

REGULAR CITY COUNCIL MEETING
February 14, 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 Huff, Councilmember Stockton, and Councilmember Trulove. Staff members present included Ms. Niemeier, Mr. Conklin, Mr. Montague, Mr. Richardson, Mr. Schmidt, Mr. MacDonald, Ms. MacDonald, Mr. Sale, Ms. Cooper, Mr. Simmons, and Ms. Showalter. Councilmember Overhauser was excused. Mayor Gainer stated that Councilmember McKeehan requested to be excused due to illness. Councilmember Harris moved to approve the request. Councilmember Huff seconded. Carried unanimously.

C. Minutes of the Regular City Council meeting of January 24, 2006 were approved as distributed.

D. Claims and Vouchers Ms. Niemeier stated that a correction needs to be made to the December 27, 2005 voucher amount. The correct amount is \$602,266.54. Claims and vouchers numbers 85000 and 85045 through 85188 in the amount of \$568,184.50; payroll warrants nos. 51602 through 51650 in the amount of \$45,011.16; direct deposits nos. 19323 through 19459 in the amount of \$198,366.92; claims warrants nos. 85001 through 85026, and 85033 through 85038 in the amount of \$240,662.01; and transfers to claims clearing fund for distribution in the amount of \$7,654.55 for a total payroll of \$491,694.64 were approved as read.

E. Claims for Damages None

F. Small Contracts Ms. Niemeier stated that the small contracts are with Cheney Cleaning Company for \$400 per month, Senske Lawn and Tree Care for \$542.20 annually at the Police Department, HealthForce Partners for drug testing, and Electronic Systems Technology with an amount not to exceed \$3,275. Councilmember Harris moved to approve the small contracts. Councilmember Rast seconded. Carried unanimously.

G. Citizen Participation None

H. Information Items None

I. Action Items

1. 06-012 Animal Control Contract with SCRAPS – Renewal Mr. Sale stated that this is an annual renewal for animal control services. Councilmember Huff moved for passage of Resolution D-083. Councilmember Stockton seconded. Carried with Councilmember Trulove voting nay. Councilmember Trulove stated that he thinks we should do it ourselves. Discussion followed.

2. 06-013 Private Road Speed Enforcement – The Orchards Mr. Sale stated that this is a Memorandum of Understanding with The Orchards which allows the Police Department to enforce speed limits on the private streets. Councilmember Huff moved to approve Resolution D-084. Discussion followed. Councilmember Stockton seconded. Carried unanimously.

3. 06-014 Safe Schools/Healthy Students Grant Contract with ESD 101 Mr. Sale stated that we have an employee that we are reimbursed for from District 81's multimillion dollar grant. Discussion followed. Councilmember Huff moved for passage of Resolution D-085. Councilmember Harris seconded. Carried unanimously.

4. 06-019 Set Meeting Date with Petitioner to Set Terms for Annexation (McCardle) Mr. Richardson stated that this is land owned by Patsy McCardle on the corner of Betz Road and Murphy Road. One of the issues brought up during the hearing is that there is a lot of water that goes across there. The City Council needs to schedule a meeting with the owners to allow the petition method to proceed. It is not a commitment. The public hearing will probably be in March. This is a three to four month process. Councilmember Trulove

moved to set a meeting date of February 28, 2006 to meet with the petitioner to set terms for annexation. Councilmember Stockton seconded. Carried unanimously.

5. 06-020 Amendment to BPA Power Sales Contract for Ancillary Services Mr. Richardson stated that the people that regulate Avista said they have to use a different format for their contracts, which affects Bonneville and then affects us. Councilmember Trulove moved to approve the contract revision. Councilmember Rast seconded. Carried unanimously.

6. 06-021 Ordinance to Establish Proposed Zoning for McCardle Annexation Mr. Richardson stated that the Planning Commission had two hearings. Their decision was that this entire area should be zoned R-1. Councilmember Trulove moved for the first reading of Ordinance U-18 in title and summary form only. Councilmember Harris seconded. Carried unanimously. Councilmember Huff moved to defer this to the next meeting. Councilmember Harris seconded. Carried unanimously.

7. 06-022 N Tenth Street Vacation – Hearing Mayor Gainer opened the public hearing at 6:22 p.m. Mr. MacDonald stated that this is to take up the matter of the petition from EWU for vacation of N 10th Street for a recreation center. We want to look at the traffic impact. Mr. Montague and his staff have had some discussion with the architect regarding emergency access. Rick Romero, EWU, stated that this is an important step for the University. The Recreation Center project originated with surveys of the students. They tried to take the information from the students and put together something that would be good for the community. It is designed to be a multipurpose, multiuse facility. It will have a floor like the arena in Spokane. The design engineering and construction drawings are done. The intent is to occupy the entire site with the building itself. Underground parking would be off Cedar Street. It will include basketball courts, a fitness area, multipurpose space, and the Outdoor Program. A sky bridge was in the original plan but had to be cut because of the cost. The design is such that it can be done at a later time. The architects have worked with the Fire Department staff. There are still some additional questions to answer with regard to the traffic study. Councilmember Trulove asked if the parking spaces on N 10th Street will be replaced. Mr. Romero stated that the parking intent is to get about fifty spaces inside the facility. Another fifty spaces will be created with the demolition of their house on Washington. Councilmember Rast asked about the seating capacity. Mr. Romero stated that there will be 900 fixed seats. The surface of the floor can be covered to add an additional 2,000 seats. The restrooms are based on 3,000 people. This is not intended to be a competitive venue for athletics. The students will be paying a fee. The community would probably have to pay the same fee to use the facility. Councilmember Trulove asked if access to emergency vehicles will be okay in terms of a major disaster or getting fire, police, or an ambulance there. Mr. Sale stated that access is not an issue for them. Fire apparatus is the big issue. Mr. Montague stated that the Fire Marshal worked closely with the architect. It appears that any apparatus access can be mitigated. Discussion followed. Mayor Gainer closed the public hearing at 6:40 p.m. Councilmember Rast moved to send this to the Public Works and Utilities Committee. Councilmember Trulove seconded. Councilmember Trulove thanked Mr. Romero for his work. Carried unanimously.

8. 06-023 W Fifth Street, J Street, L Street Vacation – Hearing Mayor Gainer opened the public hearing at 6:42 p.m. Mr. MacDonald stated that the notification requirements have been met. There have been several ordinances since 1970 in this area. Based on precedent, the right of way has been deemed to have nominal value. Enoch Lybbert, 511 K Street, stated that most of the property owners were surprised that there was an eighty foot right of way in front of their property. Mayor Gainer closed the public hearing at 6:46 p.m. Councilmember Huff moved for the first reading of Ordinance U-20 in title and summary form only. Councilmember Trulove seconded. Carried unanimously. Councilmember Huff moved for the second reading of Ordinance U-20 in title and summary form only, that reading considered the third, and placed before Council for final passage. Councilmember Harris seconded. Carried unanimously. Yes votes: Councilmember Harris, Councilmember Rast, Councilmember Huff, Councilmember Stockton, Councilmember Trulove. Ordinance U-20 passed.

9. 06-024 Mary Street Vacation – Schedule Hearing Date Mr. MacDonald stated that Northwest Renovators owns more than two-thirds of the abutting property. The proposed hearing date would be March 14. Northwest Renovators specializes in purchasing land, building facilities, and leasing them out. Discussion followed. Councilmember Huff moved to pass Resolution D-087. Councilmember Trulove seconded. Carried unanimously.

10. 06-025 Grade Crossing Protection Fund Application Mr. MacDonald stated that the Utilities and Transportation Commission has grant money available and we can request up to \$20,000 to put in improvements and gates at private crossings. We would like to control the crossing leading to the Wastewater Treatment Plant due to concerns about the increase in train speed. It would also help with the dumping that is going on. Councilmember Huff moved to approve Resolution D-088. Councilmember Rast seconded. Carried unanimously.

11. 06-026 Establish Court Improvement Fund Ms. Niemeier stated that this is an ordinance to establish a special revenue fund. We will receive \$43 against a criminal conviction. We have to have this fund to get money. Councilmember Huff moved for the first reading of Ordinance U-19 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 Huff, Councilmember Stockton, Councilmember Trulove. Ordinance U-19 passed.

12. 06-027 Facility Rental Policy Mr. Simmons stated that there have been quite a few rental requests. With the increase in rentals comes an increase in issues. If passed, the rental fees will increase. There will be a staff person there to ensure compliance with the policy. If a group wants to be exempt from part of the policy, it would have to go to the City Council. Councilmember Huff stated that it would be better to go to the Mayor if the Park Board is not available. Discussion followed. Councilmember Trulove stated that community facilities should be available for community activities for free. Mr. Simmons stated that one of the challenges is defining what constitutes a community group. Councilmember Huff moved to approve Resolution D-086 with the amendment that requests for exemption go to the Mayor if the Park Board is not available. Councilmember Rast seconded. Carried unanimously.

13. 06-028 Medical Expense Reimbursement Plan for Fire Fighters Ms. Showalter stated that this is an extension of the Fire Fighters contract. It is very similar to the health savings account approved in December. It is specific to firefighters. Each firefighter will contribute \$75 per month into this fund. Councilmember Huff moved for approval of Resolution D-089. Councilmember Stockton seconded. Carried unanimously.

14. 06-029 New and Revised Policies and Procedures Ms. Showalter stated that the Department Heads have been rewriting, updating, and creating new policies. Many have not been to Council or just needed to be updated. These came to Council in December and were referred to committee. Councilmember Trulove stated that these were reviewed by the General Government Committee. Councilmember Trulove moved for approval of Resolution D-062. Councilmember Stockton seconded. Carried unanimously.

15. 06-032 Drug and Alcohol Testing for Employees who Operate Commercial Vehicles Ms. Showalter stated that we have had a policy in place, but we are adopting the policy that AWC sent. Councilmember Harris moved for approval of Resolution D-092. Councilmember Rast seconded. Carried unanimously.

16. 06-033 2006 Salary Ordinance U-21 Ms. Showalter stated that the only change is the addition of the Prisoner Transport/Court Security Officer position. Police Reserves will be used for that. Councilmember Trulove moved for the first reading of Ordinance U-21 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 Huff, Councilmember Stockton, Councilmember Trulove. Ordinance U-21 passed.

J. Council Reports Councilmember Huff attended the Solid Waste Advisory Committee meeting. He requested an update for the duplex on Fourth Street. Mr. Montague stated that Mr. Gillingham met with the Prosecutor on February 9 and assured her that it would be moved in 30 days. If everything goes smoothly, the house will be moved to Clay Street.

K. Staff Reports Ms. Showalter stated that the City will apply for an AWC Well City Award. The application is due March 1. Mr. Schmidt stated that Item 15 is a classic unfunded mandate. March 18 will be the City Council retreat. It will be advertised as a special City Council meeting. It will be in the Cheney Care Center multipurpose room at 9 a.m. The Public Works and Utilities Committee will meet this Thursday at 5:15 p.m. Public Safety will meet Tuesday at 5 p.m. General Government will meet next Thursday at 5 p.m.

L. Mayor's Report Mayor Gainer stated that Saturday is the VFW pancake feed from 7–11 a.m. at the American Legion.

M. Citizen Comment Ed Neigel, 1202 Gary Street, stated that Relay for Life will be on May 19 at Woodward Field. He encouraged everyone to participate.

N. Motion for Adjournment Councilmember Harris moved to adjourn the meeting. Councilmember Huff seconded. Carried unanimously. The meeting was adjourned at 7:21 p.m.

City Clerk

Mayor