and through contract negotiations. It needs to be approved so that it is in effect when we begin work on January 2. She provided a new page two because she inadvertently left the Senior Planner off the original. Councilmember Huff moved for the first reading of Ordinance U-103 in title and summary form only, that reading considered the second and third, and placed before Council for final passage. Councilmember Overhauser seconded. Carried unanimously. Yes votes: Councilmember Mather, Councilmember Nixon, Councilmember Overhauser, Councilmember Huff, Councilmember Stockton, Councilmember Trulove. Ordinance U-103 passed.

6. 08-207 – Ordinance U-104 – Final 2008 Budget Amendment Ms. Niemeier stated that this is the final budget amendment. There are four funds that are very close to the limit. They are Criminal Justice, Parks and Recreation, Contributions and Donations, and Mechanical Shop. The amendments are very small. Councilmember Huff moved for the first reading of Ordinance U-104 in title and summary form only, that reading considered the second and third, and placed before Council for final passage. Councilmember Overhauser seconded. Carried unanimously. Yes votes: Councilmember Mather, Councilmember Nixon, Councilmember Overhauser, Councilmember Huff, Councilmember Stockton, Councilmember Trulove. Ordinance U-104 passed.

K. Council Reports Councilmember Mather attended the Public Works and Utilities meeting where they discussed the fiber rental to Windsor Elementary. She thinks it should be looked into as something that might be out of our scope as far as what we should be trying to take on. Councilmember Huff attended the Public Safety meeting where they discussed golf carts. Councilmember Trulove wished everyone a Merry Christmas.

L. Staff Reports None

M. Mayor's Report Mayor Gainer stated that he has been working with Mr. Ableman to try to get some of the wish funding that President-Elect Obama is putting through for next year. They have been working on that with the SRTC board. He wished everyone Happy Holidays. He asked everyone to be patient with the snow removal crew. They are out there working and taking it one piece at a time. He commended the work they have done.

N. Executive Session None

O. Adjournment Councilmember Trulove moved to adjourn the meeting. Councilmember Mather seconded. Carried unanimously. The meeting was adjourned at 6:25 p.m.

City Clerk

Mayor