

REGULAR CITY COUNCIL MEETING

December 12, 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. Conklin, Mr. McClure, Mr. Richardson, Mr. Montague, Mr. MacDonald, Ms. MacDonald, Mr. Sale, Mr. Simmons, Ms. Montiel, Ms. Cooper, Mr. Winters, Mr. Wahl, and Ms. Showalter.

C. Minutes of the Regular City Council meeting of November 28, 2006 were approved as distributed.

D. Claims and Vouchers nos. 88303, 88304, 88433, and 88458 through 88596 in the amount of \$430,370.84; payroll warrants nos. 52121 through 52163 in the amount of \$56,872.18; direct deposits nos. 20783 through 20934 in the amount of \$218,921.86; claims warrants nos. 88140, 88141, 88305, 88306, and 88401 through 88431 in the amount of \$254,999.70; and transfers to claims clearing fund for distribution in the amount of \$7,717.04 for a total payroll of \$538,510.78 were approved as read.

E. Claims for Damages Ms. Niemeier stated that there is a claim from Dustin Sandaine for a damaged camera. Councilmember Harris stated that he would like to have a police report before a decision is made.

F. Small Contracts Ms. Niemeier stated that the small contracts are with Arborpro Lawn & Tree Care in the amount \$1,230, Western States Equipment in the amount of \$1,861.32, and Real Vision Software in the amount of \$1,620. Councilmember Harris moved for approval of the small contracts. Councilmember McKeehan seconded. Carried unanimously.

G. Information Items None

H. Appointments None

I. Citizen Comments Christie Bruntlett, 499 Annie Pl, stated that she asked about snow removal at the last meeting and liability of citizens. She received a letter, but she still wants to know about liability for homeowners or property owners. Councilmember Rast stated that she should check with her insurance company. Mr. Conklin stated that the City cannot give legal advice to people for any issue. The city has no policy.

J. Action Items

1. 06-189 – Resolution D-217 – HTE Purchase Agreement for Mobile Data Computer Software and I-5 Computer Software Mr. Sale stated that this includes two contracts and will also reference agenda item 3. This is software to make the computers that will be in the police vehicles run. By 2008, their server has to be separated from the City server. We received \$98,000 in LETPP funds that must be spent by the end of December and we have to have possession of the items by February 2007. We also received funds for the server. This was done under sole source and they have the documentation that this is the only company that can provide it. Item three updates the consoles in the dispatch center. They would like a \$110,000 addition to the 2006 budget, \$98,000 of which will be reimbursed. Discussion followed. Councilmember Huff moved to approve Resolution D-217. Councilmember Overhauser seconded. Discussion followed. Carried unanimously.

2. 06-191 – Resolution D-218 – Interlocal Agreement with EWU for Access to Workout Room Mr. Sale stated that this is an agreement with EWU for access to their workout room for Cheney police and fire personnel. It sets out the terms of use. Councilmember Huff moved for passage of Resolution D-218. Councilmember Harris seconded. Councilmember Overhauser asked if there is any liability to the City. Ms. Showalter stated that WCIA reviewed the contract. Discussion followed. Carried unanimously.

- 3. 06-198 – Resolution D-223 – Acceptance of Xybix Bid for Dispatch Consoles** Mr. Sale stated that this is to accept the bid for the dispatch consoles. Councilmember Stockton moved for approval of Resolution D-223. Councilmember Huff seconded. Discussion followed. Carried unanimously.
- 4. 06-199 – Resolution D-224 – Fire/EMS Dispatching** Mr. Winters stated that this is an interlocal agreement for dispatching services. It is an annual contract and it is budgeted. Councilmember Huff moved for approval of Resolution D-224. Councilmember Rast seconded. Bonnie Eccles, 214 N 6th St, asked if this is the bond we passed. Mr. Winters stated that this is for dispatching and has nothing to do with the EMS levy. Carried unanimously.
- 5. 06-200 – Resolution D-225 – Youth Commission Mission Statement, Goals, and 2006-2007 Work Plan** Mr. Simmons introduced Meaghan Stevens and Max Shellabarger from the Youth Commission. Ms. Stevens stated that they have done several events in the last couple years. Mr. Shellabarger stated that this year there are new members and expanded staff. He presented the mission statement and goals and asked for Council approval and support. Councilmember Huff moved for passage of Resolution D-225 and stated that the Youth Commission is doing a wonderful job. Councilmember Stockton seconded. Carried unanimously.
- 6. 06-201 – Resolution D-226 – Interlocal Agreement with Medical Lake and Airway Heights for Adult Sports** Mr. Simmons stated that this has been presented to the Park Board. It is an effort to start collaborating with the other cities. Allows us to expand our league and to have more resources. Will form a joint board between the recreation departments. Councilmember Overhauser moved for passage of Resolution D-226. Councilmember Rast seconded. Carried unanimously. Mayor Gainer stated that he talked to both mayors and they are excited about this joint venture.
- 7. 06-202 – Resolution D-227 – Changing the Name of City Park to Veterans Park** Mr. Simmons stated that this would change the name of City Park to Veterans Memorial Park. The Mayor was approached about this on Veterans Day. Councilmember Huff moved for passage of Resolution D-227. Councilmember Harris seconded. Discussion followed. Carried unanimously.
- 8. 06-203 – Resolution D-228 – BPA 2008-2009 Transmission Rate Settlement** Mr. Richardson stated that BPA has two rates. One is power rates and the other is transmission rates. The transmission rate has to be renewed every two years. Normally BPA tries to avoid a formal rate case because it is expensive. We are not a legal party, but we are a member of NRU. There will not be a significant impact on the 2007 budget. Councilmember Huff moved for approval of Resolution D-228. Councilmember Trulove seconded. Carried unanimously.
- 9. 06-204 – Resolution D-229 – Amendment to Professional Services Agreement with D Hittle and Associates for Cheney Substation Transformer** Mr. Richardson stated that this adds a scope of work to an existing contract with D Hittle. We will borrow the money to do this work. Councilmember Huff moved for approval of Resolution D-229. Councilmember Stockton seconded. Bonnie Eccles, 214 N 6th St, asked about the decrease in overall power costs. Mr. Richardson stated that we need to have more cash and we have projects that need to be done. Councilmember Trulove stated that you cannot count on having extra money to spend. The revenue will depend upon the amount of electricity used. Discussion followed. Carried unanimously.
- 10. 06-209 – Resolution D-231 – Office of Justice Programs Grant Receipt** Mr. Sale stated that this is to authorize receipt of grant money to help pay for bullet proof vests. Councilmember Huff moved for passage of Resolution D-231. Councilmember Rast seconded. Carried unanimously.
- 11. 06-210 – Resolution D-232 – Safe Schools/Healthy Students Grant Contact with ESD 101** Mr. Sale stated that this is a continuation of the contract with ESD 101. There is a five percent pass through. Councilmember Huff moved for passage of Resolution D-232. Councilmember Harris seconded. Discussion followed. Carried unanimously.
- 12. 06-187 – Ordinance U-39 – 2007 Salary Ordinance** Ms. Showalter stated that this has many changes. It does not include any changes in Teamsters or Sergeants. Dispatch has not started negotiations. Teamsters Police are in the process of decertifying and changing to Guild. There will probably be another salary

ordinance in January. Discussion followed. Councilmember Huff moved for the third reading of Ordinance U-39 in title and summary form only and placed before Council for final passage. Councilmember Rast seconded. Bonnie Eccles, 214 N 6th St, asked how many new positions the City will have next year. Ms. Showalter stated that the salary ordinance includes an Administrative Clerk II in Recreation, a Permit Technician, and a Payroll Clerk. The rest of the positions are replacements. Discussion followed. Carried unanimously. Yes votes: Councilmember Harris, Councilmember Rast, Councilmember Overhauser, Councilmember Huff, Councilmember Stockton, Councilmember Trulove, Councilmember McKeehan. Ordinance U-39 passed.

13. 06-206 – Ordinance U-40 – Final Amendment of the 2006 Annual Budget Ms. Niemeier stated that the total amendment is \$799,600. Councilmember Huff moved for the first reading of Ordinance U-40 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 Harris, Councilmember Rast, Councilmember Overhauser, Councilmember Huff, Councilmember Stockton, Councilmember Trulove, Councilmember McKeehan. Ordinance U-40 passed.

14. 06-207 – Community Development Mr. Montague stated that during the 2007 budget process there were changes made to Building and Planning. This issue has been discussed at length. We need to find adequate space for the Building Department and to smooth the flow of the planning processes. In the budget there was a department head. This eliminated the department head and puts it under Mr. Richardson. The Permit Center will have two divisions. The divisions are Building Services and Planning. Councilmember Huff asked if Permit Technician is a new position. Mr. Montague stated that it was half time and it will go to full time. Code Enforcement will be under Planning so it can answer zoning questions. The location of the department is yet to be determined. We are looking at the Utility Building right now because it seems to have adequate space. Discussion followed. Mr. Montague stated that economic development issues are not addressed in this. Economic development is budgeted to continue on as it is now. Councilmember Huff stated that it looks better than what it first did. Mr. Montague stated that he would like to have this sent to Council committee for review. Councilmember Huff moved to approve the organizational structure and send this to the General Government committee for review. Councilmember McKeehan seconded. Carried unanimously.

15. 06-208 – Budget Amendment for Police Officer and Two Replacement Vehicles Mr. Sale stated that this was discussed at the last meeting. His request is to add \$107,500 to fund a new officer in March and two additional vehicles for a total of three. The proposal takes funds from Legislative, Planning visioning work, and the Mayor's contingency. Councilmember Huff moved to have a budget amendment for one police officer and two additional vehicles brought to the next meeting. Councilmember Harris seconded. Councilmember Rast stated that he would rather have a review of the needs of the Police Department. Over the last month we have heard from department personnel and citizens. He would like to get to the real facts of the matter. He feels we should commission a study to see what the true needs are. Councilmember McKeehan stated that he thought the Public Safety Committee was looking at a levy system so that we have a long range plan. He would like the Public Safety Committee to decide if we really need this now or if we can set up a plan to do this over the next few years. The proposal is not to add someone right away anyway. He recommended that we do not make a budget amendment yet. Councilmember Overhauser stated that we have eleven vehicles for law enforcement and yet we never have eleven people on the road at the same time. She questioned why we have so many cars and asked if we have seven officers on the road regularly. Mr. Sale stated that we do have seven officers on the road sometimes. They are assigning two people to a car to save on mileage. Councilmember Huff stated that the Public Safety Committee has discussed this and they thought this was a good idea. Councilmember Trulove asked if the motion includes this budgetary plan. Mr. Montague stated that this was put together from Councilmember Huff's suggestion. This is the lowest we have been since we started the contingency fund. Councilmember Trulove stated that this only addresses the 2007 budget. It does not address the continuing needs of personnel. This assumes that we will have revenue to have an additional employee. He is not against adding a police officer, but he is not convinced that we do not have enough people. To do this at the eleventh hour without careful study is remiss. There are questions that need to be addressed and we have time to look at this. Councilmember Huff stated that we are concerned about the long term cost of a police officer, but we are adding someone in Planning. Mr. Sale stated that we have to submit a name to the Criminal Justice Training Commission three months in advance to get a spot at the academy. Councilmember Overhauser stated that over the last several years staff in other departments has been reduced or not replaced due to budget issues. The problem may be that these other departments went without and were

reduced in staff while the Police Department did not have any reductions in force. Councilmember Huff thinks we need another police officer in town. Christie Bruntlett, 499 Annie Pl, stated that the Police may not have lost any staff but our population has increased. Bonnie Eccles, 214 N 6th St, stated that she does not see anything wrong with doing the study and thinks we may need to look at more than just the Police Department. She feels a study is good if there is time to do one. Councilmember Trulove stated that he would like to look ahead. He would like to see a broader committee of the Council look at the issue of equipment. Maybe we have a funding catch up that needs to be done. Councilmember Overhauser stated that separating the vehicle issue and the staffing issue might make a difference. Councilmember Rast stated that he thinks we need to study the issue. We have two forces and we should see how we can enhance what we have. Mr. Sale stated that there was a study done on combining the two departments. It was presented to the University and they do not want to discuss it. Councilmember Stockton stated that they discussed this at Public Safety and felt comfortable, but it appears that more than just Public Safety needs to look at this to get it resolved. Ms. Eccles asked about the number of vehicles. Mr. Sale stated that they have two administrative vehicles, one van for SCOPE, and the rest are patrol cars. Yes votes: Councilmember Huff, Councilmember Harris, Councilmember Stockton. No votes: Councilmember Rast, Councilmember Overhauser, Councilmember Trulove, Councilmember McKeehan. Motion failed. Discussion followed. Councilmember McKeehan moved to have the appropriate Council committees study the Police Department needs and other City capital needs and bring proposals to the second meeting in January. Councilmember Overhauser seconded. Councilmember Trulove stated that there should be options and a recommendation. Discussion followed. Carried with Councilmember Huff voting nay.

K. Council Reports Councilmember Huff stated that we need to get the committee formed that will handle activities like Cheneyfest. Councilmember Stockton stated that we should do something to honor Steve Emtman for being inducted into the College Football Hall of Game. Councilmember McKeehan thanked the Mayor and Ms. Showalter for the holiday party for city staff. He enjoyed it.

L. Staff Reports Mr. Simmons stated that they held interviews for Recreation Coordinator. The interview panel unanimously recommended Jera Donner. She will start January 2. Ms. Showalter provided an update on the City Administrator search. We have 22 applications from six states outside of Washington. Of the 22, there are eight that are quite well qualified. She asked for a volunteer from the Council to serve on the committee. Mr. Montague stated that there will be a Public Safety Committee meeting on December 19th at 7 a.m. and a General Government Committee meeting on December 21st at 5:15 p.m.

M. Mayor's Report Mayor Gainer stated that there will be two openings on the Planning Commission beginning in January and possibly two seats on the Park Board. Anyone interested should contact the Mayor's Office.

Bonnie Eccles, 214 N 6th St, asked if the severance package for City Administrator will be the same or if it will be revised. Mayor Gainer stated that it will be revised.

N. Executive Session Mayor Gainer recessed the meeting at 7:23 for executive session regarding matters of litigation lasting fifteen minutes with no action to follow. He asked Ms. Niemeier, Mr. Conklin, and Mr. MacDonald to stay. Mayor Gainer reconvened the meeting at 7:56 p.m.

O. Adjournment Councilmember McKeehan moved to adjourn the meeting. Councilmember Stockton seconded. Carried unanimously. The meeting was adjourned at 7:56 p.m.

City Clerk

Mayor