



Agenda/Regular City Council Meeting

February 14, 2006 - 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 24, 2006
- D. Claims/Vouchers
- E. Claims for Damages
- F. Small Contracts - Cheney Cleaning, Senske, HealthForce Part., Honeywell Appraisal, Radio Site Survey
- G. Citizen Participation
- H. Information Items
- I. Action Items
 - 1. 06-012 Animal Control Contract with SCRAPs - Renewal
 - 2. 06-013 Private Road Speed Enforcement - The Orchards
 - 3. 06-014 Safe Schools/Healthy Students Grant Contract with ESD 101
 - 4. 06-019 Set Meeting Date with Petitioner to Set Terms for Annexation (McCardle)
 - 5. 06-020 Amendment to BPA Power Sales Contract for Ancillary Services
 - 6. 06-021 Ordinance to Establish Proposed Zoning for McCardle Annexation
 - 7. 06-022 N Tenth Street Vacation - Hearing
 - 8. 06-023 W Fifth Street, J Street, L Street Vacation - Hearing
 - 9. 06-024 Mary Street Vacation - Schedule Hearing Date
 - 10. 06-025 Grade Crossing Protection Fund Application
 - 11. 06-026 Establish Court Improvement Fund
 - 12. 06-027 Facility Rental Policy
 - 13. 06-028 Medical Expense Reimbursement Plan for Fire Fighters
 - 14. 06-029 New and Revised Policies and Procedures
 - 15. 06-032 Drug and Alcohol Testing for Employees who Operate Commercial Vehicles
 - 16. 06-033 2006 Salary Ordinance U-21
- J. Council Reports
- K. Staff Reports
- L. Mayor's Report
- M. Citizen Comment
- N. Motion for 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.

"Don't accept your dog's admiration as conclusive evidence that you are wonderful." Ann Landers

06-012 Animal Control Contract with SCRAPS - Renewal

The City of Cheney has contract with the Spokane County Animal Control for services pertaining to animal control laws within the City of Cheney for a number of years. This is an annually renewable contract.

06-013 Private Road Speed Enforcement - The Orchards

RCW 46.61.419 allows the chief law enforcement official in a municipality to enter into an agreement with a homeowners association for the enforcement of speed limits on private roads. The attached memorandum of understanding provides for the Cheney Police Department to enforce the posted twenty mile per hour speed limit on the private roads in the Orchards housing development.

06-014 Safe Schools/Healthy Students Grant Contract with ESD 101

The Cheney Police Department has been selected from law enforcement agencies within Spokane County to house, equip and allocate monies from the Safe Schools/Healthy Students grant in partnership with ESD 101. In order to facilitate administration of the grant, the contract must be renewed and signed by the Mayor.

06-019 Set Meeting Date with Petitioner to Set Terms for Annexation (McCardle - Betz & Murphy)

The City has received a petition to initiate annexation of the 40 acre parcel located northwest of the intersection of Betz Rd and Murphy Rd. Under the "60% Petition Annexation Method" (RCW 35A.14.120), when the City presented with a petition for annexation, state law requires that the City Council set a date for a meeting with the initiating parties to consider: a) whether the City will accept, reject or modify the proposed annexation, b) whether it will require simultaneous adoption of a zoning regulation, and c) whether we will require assumption of our existing indebtedness.

06-020 Amendment to BPA Power Sales Contract for Ancillary Services

Bonneville Power Administration has signed a new agreement with Avista Utilities for transmitting energy from Bonneville through Avista's system to Cheney. This is to comply with a new Open Access Transmission Tariff which Avista is subject to. In order to conform Cheney's power sales contract to the new OATT tariff, Bonneville has requested that we sign Revision No. 1 to Exhibit D of the contract. This revision deals with charges for regulation and frequency response services. The changes are not expected to increase our costs, and our BPA account exec says that we will probably be better off in the long run with the new arrangement.

06-021 Ordinance to Establish Proposed Zoning for McCardle Annexation

The Planning Commission is recommending what the zoning should be for an area proposed for annexation lying north of Betz Rd and west of Murphy Rd. The second of two required public hearings will be held by the Planning Commission of February 13, the day before the upcoming City Council meeting. It is expected that the Planning Commission will recommend that the entire parcel be zoned R-1. The Planning Commission's written recommendation will be distributed at the Council meeting on the 14th. Approval of the proposed zoning is necessary before the date set by City Council to meet with the initiating parties of the annexation (which is another matter to be discussed at the February 14 meeting).

06-022 N Tenth Street Vacation - Hearing

The City Council passed Resolution D-076 on January 10, 2006 for the purpose of scheduling a hearing on February 14, 2006 on the matter of EWU's petition to vacate N Tenth Street from Elm to Cedar Street. The university is seeking to vacate this portion of N Tenth Street in order to create a pedestrian mall in conjunction with their planned recreation center.

06-023 W Fifth Street, J Street, L Street Vacation - Hearing

The City Council passed Resolution D-078 on January 10, 2006 for the purpose of scheduling a hearing on February 14, 2006 on the matter of a petition to vacate right of way along portions of W Fifth Street, J Street, and L Street. The petition seeks the vacation of ten feet of right of way on each side of W Fifth Street from Union Street to Washington Street, as well as on each side of J Street from W Fifth Street to W Sixth Street, and L Street from W Third Street to W Fifth Street. The property that would be vacated would appear to be of nominal value as provided for under CMC 12.50.030.

06-024 Mary Street Vacation – Schedule Hearing Date

The attached application was submitted by Northwest Renovators for the vacation of an undeveloped section of Mary Street located southeast of First Street. Northwest Renovators owns property adjoining the section of Mary Street that is the subject of the vacation application and they have expressed an interest in acquiring the right of way in conjunction with their plan to develop the site. Northwest Renovators owns more than two-thirds of the property abutting upon the street segment that is being sought to be vacated. Therefore, in accordance with RCW 35.79.020, the City Council may schedule a hearing on the vacation through the passage of a resolution. The hearing date set forth in the resolution can be no later than sixty days or less than twenty days from the date of the passage of the resolution. Resolution D-087 sets a hearing date for March 14, 2006.

06-025 Facility Rental Policy

The Utilities and Transportation Commission (UTC) has made a call for Grade Crossing Protection Fund (GCPF) applications. The GCPF will provide up to \$20,000 in grant funding with no matching requirement for measures such as nighttime/off-hour locked gates at private crossings as well as fencing and other barriers to prevent trespassing on railroad right-of-way. The Cheney Grade Crossing Project would result in the installation of a locked gate on the access road leading to the wastewater treatment plant. The access road intersects the private crossing at the Union Pacific tracks. The Cheney Grade Crossing Project would also include gates on the Anderson Road right-of-way. The gates are also intended to curtail the illegal dumping that has been occurring in this area by preventing unauthorized vehicles from accessing the right-of-way.

06-026 Establish Court Improvement Fund

Establish special revenue fund #114 for Court Improvements.

06-027 Facility Rental Policy

The Recreation Department is attempting to establish policies and procedures for managing facility rentals. These policies have been reviewed and recommended by the Park Board for approval.

06-028 Medical Expense Reimbursement Plan for Fire Fighters

Medical expense reimbursement plan for Fire Fighters

06-029 New and Revised Policies and Procedures

Adoption of new and revised Policies P-1, P-6, P-18, F-1, F-3, F-14

06-032 Drug and Alcohol Testing for Employees who Operate Commercial Vehicles

A policy to comply with federal law regarding operators of commercial vehicles.

06-033 2006 Salary Ordinance U-21

Adding the hourly, part time position of Prisoner Transport/Court Security Officer