

REGULAR CITY COUNCIL MEETING

November 14, 2006

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 Harris, Councilmember Rast, Councilmember Overhauser, Councilmember Huff, Councilmember Stockton, Councilmember Trulove, and Councilmember McKeehan. Staff members present included Ms. Niemeier, Mr. Maggs, Mr. McClure, Mr. Richardson, Mr. Montague, Mr. MacDonald, Ms. MacDonald, Mr. Sale, Mr. Simmons, Mr. Ableman, Ms. Cooper, Mr. Wahl, Mr. Winters, Mr. Hartford, Mr. McCulloch, Mr. Taylor, Mr. Bailey, Ms. Montiel, Mr. Conley, and Ms. Showalter.

C. Minutes of the Regular City Council meeting of October 24, 2006 were approved as distributed.

D. Claims and Vouchers nos. 88155 through 88302 in the amount of \$399,434.70; payroll warrants nos. 52087 through 52120 in the amount of \$22,774.34; direct deposits nos. 20636 through 20782 in the amount of \$213,452.20; claims warrants nos. 87993 and 88109 through 88139 in the amount of \$267,338.33; and transfers to claims clearing fund for distribution in the amount of \$-17,786.37 for a total payroll of \$485,778.50 were approved as read.

E. Claims for Damages None

F. Small Contracts None

G. Information Items Ms. Niemeier explained the budget process. Mayor Gainer stated that the budget process is complex and he asked Ms. Niemeier to explain it. Mr. Simmons stated that Jeremy McCulloch's last day is Friday. He has been instrumental in rebuilding the Recreation Department. There will be a going away party for him on Friday from 5 p.m. to 7 p.m. at the Basement. He presented Mr. McCulloch with a plaque. Mr. McCulloch thanked everyone for the opportunity.

H. Appointments Mayor Gainer stated that he would like confirmation of the appointment of Charles Mutschler to the Historic Preservation Commission to fill the unexpired term of Marty Seedorf. Councilmember Huff moved to approve the appointment. Councilmember Overhauser seconded. Carried unanimously.

I. Citizen Comments Fred Bozanich, 727 Salnave, stated that we have a problem with dirty water in town. Mr. MacDonald stated that we are flushing the fire hydrants to help. The colored water is due to sedimentation in the mains. We would be happy to flush that area again. Mr. Bozanich stated that the water is not drinkable. The city needs to take a serious look at it. He stated that the Mayor promised during his campaign that he would take care of this issue and it has not been taken care of. We need to find the money to fix this. Hazel Newkirk, 202 Gregory Pl, urged the Council to look carefully at the law enforcement presentation tonight. We need more police officers. We need to make a commitment for safety in this town. A large percentage of the Caldwell addition is in favor of the police proposal.

J. Action Items

1. 06-186 – 2007 Budget – Public Hearing – Public Safety Funds Ms. Niemeier stated that Court, Police and Fire budgets will be presented. Mayor Gainer opened the public hearing at 6:12 p.m. Ms. Cooper stated that the Court's job is to make sure the charges are just and fair and that the punishment is appropriate. This is a court of limited jurisdiction. Felony matters are handled in Superior Court. She presented the Court budget. Councilmember Huff asked about the increase in salaries and wages. Ms. Cooper stated that she will be taking over for Pat Warnick this year and the increase also includes Molly Davidson moving to 80%. Councilmember Overhauser thanked Ms. Cooper for projecting the budget out. She stated that the kids that are at the Recycling Facility are incredibly well managed. Mr. Sale stated that there have been no major changes to what is in the budget worksheets. There is approximately a 4% increase. Councilmember Huff asked how he came up with the budget. Mr. Sale stated that they submit supplemental requests to the Mayor's Office and some items are granted and some are not. He looked through the budget and revenue sources. He

stated that the number one priority for the Police Department is personnel. We have the same number of officers today as we had in 1995. The Comprehensive Plan calls for a ratio of 1.48 officers per 1,000 population. We have never reached that. On average we have had approximately 305 calls per year for the last three years that we cannot get a second officer to the scene when one is required. He asked to hire a new officer in March 2007 and October 2007. He stated that we have six marked patrol cars and two administrative cars. They are currently budgeted for one car. He would like to purchase two additional cars at a cost of \$52,000. He asked for a budget adjustment of \$115,000 for the cars and the officers. Councilmember Trulove asked about a vehicle replacement plan. Mr. Sale stated that he has submitted one but he has never gotten more than one car per year. Councilmember Trulove stated that he would like to have a vehicle replacement plan. He also stated that if we hire more officers the salary costs would be there in future years. He questioned if we could work with EWU so that we have coverage and backup. Mr. Sale stated that EWU officers have no authority in the City unless requested by us. Councilmember Huff stated that this was discussed at the Public Safety Committee meeting and they agreed that we need to do something. Councilmember Overhauser stated that we need to see the capital plan for the car replacement. Discussion followed. Councilmember Huff stated that he thinks this is a priority and we should move \$115,000 from other budgets to the Police budget. Councilmember Huff moved to move \$115,000 to the Police budget to take care of these priorities. Councilmember Overhauser seconded. Councilmember Overhauser stated that she has been gone and missed some things. She thought that any changes to the budget as presented by all of the departments would be reviewed and decided upon together and not separately. Councilmember Trulove stated that he thinks it is unnecessary to make that kind of move. There are monies in reserve that we can use if we decide to do this. We do not have enough information to make this kind of decision. He is not sure we need to augment the Police Department budget yet. He agrees that we need to look at everything together. He would like to see a tighter plan before we move anything. He thinks we have to be exceptionally careful about adding personnel to departments. Discussion followed. Councilmember Huff stated that he thinks the money should come from the community development employee and the secretary. Councilmember McKeehan stated that it makes more sense to have all the changes at once. We do not have to decide now that we want to take the money from somewhere else. Councilmember Huff withdrew his motion. Councilmember Overhauser withdrew her second. Kathy Fleming, 215 Gregory Dr, stated that according to information provided by the State Office of Financial Management each April, we have had an increase of 1,890 people since April 1, 1995 yet we still have the same number of police officers. We need more officers because we are not just dealing with Cheney anymore. David McKay, 3513 Thistle Creek, spoke on behalf of the Police Department. He stated that he knows that we have to have a balance of police officers. He feels that they need the vehicles and manpower to keep going as the City expands. Nate Conley, Patrol Officer, stated that he has been here for just under a year and a half. He went through the log of calls since he started. He found forty-five calls where he responded and needed a backup or he responded alone. He has had occasions where he is required to take people to Spokane and he is the only officer on duty. David Bailey, Police Officer, stated that he supports what Mr. Conley said. The backups from EWU take longer to respond. He thinks things need to be addressed. Councilmember Trulove stated that he wants to have a projected cost for 2008. Mr. Winters presented the Fire Department budget. He asked for \$55,000 in overtime funding, \$65,900 for dispatch services, \$17,000 for defibrillator replacement, and \$38,000 for chassis replacement on B1. There will also be the need for additional personnel in 2007. Councilmember Huff asked why we do not do dispatch through our Police Department. Mr. Montague stated that historically combined police-fire dispatch does not work. The needs and missions are different. There is also a sizeable cost to get out of the contract. Mr. Hartford stated that we are paying for coordination of a huge pool of resources. Mayor Gainer closed the public hearing at 7:12 p.m.

Councilmember Overhauser moved to move item 7 to the next agenda item. Councilmember Trulove seconded. Carried unanimously.

2. 06-185 – Resolution D-215 – Vacation of Easement for Cheney Care Center Mr. Richardson stated that the street plan called for this easement at the time. We do not need it. Councilmember McKeehan moved for approval of Resolution D-215. Councilmember Stockton seconded. Councilmember Trulove stated that he is on the Board of the Cheney Care Center and will abstain. Ms. Niemeier stated that the updated resolution sets a public hearing date for November 28. Carried with Councilmember Trulove abstaining.

3. 06-164 – Resolution D-199 – Water/Wastewater SCADA Technical Support – Applied Solutions Mr. MacDonald stated that Applied Solutions was determined to be the most qualified based on the RFQ. We currently do not have anyone to provide day to day troubleshooting. This will be paid from savings in Water

and Wastewater. Approximately 80 hours of support services are budgeted next year. Councilmember Huff moved for passage of Resolution D-199. Councilmember Rast seconded. Carried unanimously.

4. 06-170 – Resolution D-203 – MOU for Use of Medical Lake PD Firing Range Mr. Sale stated that this is an annual renewal to use the Medical Lake firing range if we need to. There is a fee if we use it and we have not used it for two years. Councilmember Overhauser moved to approve Resolution D-203. Councilmember Huff seconded. Carried unanimously.

5. 06-179 – Resolution D-209 – Contract with Peterson Electric for EWU Rec Center Mr. Richardson stated that the contractor was selected by EWU. The work is already done. EWU will reimburse us for this. Councilmember Huff moved to approve Resolution D-209. Councilmember Rast seconded. Councilmember Overhauser asked if there were bargaining issues with the City crew. Mr. Richardson stated that there were not. Carried unanimously.

6. 06-184 – Resolution D-211 – Assigning Agents to Receive Claims Ms. Niemeier stated that this will update Resolution C-744. It names herself and Laurie Hale, Deputy City Clerk, as the individuals who can accept claims. Councilmember Huff moved to approve Resolution D-211. Councilmember Stockton seconded. Carried unanimously.

7. 06-183 – Resolution D-214 – Salnave Restroom and Shelter Roof Repair Project – Contract Award Mr. MacDonald stated that Kodiak Roofing submitted the lowest of the written quotes. This is a budgeted item. Councilmember Huff moved to approve Resolution D-214. Councilmember Overhauser seconded. Hazel Newkirk, 202 Gregory Pl, asked if this is for the roof only. Mr. MacDonald replied that is for just the roof. Carried unanimously.

8. 06-188 – Resolution D-216 – Condemnation Dismissal Mr. Maggs stated that this is ratification of the dismissal of the condemnation until we are able to resolve the quiet title action, the abatement, and to determine how much damage has been done on the property. Councilmember Rast moved to approve Resolution D-216. Councilmember Overhauser seconded. Kathy Fleming, 215 Gregory Dr, asked where this property is located. Mr. Maggs stated that this is regarding the condemnation of property owned by Miller and Miller, Inc. near the Wastewater Treatment Plant. Carried with Councilmember Huff abstaining.

9. 06-141 – Ordinance U-36 – Adoption of Capital Facilities Plan 2007-2013 Mr. Richardson stated that he has nothing additional to report. Councilmember Huff stated that he thought we were going to approve all of the budgets at once. Mr. Richardson stated that this is not a budget. It is a plan. Councilmember Overhauser stated that the plan lays it out, but each element comes back to be reviewed. Councilmember Trulove stated that if you do not do this you violate the Growth Management Act. Councilmember Huff moved for the third reading of Ordinance U-36 in title and summary form only and placed before Council for final passage. Councilmember McKeehan seconded. Carried unanimously. Yes votes: Councilmember Harris, Councilmember Rast, Councilmember Overhauser, Councilmember Huff, Councilmember Stockton, Councilmember Trulove, Councilmember McKeehan. Ordinance U-36 passed.

10. 06-180 – Ordinance U-37 – 2007 Budget Ordinance Ms. Niemeier stated that she is asking for the first reading only. It is in a different format this year because the State Auditors Office is requiring us to identify beginning and ending fund balances. Councilmember Huff moved for the first reading of Ordinance U-37 in title and summary form only. Councilmember Trulove seconded. Carried unanimously. Councilmember McKeehan moved to defer this to the next meeting. Councilmember Trulove seconded. Carried unanimously.

11. 06-187 – Ordinance U-39 – 2007 Salary Ordinance Ms. Showalter stated that this is a shell of an ordinance. The Council has to decide what is in it. This is just to start the readings in a timely process. There will be many changes in the future. Councilmember Overhauser moved for the first reading of Ordinance U-39 in title and summary form only. Councilmember Rast seconded. Carried unanimously. Councilmember McKeehan moved to defer this to the next meeting. Councilmember Stockton seconded. Carried unanimously.

K. Council Reports Councilmember Rast requested that the Public Safety Committee review the parking around campus. Due to construction, some of the meters might need to be removed for safety.

Councilmember Huff congratulated the Cheney High School volleyball team and thanked the coach. Councilmember McKeehan stated that the General Government Committee met and discussed the economic development parts of the budget. Things have changed since then and it will be discussed at the next Council meeting.

L. Staff Reports Mr. Richardson stated that the power was off a couple times over the weekend. Both outages were due to transmission problems and were not with our system. Were able to get the power on quickly because we got permission to switch to another line. He will try to find out from Avista what the problem is. We did get training from Bonneville which authorized us to work on their equipment. Councilmember Stockton welcomed Mr. Montague. Mr. Montague stated that the Public Works & Utilities Committee should meet to discuss the budget. Public Safety will meet on November 21 at 5:15 p.m. Councilmember Huff stated that he will be out of town. Councilmember Harris stated that he will attend as the alternate.

M. Mayor's Report Mayor Gainer stated that the Veterans Day ceremony at City Park was really nice. The VFW has a flag depository box which will be in front of the Police Department. The local Pop Warner football team from Cheney just won state.

N. Executive Session Mayor Gainer recessed the meeting at 7:36 p.m. for a two minute recess then executive session regarding matters of real estate lasting ten minutes with no action to follow. Mayor Gainer reconvened the meeting at 7:54 p.m.

O. Adjournment Councilmember McKeehan moved to adjourn the meeting. Councilmember Harris seconded. Carried unanimously. The meeting was adjourned at 7:55 p.m.

City Clerk

Mayor