



Agenda/Regular City Council Meeting
February 13, 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 January 23, 2007
- D. Claims/Vouchers: Voucher Amount \$402,203.86, Payroll Amount unavailable
- E. Claims for Damages - Bowen
- F. Small Contracts (Less than \$10,000)
 - IKON - Court Copy Machine = \$191.54 per month
 - Pacific Software Assoc - Operating System Upgrade = \$135/hr normal, \$175/hour off hours
 - David Meyer & David Ellis - Fencing Instructors = 70% of fees collected used to purchase supplies
- G. Information Items
 - Spokane EDC Presentation
 - Employee Recognition
- H. Appointments - Removal of Park Board Member due to non-attendance
- I. Citizen Comments: Open to Public (two minute limit)
- J. Action Items
 - Public Hearings: None
 - Resolutions
 - 1. 07-001 - Resolution D-236 - Resolution Amending Conservation Rebates Under BPA's Conservation Rebate Credit Program
 - 2. 07-010 - Resolution D-239 - Well Three Electrical Upgrade
 - 3. 07-015 - Resolution D-240 - Well Two Pump Repair Project - Appropriation Increase
 - 4. 07-016 - Resolution D-241 - Acceptance of WASPC Traffic Safety Grant for Purchase of Radar and Portable Breath Test
 - 5. 07-019 - Resolution D-242 - Land Use Appeal
 - 6. 07-020 - Resolution D-243 - Spokane County Grant - Project "Hoop It Up"
 - 7. 07-021 - Resolution D-244 - EWU Fire Protection Contract
 - 8. 07-022 - Resolution D-245 - EWU Dispatch Services
 - Ordinances
 - 9. 07-007 - Ordinance U-41 - Carryout Solid Waste Service

10. 07-018 – Ordinance U-42 – 2007 Budget Amendment

11. 07-017 – Ordinance U-43 – McCardle Annexation Final Ordinance

Other Business

12. 07-023 – Barry Miller Proposed Settlement

K. Council Reports

L. Staff Report

M. Mayor's Report

N. City Response to Previous Citizen Comments: None

O. Executive Session

P. 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."

"We don't accomplish anything in this world alone ... and whatever happens is the result of the whole tapestry of one's life and all the weavings of individual threads from one to another that creates something." Sandra Day O'Connor

07-001 - Resolution D-236 - Resolution Amending Conservation Rebates Under BPA's Conservation Rebate Credit Program

The City Council approved the new BPA conservation program in October, called Conservation Rate Credit (CRC). The Light Department receives a credit on its power bill each month to be used for authorized conservation measures. We need to repeal the rebates authorized back in 2004 and replace them with a new rebate list. The rebate list attached to Resolution D-236 is a summary of the authorized measures listed in the CRC agreement.

07-010 - Resolution D-239 - Well Three Electrical Upgrade

Well Three is in need of electrical upgrades to ensure compliance with current NEC standards including replacement of the electrical panels, new wiring, replacement of motor and pump controls, etc. Written quotations were obtained for the work which is valued at less than \$45,000 and is therefore exempt from the sealed bid requirement pursuant to RCW 35.23.352(1). N.A. Degerstrom submitted the only written quote for the Well Three Electrical Upgrade in the amount of \$10,400 plus applicable sales tax.

07-015 - Resolution D-240 - Well Two Pump Repair Project - Appropriation Increase

The City Council authorized Mayor Gainer to sign a contract with Specialty Pump for the Well Two Pump Repair Project based on written quotations for work which is valued at less than \$45,000 and is therefore exempt from the sealed bid requirements pursuant to RCW 35.23.352(1). The original scope of work called for

07-016 - Resolution D-241 - Acceptance of WASPC Traffic Safety Grant for Purchase of Radar and Portable Breath Test

The Washington Association of Sheriffs and Police Chiefs has awarded the Cheney Police Department a grant in the amount of \$1,500 for the purpose of purchasing one new radar unit and one portable breath test unit.

07-019 - Resolution D-242 - Land Use Appeal

The City received an Appeal of the Planning Commission Recommendation for Comprehensive Land Use Designation Change. The Council can choose to hear the appeal (closed record appeal) or assign the appeal to a hearing examiner - Greg Smith.

07-020 - Resolution D-243 - Spokane County Grant - Project "Hoop It Up"

Approval of Resolution D-243 would authorize the Cheney Recreation Department to submit a grant proposal to Spokane County requesting \$10,000 in funds to reduce the cost of resurfacing space just outside the Wren Pierson Community Center into a full basketball court. The Recreation Department would work with an EWU fraternity and sorority to fundraise for additional funds, and the City would need to utilize mitigation funds to cover the remaining costs. This project would require approximately \$39,500 in City mitigation funds.

07-021 - Resolution D-244 - EWU Fire Protection Contract

This agreement with EWU is for fire protection services and provides \$282,000 for 2006 services and \$317,000 for 2007 services.

07-022 - Resolution D-245 - EWU Dispatch Services

This agreement with EWU is for dispatch services. The agreement is for \$84,000 beginning September 1, 2006. The base amount will be increased by the Spokane CPI annually beginning September 1, 2007.

07-007 - Ordinance U-41 - Carryout Solid Waste Service

The first reading of Ordinance U-41 occurred on January 23, 2007. Ordinance U-41 would provide free carryout service for persons who are low income and either disabled or elderly. The city currently provides carryout service (CMC 8.12.044) but at a charge (CMC 8.12.160). Subsequent to this first reading, staff has revised Ordinance U-41 to change the low income threshold to 60% or below the Spokane Countywide median family income based on HUD data. The original version of

Ordinance U-41 defined a disabled person as one who qualifies for special parking privileges under WAC 308-96A-306, and in the revised version of Ordinance U-41, we have expanded the definition to include persons who can provide certification from a licensed physician of a disability. Thus, persons who are physically disabled but who cannot drive would still qualify for carryout service under the disability criterion. We have also specified that the Cheney Outreach Center shall be responsible for accepting and screening applications, but the final decision on whether to provide the free carryout service shall be made by the Finance Director or his/her designee. The Cheney Outreach center uses the HUD income data to screen applicants for other types of low income services. The original version of U-41 provided free carryout service for qualifying persons for no more than one trash container and the revised version of Ordinance U-41 provides for free service for up to two trash containers. Finally, the current rate charged by the city for carryout service is less than what the city is required to pay Waste Management after factoring in their annual COLA adjustment. Ordinance U-41 will also address these rates which would be applicable to persons who do not qualify for free carryout service.

07-018 - Ordinance U-42 - 2007 Budget Amendment

Amendment of the 2007 annual budget. Total amendment is \$70,500 and included the following funds: General Fund (\$52,400) and the Police Equipment Reserve Fund (\$18,000). Also included are budget transfers to fund the police officer, community development re-organization (general fund) and the new lineman (light).

07-017 - Ordinance U-43 - McCardle Annexation Final Ordinance

The McCardle Annexation has been approved by the Spokane County Boundary Review Board. Final action to annex the 38.4 acres contained in this property will be accomplished by passage of Ordinance U-43. The annexation will become effective five days following publication of the ordinance.

07-023 - Barry Miller Proposed Settlement

The discussions between Barry Miller and the City Administrator have reached a point where Mr. Miller's attorneys would like to speak directly to Council. They originally requested the meeting to be an executive session but our attorney has advised us that the discussion needs to be in open council. Mr. Miller's attorneys will present their thoughts on the resolution of the pending legal issues for your consideration. While their presentation needs to be in open meeting, your consideration, evaluation and legal recommendations from your attorney, should be held in executive session.