

REGULAR CITY COUNCIL MEETING

November 28, 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 Rast, Councilmember Overhauser, Councilmember Huff, Councilmember Stockton, Councilmember Trulove, and Councilmember McKeehan. Staff members present included Ms. Niemeier, Mr. Conklin, Mr. McClure, Mr. Richardson, Mr. Montague, Mr. MacDonald, Ms. MacDonald, Mr. Sale, Mr. Simmons, Mr. Ableman, Mr. Behrens, Mr. Mangis, Mr. Ferguson, Ms. Cooper, Mr. Winters, and Ms. Showalter. Mayor Gainer stated that Councilmember Harris requested to be excused due to personal business. Councilmember Huff moved to approve the request. Councilmember Rast seconded. Carried unanimously. Mayor Gainer stated that Councilmember Rast requested to be excused December 26. Councilmember Huff moved to approve the request. Councilmember Overhauser seconded. Carried unanimously. Councilmember McKeehan requested to be excused December 26. Councilmember Huff moved to approve the request. Councilmember Overhauser seconded. Carried unanimously. Mayor Gainer stated he would like to defer Items 5 and 6 to the next meeting. Councilmember Overhauser moved to defer Items 5 and 6. Councilmember Stockton seconded. Carried unanimously. Mayor Gainer stated that Mr. Conklin requested to have the executive session before the action items. Councilmember Overhauser moved to approve the request. Councilmember Rast seconded. Discussion followed. Carried unanimously.

C. Minutes of the Regular City Council meeting of November 14, 2006 were approved as distributed.

D. Claims and Vouchers nos. 88318 through 88400 in the amount of \$430,929.56 were approved as read.

E. Claims for Damages None

F. Small Contracts None

G. Information Items Mr. Simmons introduced Katie Debroeck. She is a student at EWU and she is helping out in the office until we hire a Recreation Coordinator.

H. Appointments None

I. Citizen Comments Bonnie Eccles, 214 N 6th St, stated that last week in the police reports there were eleven thefts, two breaking and entering, and a couple malicious mischief. She does not know if that is seasonal, due to a change in the way they report it, or out of the ordinary. She just wanted the Council to be aware. Christie Bruntlett, 499 Annie Pl, asked about clearing sidewalks of snow. She was told that she could be sued if she clears her sidewalk and then someone falls. Councilmember Overhauser stated that she believes we no longer have an ordinance requiring snow removal on sidewalks because it is not enforceable. Mr. MacDonald stated that he will research the matter and get back to Ms. Bruntlett and the Council.

Executive Session Mayor Gainer recessed the meeting at 6:12 p.m. for executive session regarding matters of litigation to last ten minutes. Mayor Gainer reconvened the meeting at 6:25 p.m.

1. 06-192 – 2007 Budget – Public Hearing – Public Works and Light Funds Mayor Gainer stated that this will be a hearing on the Public Works and Light funds. Mayor Gainer opened the public hearing at 6:25 p.m. Mr. Richardson explained that we are a local redistributor of the electricity we buy from Bonneville. He stated that he would like to fill the vacant lineman position. He would like to use debt instead of cash to fund the substation work. This would allow us to keep money in reserve. Councilmember Trulove stated that it makes sense in that the people that use it would be paying for it instead of the people that are here now. Mr. Richardson stated that he is proposing to spend \$300,000 on a pole testing program. If you can extend the life of the poles, it will actually pay for itself. Bonnie Eccles, 214 N 6th St, asked what the difference is between a line foreman and a crew foreman. Mr. Richardson stated that the crew foreman is in charge of the crew. The line foreman is in charge of the paperwork. Ms. Eccles asked if the SCADA software is for automated meter reading. Mr. Richardson stated that it is for reading and managing the equipment at the substations.

Councilmember Trulove asked Mr. Richardson to explain the difference between two linemen and three linemen in terms of getting the job done. Mr. Richardson stated that regulations require a certain number of people for certain situations. The alternative is to kill the line and do it cold. You can only work hot if you have three people. Doug Nixon, Farmers Insurance, asked if we are going back to fiber. Mr. Richardson stated that there is no capital money for fiber. Mr. Nixon asked if we have looked into hiring apprentices. Mr. Richardson stated that he would like to advertise for a journeyman. If that does not work he would look for an apprentice. Ms. Eccles asked why the capital budget has doubled. Mr. Richardson stated that it is to replace a substation transformer. Councilmember Trulove stated that treatment for the substation actually improves the system and the reliability so that we do not have to build a new substation any time soon. Discussion followed. Christie Bruntlett, 499 Annie Pl, asked about the Caldwell Addition services. Mr. Richardson stated that they had to tunnel under the road to put in new duct and wire. They completed eight houses last year and still need to do more. Mr. MacDonald stated that he has a \$10.6 million budget. Public Works Administration is just a consolidation of three positions. It is not an increase. Capital Facilities is for work on the Sutton Park restroom and Wren Pierson. The increase in Water is due to a new well. They are looking at a loan from the Solid Waste fund to the Water fund to finance the new well. They are proposing instituting a pilot program to see if solid waste carts would be a feasible system. It might help in negotiating a new contract. We will need to look at adjusting wastewater rates. The asphalt roofing, HVAC, and fencing at the Wren Pierson building need to be looked at. He would like to bring out the consultant and EWU to talk about the remodel of the facility. Councilmember Trulove asked if there was anything in the budget that would address water quality complaints. Mr. MacDonald stated that the flushing program will include flushing all of the hydrants in the city. We are looking at the iron issues with wells six and seven. The Iron Abatement Analysis will hopefully help. The number of complaints is down considerably. We have been replacing steel mains slowly. Ms. Eccles stated that she thought EWU would pay for the improvements at the Elm street intersection. Mr. MacDonald stated that we have funds from STA for the intersection, but we will talk to EWU for any enhancements. Ms. Eccles stated that she thought the teenagers had a center at Kafka. Mr. MacDonald stated that they do not have enough space. Mayor Gainer stated that some parents are reluctant to have their kids around college students. Mr. Nixon asked about lower sewer rates at EWU. Mr. MacDonald stated that we did lower their rates when the number of students dropped off, but we increased it last year. We will look at that again when we do the next rate increase. Mayor Gainer closed the public hearing at 7:29 p.m.

2. 06-190- Resolution D-210 – Amendatory Agreement No. 1 for Interlocal Agreement with EWU for Fiber Mr. Richardson stated that we moved the point where the fiber meets from a pole to a tunnel at EWU. Mr. Richardson moved for approval of Resolution D-210. Councilmember Stockton seconded. Bonnie Eccles, 214 N 6th St, stated that we keep saying we are not doing fiber, but it keeps being mentioned. Mr. Richardson stated that we have an existing fiber network. There are no capital expenditures. Carried unanimously

3. 06-181 – Resolution D-212 – Well Two Pump Repair Project – Contract Award Mr. MacDonald stated that the shaft portion of well two separated from the motor. Councilmember Huff moved for passage of Resolution D-212. Councilmember Rast seconded. Carried unanimously.

4. 06-182 – Resolution D-213 – Well Four Rehabilitation Project – Phase Two Appropriation Increase Mr. MacDonald stated that this is an increase in the appropriation to allow them to put in two 7,500 gallon reservoirs that well four will pump into. The booster station costs will go up, but we should have savings over when this was bid as one project. Councilmember Huff moved for passage of Resolution D-213. Councilmember McKeehan seconded. Carried unanimously.

5. 06-189 – Resolution D-217 – HTE Purchase Agreement for Mobile Data Computer Software and I-5 Computer Server Deferred

6. 06-191 – Resolution D-218 – Interlocal Agreement with EWU for Access to Workout Room Deferred

7. 06-194 – Resolution D-219 – Schools Out Washington Grant Opportunity Mr. Simmons stated that the grant has already been submitted to meet the deadline, but we can withdraw if we need to. This will help fund booster seats for when the law is changed, field trips, and the talent show. Councilmember Overhauser moved for passage of Resolution D-219. Councilmember Rast seconded. Carried unanimously.

8. 06-195 – Resolution D-220 – Re-assigning Date of Public Hearing for Easement Vacation Ms. Niemeier stated that at the last Council meeting a public hearing was set for tonight. She did not get that in for publication in time. The Care Center has agreed to move the public hearing to the first meeting in January. Councilmember Huff moved to pass Resolution D-220. Councilmember Rast seconded.

9. 06-197 – Resolution D-221 – Judicial Cooperation Agreement Mr. Montague stated that this deals with Judge Tripp’s contract with the City. Ms. Cooper stated that this is a renewal of the contract with a few minor changes. It changes the duration to fall within the District Court elections, language was added to limit their billing capabilities, and we tried to define some of the language on jail costs. Discussion followed. Councilmember Huff moved for approval of Resolution D-221. Councilmember Overhauser seconded. Carried unanimously.

10. 06-196 – Resolution D-222 – Jail Agreement Interlocal Agreement Councilmember Huff moved for approval of Resolution D-222. Councilmember Stockton seconded. Carried unanimously.

11. 06-180 – Ordinance U-37 – 2007 Budget Ordinance Ms. Niemeier stated that we have completed the public hearings and the budget needs to be passed tonight. The Council can pass it as is and we can amend it in January if changes need to be made. Councilmember Huff moved to fund an additional police officer and three additional cars at a cost of \$115,000. He recommended that \$50,000 come from Legislative, \$15,000 from the visioning funding, and \$50,000 from the Mayor’s contingency. Councilmember Overhauser stated that they talked about developing a capital fund at the Public Safety meeting and having a levy like we have for EMS. She would like to explore that more before we take money out of the regular budget. Councilmember Huff stated that he feels this is something we need to do immediately. Mr. Montague suggested passing this budget as is and giving staff direction to bring forward proposals on how to fund this. We also have other issues to resolve. Discussion followed. Councilmember McKeehan stated that he would also like to fund the lineman. It makes more sense to adopt the budget and make an amendment after the proposals are made. Motion died for lack of a second. Councilmember Huff moved to direct city staff to make changes in the current budget to fund one police officer, three police vehicles, and one additional lineman and bring it back to the next meeting. Councilmember Overhauser seconded with the understanding that the proposals from staff do not have to be approved by Council if they do not agree. Councilmember Trulove stated that he thinks this is really restrictive. Planning and building inspection also need to be addressed. Councilmember Rast stated that we need to consider that new employees are not just a one time cost. They are an ongoing commitment. Rather than funding three cars now, we should consider a levy so they are funded continuously. Mr. Montague stated that we need to look at where the money would come from. Councilmember Overhauser called the question. Motion failed with Councilmember Rast, Councilmember Overhauser, Councilmember Trulove, and Councilmember McKeehan voting no. Councilmember Trulove stated that we do not need a motion to direct city staff to come up with proposals. He would like information as soon as possible so it can be discussed. Councilmember Huff stated that he does not understand what changes came out of the General Government Committee meeting concerning economic development. Councilmember McKeehan stated that the proposal does not have a Director of Economic Development. Mr. Montague stated that we have a very loose plan that can be presented at the next meeting. Discussion followed. Councilmember McKeehan moved for the second reading of Ordinance U-37 in title and summary form only, that reading considered the third, and placed before Council for final passage. Councilmember Rast seconded. Carried unanimously. Councilmember McKeehan stated that there will be significant changes proposed at the next meeting. Discussion followed. Yes votes: Councilmember Rast, Councilmember Overhauser, Councilmember Stockton, Councilmember Trulove, Councilmember McKeehan. No vote: Councilmember Huff. Ordinance U-37 passed.

12. 06-187 – Ordinance U-39 – 2007 Salary Ordinance Ms. Showalter stated that this is the same as the last meeting. We need to decide what needs to be in the ordinance. She requested the second reading only. Councilmember Huff moved for the second reading of Ordinance U-39 in title and summary form only. Councilmember Rast seconded. Carried unanimously. Councilmember Huff moved to defer this to the next meeting. Councilmember McKeehan seconded. Carried unanimously.

K. Council Reports Councilmember Overhauser stated that STA bus rides will be free on Friday, Saturday, and Sunday. Councilmember Huff thanked Mr. MacDonald’s crew for not plowing in the driveways. Councilmember Stockton agreed.

L. Staff Reports Mr. Simmons thanked the Cheney Christian Church for their \$1,000 donation to the Parks and Recreation Department. The church closed and they voted to donate their money. The Cheney Winter Festival is this Saturday. There will be many events at different locations throughout the city. Turnbull is also hosting events. Councilmember McKeehan asked about the postponement of the wine and cheese gala. Mayor Gainer stated that it will be on New Year's Eve.

M. Mayor's Report Mayor Gainer stated that many businesses are having sales on the day of the winter festival. Councilmember Huff stated that since the Christian Church donated their building to EWU they should use it for a youth center. Ms. MacDonald stated that Jane Henson from the church stated that EWU plans to renovate the building and use it for their religious education classes. Christie Bruntlett, 499 Annie Pl, asked why we have three readings of ordinances. Councilmember Huff stated that an ordinance has to be read three times. The readings are usually done at different meetings to give people time to participate. In rush situations you have to do it at once. Councilmember Overhauser stated that some items have to be done by ordinance and some have less significance than others. Doug Nixon, Farmers Insurance, stated that Mr. Montague said a lineman is more important than a police officer. He thinks a police officer is more important. We should not put the police in danger. Mr. Montague stated that he did not say there is a level of importance. They are just funded differently. He did not mean to imply that one has higher importance. Mr. Nixon stated that he hopes the Council will look at things closer. Councilmember Trulove stated that they already agreed to do that. Discussion followed.

N. Adjournment Councilmember Huff moved to adjourn the meeting. Councilmember McKeehan seconded. Carried unanimously. The meeting was adjourned at 8:05 p.m.

City Clerk

Mayor