



## **Agenda/Regular City Council Meeting**

**December 11, 2007 - 6:00 P.M.**

**City Council Chambers**

- A. Call to order - Pledge of Allegiance
- B. Roll Call - Excused Absences
- C. Minutes of the Regular City Council Meeting of November 27, 2007
- D. Claims/Vouchers: Voucher Amount \$298,730.08, Payroll Amount \$546,531.72
- E. Claims for Damages - None
- F. Small Contracts (Less than \$10,000)
  - Cheney Cleaning Company - City Hall = \$267.75 per week
  - Real Vision Software - Software Support = \$1,629
- G. Information Items
- H. Appointments - Boards & Commissions
- I. Citizen Comments: Open to Public (two minute limit)
- J. Action Items
  - Public Hearings - None
  - Resolutions
    - 1. 07-169 - Resolution D-374 - MOU for Use of Medical Lake PD Firing Range
    - 2. 07-170 - Resolution D-375 - Agreement with Northwest Requirements Utilities (NRU) to Study BPA Tier 2 Rate Options
    - 3. 07-171 - Resolution D-376 - Parks Safety Net Contract
    - 4. 07-172 - Resolution D-377 - Wells Six & Eight - Engineering Agreement Amendment
    - 5. 07-173 - Resolution D-378 - Cheney Research and Industrial Park - Environmental Assessment Agreement
    - 6. 07-174 - Resolution D-379 - Wilcox Farms Discharge Agreement and DOE Application
    - 7. 07-157 - Resolution D-380 - Cheney Mini-Storage Utility Extension Agreement
    - 8. 07-179 - Resolution D-381 - ESD 101 Safe Schools/Healthy Students Grant Renewal
    - 9. 07-180 - Resolution D-382 - Fiber Optic Collocation Agreement with 180 Communications Inc.
  - Executive Session as per RCW 42.30.110 regarding matters of litigation and personnel
    - 10. 07-181 - Resolution D-384 - Contract with Arlene Fisher as City Administrator for the City of Cheney

Ordinances

11. 07-089 – Ordinance U-51 – 2006 Comprehensive Plan and Development Regulation Amendments
12. 07-178 – Ordinance U-72 – 2008 Salary Ordinance
13. 07-176 – Ordinance U-73 – 2007 Final Budget Amendment

Other Business – None

- K. Council Reports
- L. Staff Reports
- M. Mayor’s Report
- N. Adjournment

**Mission Statement  
City of Cheney**

*The Mission of the City of Cheney is to responsibly provide its citizens desirable services while promoting and optimizing the finest quality of life.*

**Vision Statement**

*“Known for its family centered environment, dedicated to life-long learning, with widespread community involvement and devoted to sound economic development.”*

*“The good lawyer is not the man who has an eye to every side and angle of contingency, and qualifies all his qualifications, but who throws himself on your part so heartily, that he can get you out of a scrape.” Ralph Waldo Emerson*

**07-169 – Resolution D-374 – MOU for Use of Medical Lake PD Firing Range**

From time to time, it becomes necessary during the course of firearms training to utilize facilities other than those provided by the City. TO accomplish this, the Police department accesses the firing range at the Spokane Police Academy when available. When the SPD range is not available, it becomes necessary to access the Medical Lake Range. Medical Lake has requested that we renew out MOU for this purpose annually.

**07-170 – Resolution D-375 – Agreement with Northwest Requirements Utilities (NRU) to Study BPA Tier 2 Rate Options**

By entering into this LLC, the City will receive valuable information and options about the Tire Two power concerning the upcoming BPA rate negotiations.

**07-171 – Resolution D-376 – Parks Safety Net Contract**

The resolution allows the Mayor to enter into an agreement with the Northwest Parks Foundation to join the Parks Safety Net. The Northwest Parks Foundation is a non-profit organization that was established in 2002 and is designed to provide direct and indirect support to park and recreation agencies. The Parks Safety Net is a program that will help to solicit and accept donations on behalf of the Cheney Recreation Department for a 9% commission fee.

**07-172 – Resolution D-377 – Wells Six & Eight – Engineering Agreement Amendment**

The city entered into an agreement with CH2M Hill for the Well Eight Test Bore Project which also included the drilling of a development well. The amendment will allow CH2M Hill to provide the engineering design and construction services for wells six and eight. Well six will be redeveloped by drilling a larger well hole for the purpose of increasing potable water supply from an existing well site and Well eight will be developed as a new source of potable water supply. In addition to the engineering for the drilling, the cope also includes the engineering for the electrical, mechanical, and structural design for the pump systems and well houses. In all likelihood the construction phase for this project will be split in two with phase one being the redevelopment of well six which we are targeting for completion by July 1, 2008. The construction work on well eight will proceed as soon as the city receives DOE's approval of the city's application for the new source of supply and DOH approves an update to the Cheney Water System Plan.

**07-173 – Resolution D-378 – Cheney Research and Industrial Park – Environmental Assessment Agreement**

The purchase and sale agreement that is being drafted by the attorneys representing the city (K&L Gates) and Allpak (Peterson Russell Kelly, PLLC) for the 21 acres that the city would purchase from Allpak, includes provisions where the buyer must acknowledge having taken steps necessary to determine the environmental condition of the property prior to closing on the sale of the property. To that end, we are proposing to retain LFR to perform a Phase I Environmental Site Assessment.

**07-174 – Resolution D-379 – Wilcox Farms Discharge Agreement and DOE Application**

Wilcox Farms is required to have a state waste discharge permit pursuant to RCW 90.48 and WAC 173-216 in order to be allowed to discharge industrial wastewater to the city's sanitary sewer system. State waste discharge permits are renewable for a period not to exceed five years. A new supplemental application must be submitted for a new discharge or an increase in an existing discharge that is not specifically authorized by the current permit. Wilcox is seeking to increase their discharge limit for Biochemical Oxygen Demand (BOD) as well as to remove the limit on Fat, Oil & Grease (FOG) and to add a limit for Total Petroleum Hydrocarbons (TPH). Over the past several months, staff from the city's wastewater treatment plant and from Wilcox Farms, along with Esvelt Environmental Engineers, have assessed the impact these changes would have on the city's sanitary sewer system and have concluded that the city's wastewater treatment plant has the capacity to accommodate these changes. The city must agree to the change in the discharge as requested. Resolution D-379 will authorize the Mayor to sign a DOE wastewater discharge application as an amended non-domestic wastewater discharge agreement for Wilcox Farms.

**07-175 - Resolution D-380 - Cheney Mini-Storage Utility Extension Agreement**

Lanzce Douglass, the owner of the new Cheney Mini-Storage Facility that will be located southeast of the intersection of SR 904 and Betz Road, has applied for city water and sanitary sewer services. The site is outside the city limits but is located within the city's UGA boundaries. CMC 15.12.050 and 16.04.095 allow city water and sewer service to be provided outside of the city limits but the owner of the property to be served must first execute a "no protest" agreement with the city regarding future annexation. Mr. Douglass has been advised of the water moratorium and pending the expiration of the moratorium the city will be able to provide fire flow to the site. In addition to the mini-storage facility, Mr. Douglass has informed the city that he is planning to develop acreage around the planned mini-storage facility into commercial businesses.

**07-179 -Resolution D-381 - ESD 101 Safe Schools/Healthy Students Grant Renewal**

This is the final year of the ESD 101 Safe Schools/Healthy Students Grant. The Cheney Police Department is required to renew the contract annually with ESD 101.

**07-180 - Resolution D-382 - Fiber Optic Collocation Agreement with 180 Communications Inc**

Zero dB notified the city that its collocation facility in Spokane will be closed down at the end of the year. The City has contacted an alternative provider for this service beginning January 1. Collocation service is needed to connect the city's fiber optic cable to XO's internet and telephone systems.

**07-181 - Resolution D-384 - Contract with Arlene Fisher as City Administrator for the City of Cheney**

A resolution authorizing the Mayor to sign an employment contract with Arlene Fisher as City Administrator for the City of Cheney.

**07-089 - Ordinance U-51 - 2006 Comprehensive Plan and Development Regulation Amendments**

The Planning Commission has submitted its recommendations for amendments to the Cheney Comprehensive Plan and development regulations which were undertaken to comply with the mandate to review them every 7 years in order to ensure compliance with the Growth Management Act. These amendments are the product of many public meetings and public hearings during 2006. The 60-day review period for CTED will expire on December 31. Ordinance U-59 containing the zoning and subdivision code amendments has had first and second readings; the third reading will be scheduled to coincide with the third reading of Ordinance U-51. Ordinance U-51 contains the proposed Comprehensive Plan Amendments. The General Government Committee has reviewed the Planning Commission's recommendation and is recommending approval with one exception, relating to conforming the land use map and the zoning map in the area between the downtown and the EWU campus. It is recommended that City Council schedule a public hearing on January 8 to consider that issue prior to second reading of the ordinance.

**07-178 - Ordinance U-72 - 2008 Salary Ordinance**

2008 Salary Ordinance reflecting union contract agreements, non-union agreements and two changes in benefits. Includes Attachment A describing benefits. Also reflects two unsettled contracts as of this date.

**07-176 - Ordinance U-73 - 2007 Final Budget Amendment**

Final amendment of the 2007 annual budget. Amendment includes additions to the general fund (\$417,500), Park and Recreation Fund (\$3,000), Water Fund (\$345,900) and Solid Waste Fund (Transferring Ending Fund Balance to operating accounts). Please see attached worksheet for specific amendments.