

## REGULAR CITY COUNCIL MEETING

January 26, 2010

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

**B. Roll Call – Excused Absences** Councilmembers present included Councilmember Overhauser, Councilmember Nixon, Councilmember Mather, Councilmember Pollard, Councilmember Stockton, Councilmember Webster, and Councilmember McKeegan. Staff members present included Ms. Fisher, Ms. Niemeier, Mr. Smith, Mr. Jennings, Ms. MacDonald, Mr. Sale, Mr. Simmons, Mr. Ableman, Mr. Noland, Mr. Winters, Ms. Cooper, Ms. Gaffney, Mr. Campbell, Mr. Reinbold, Mr. Stern, Mr. Helm, and Mr. Schuller.

**C. Minutes** of the Regular City Council meeting of January 12, 2010 were approved as distributed.

**D. Claims and Vouchers** nos. 102021 through 102077 in the amount of \$143,242.80 for 2009 and 101996 through 102000 and 102095 through 102202 in the amount of \$1,162,122.02 for 2010 were approved as read.

**E. Claims for Damages** None

**F. Small Contracts** Ms. Niemeier stated that the small contracts are with ArborPro Lawn & Tree Care for Police Department landscaping maintenance in the amount of \$2,515.86 and ServiceMaster of the Valley for Police Department janitorial in the amount of \$8,708.16. Councilmember Overhauser moved to approve the small contracts. Councilmember Stockton seconded. Carried unanimously.

**G. Information Items** Mr. Noland stated that the change order for the Utility Building remodel is for carpet padding, door hardware, a drain at the door, and a trash receptacle. The amount of the change order is \$4,266.49. We have used less than \$5,000 of the contingency. The total cost of the project is approximately \$471,000 to date. Mr. Jennings provided an update on the Cheney Commerce and Industrial Park. The platting with Taylor Engineering is almost finished. That should be completed a week from Friday. The wetland is underway. They have been working with Allpak Trojan on marketing. He introduced Scott Person and Earl Engle from NAI Black. Mr. Engle stated that they prepared a marketing flyer. They are just waiting for the prices of each particular lot. The price range was agreed upon with Allpak. Marketing materials will be sent out electronically to all commercial real estate agencies throughout the area. They will also be sent to all NAI agents throughout the US. Mr. Person stated that they have identified 64 industry specific contacts they think would be ideal for the park. They will do a direct mailing to them. Councilmember Webster asked if they have offices in Canada and if it will be marketed there. Mr. Person stated that they do have offices there and it will be marketed. Councilmember Pollard asked about the top five of the 64 targets. Mr. Person stated that all 64 are good candidates. Mr. Engle stated that they will contact developers personally to see if we can get someone to build a spec building. Mr. Jennings stated that Allpak Trojan is also looking into their supply chains and partners to see if there is interest in the property. Greater Spokane leads are followed up on if they meet the criteria we are looking for. Councilmember Webster asked if the prices are comparable to other business parks in the area. Mr. Engle stated that there are some that are slightly lower. Mr. Ableman stated that the solid waste employees have a lot of experience. He introduced Tom Stern, Harlan Helm, and Tim Reinbold. Mr. Stern will be doing the residential collection. Mr. Helm has past experience with commercial dumpsters. Mr. Reinbold has been trained in roll-off operation. He is a certified diesel mechanic. All three will be cross trained. Mr. Reinbold will learn the mechanics of the vehicles.

**H. Appointments** Mayor Trulove stated that he would like to appoint the following people to the Youth Commission: Chelsea Netz, Kinsey Pease, Eli Petropoulos, Logan Pratt, and Marlena Hamilton. Councilmember McKeegan moved to approve the appointments. Councilmember Pollard seconded. Carried unanimously. Mayor Trulove stated that he would like to appoint Keith Fauerso to the Planning Commission. Councilmember Overhauser moved to approve the appointment. Councilmember Nixon seconded. Carried unanimously. Mayor Trulove stated that he would like to appoint Ann Heehn to the Historic Preservation Commission. Councilmember McKeegan moved to approve the appointment. Councilmember Overhauser seconded. Carried unanimously. Mayor Trulove stated that Councilmember Overhauser is our representative on the Growth Management Steering Committee. There was a question of whether he could serve as the alternate. Mr. Schwartz did some research and feels it is okay. Councilmember Mather moved to appoint

Mayor Trulove as the alternate. Councilmember Webster seconded. Carried unanimously. Mayor Trulove stated that Councilmember Nixon is the chair of the solid waste committee. We are well served. Mayor Trulove presented the council committees. The chairs were picked based upon their experience. He anticipates having staff check with the chairs to make sure the agendas are complete and we are doing what we want to have done. We still need to set times based upon availability of councilmembers. Ms. Fisher stated that she will contact councilmembers to see when they are available.

#### **I. Citizen Comments** None

#### **J. Action Items**

**1. 10-009 – Resolution D-763 – Non-Discrimination Policy** Mr. Simmons stated that the legislature enacted Senate Bill 5967 to better ensure non-discrimination in parks programs. We have to adopt a non-discrimination policy, publish it, and make sure third parties follow the policy and do not discriminate. We also have to publish his name as the person implementing and enforcing the policy. Councilmember Overhauser asked if this is gender based. Mr. Simmons stated that it was initiated due to an issue in another community where a girls' softball group was discriminated against. We already follow the policy. This is a formality. Councilmember Overhauser moved for passage of Resolution D-763. Councilmember Webster seconded. Carried unanimously.

**2. 10-010 – Resolution D-764 – Northwest Intergovernmental Energy Supply (NIES) Tier Two Market Power Purchase Guarantee** Mayor Trulove stated that we joined the group that was organized by NIES to help supply power beyond what Bonneville is going to supply us. Mr. Noland stated that BPA will begin implementing tiered rates in October 2011. Any electricity needed above that will have to be supplied by tier two power. We signed a load commitment agreement when we joined NIES. We are creating a contract right that a power seller can come after a member of NIES. We hope to have power supplied and then pay for it rather than paying for it first. Our debt limit should be no more than our annual estimated power purchases. BPA extends us credit in the same manner. We know how much power we will need, but we do not know what the cost will be. We are estimating that the monthly obligation will be \$6,000-9,000 per month. The next year it should double. This does not increase our liability or obligation. Mayor Trulove stated that one of the reasons for the LLC to jump into the market quickly is that one of the power plants in Oregon might be closing earlier than scheduled. We are hoping to tie up a long term contract at a more favorable rate than what will be available once that plant is offline. Councilmember Pollard asked what the savings will be over a period of time. Mr. Noland stated that how much we will save will be the difference between what we would pay BPA and what we pay a tier two provider. It is too early to tell. This will not impact our rates immediately. It will begin to affect our rates as we continue to grow. Mr. Noland stated that we are hoping that they will extend up to \$10 million of unsecured credit. This is just a tool to try to get the best purchase price we can at this time. Councilmember Stockton moved for approval of Resolution D-764. Councilmember Webster seconded. Carried unanimously.

**3. 10-011 – Resolution D-765 – BNSF/UPRR Pedestrian Crossing Improvement Project – Project Prospectus and Local Agency Agreement** Mr. Ableman stated that Ms. Fisher brought a transportation improvement amendment to the last meeting. This is the DOT agreement. One is for the project prospectus which outlays what we are planning to do and the other is the local agency agreement which lays down the funding. SRTC has \$106,000 of eligible monies. The railroad has to install these devices. He worked with both railroads to come up with a plan. This is combined with the Cheney-Spangle Road project. The City usually pays 13.5% for federally funded projects. We are still within that. Councilmember Webster asked what the time frame is for funding. There may be other projects that qualify for federal funding. Mr. Ableman stated that we work through SRTC. This is money left over from other projects. The money has to be obligated by February 22. There are more projects that are being bid. If they come in under, there may be more money to filter down. Councilmember Webster asked if this is a shovel ready project. Mr. Ableman stated that it is. Mayor Trulove stated that this is an augmentation of other money. Councilmember Webster moved to approve Resolution D-765. Councilmember Nixon seconded. Carried unanimously.

**4. 10-012 – Resolution D-766 – BNSF Grade Crossing Construction and Maintenance Agreement** Mr. Ableman stated that the railroad will be constructing the panels. They will put three panels in place. They already relocated the signal. The gates will be extended to match up with two lane traffic. There will be a

more narrow travel lane. They worked with the railroad to get design approved. Councilmember McKeehan moved for approval of Resolution D-766. Councilmember Webster seconded. Carried unanimously.

**5. 10-013 – Resolution D-767 – UPRR Public Road Crossing Agreement** Mr. Ableman stated that this is similar to the last item. There is just one crossing. It is the same design as BNSF. Both agreements have city and contractor entry agreements. That allows the contractor to make sidewalk connections. Councilmember Webster moved for approval of Resolution D-767. Councilmember Stockton seconded. Carried unanimously.

**K. Council Reports** Councilmember Overhauser stated that the West Plains Chamber of Commerce Best of the West is February 11. Some of the other councils have their entire groups there. She invited the other councilmembers to attend. She will host the table, but they cannot discuss city business. Councilmember Mather stated that she neglected to thank Councilmember Huff and Mayor Gainer for their time and service to the City.

**L. Staff Reports** Mr. Sale stated that they applied for WASPC accreditation. There are 140 standards which include state and federal laws and best practices. The inspection team looks at policies for proof of compliance. We just went through the accreditation inspection and we passed all 140 standards that were set. There are only five agencies in the state that passed the first time and we are one of them. Mr. Campbell took four months to get the materials ready. It usually takes a year. The accreditation committee will review our inspection and we will be recognized in April at the spring conference. Mr. Jennings stated that there is a short course offered by the Department of Commerce on land use planning. It would be good for newly elected members to get an introduction on the legal guidelines. It will be held on February 10 at CenterPlace in Spokane Valley. This is a state sponsored and paid for event. It may not be offered again for a while. Mr. Smith stated that we might be able to have one in Cheney. Mr. Ableman stated that the solid waste truck will be here Monday. Mr. Reinbold will be trained during the first part of the week. We hope to roll out the garbage carts the week of February 8. They will deliver the carts as the garbage is picked up. Councilmember Webster asked if it will be two carts per household. Mr. Ableman stated that it will be one size based upon what was requested. Mayor Trulove stated that we will continue to help the residents that we currently help.

**M. Mayor's Report** Mayor Trulove stated that he is working on meshing his schedules. He appreciates everyone keeping in touch. He is working on getting an updated telephone list out. That should happen in the next week. They are working on Wren Pierson issues and economic development.

**N. Executive Session** Mayor Trulove recessed the meeting at 7:02 p.m. for executive session as per RCW 42.30.110 regarding litigation. It will last ten minutes with no action to follow. He asked Mr. Schuller and Mr. Smith to stay. Mayor Trulove reconvened the meeting at 7:14 p.m.

**O. Adjournment** Councilmember McKeehan moved to adjourn the meeting. Councilmember Mather seconded. Carried unanimously. The meeting was adjourned at 7:14 p.m.

---

City Clerk

---

Mayor