



Agenda/Regular City Council Meeting

February 27, 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 February 13, 2007
- D. Claims/Vouchers: Voucher Amount \$570,827.31, Payroll Amount \$0
- E. Claims for Damages: None
- F. Small Contracts (Less than \$10,000)
 - West Plains Little League = Use of City Property
 - Spokane Youth Sports Association = Use of City Property
 - Skyhawks & Hawks Solutions - Youth Sports Camps = 90% of registration fees
 - ArborPro Lawn & Tree Care - Weed Control = \$1,113.15
 - Cheney Cleaning Company - Police Dept. Janitorial = \$400 per month
- G. Information Items
 - Spokane County Conservation District Presentation
- H. Appointments - None
- I. Citizen Comments: Open to Public (two minute limit)
- J. Action Items
 - Public Hearings: None
 - Resolutions
 - 1. 07-006 - Resolution D-236 - Fellowship Baptist Binding Site Plan #01-06
 - 2. 07-011 - Resolution D-237 - Cheney SR 904 Enhancement Project - Local Agency Agreement/Prospectus
 - 3. 07-024 - Resolution D-238 - Public Defense Grant
 - 4. 07-030 - Resolution D-248 - Letter of Support for North South Corridor
 - 5. 07-027 - Resolution D-249 - Cheney Water System Plan Update Agreement - HDR Engineering
 - 6. 07-028 - Resolution D-250 - Cheney Water System Plan Modeling Agreement - Simpson Engineers
 - 7. 07-025 - Resolution D-252 - Policies and Procedures
 - Ordinances
 - 8. 07-007 - Ordinance U-41 - Carryout Solid Waste Service

9. 07-017 – Ordinance U-43 – McCardle Annexation Final Ordinance

Other Business

10. 07-004 – Take Home Vehicle Use

11. 07-023 – City of Cheney vs. Miller and Miller Inc. Barry Miller and Dennis Miller

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.”

“I cannot say whether things will get better if we change; what I can say is they must change if they are to get better.” Georg C. Lichtenberg

07-006 – Resolution D-236 – Fellowship Baptist Binding Site Plan #01-06

Fellowship Baptist Church has applied for a binding site plan to create three commercial lots from one parcel number. The area is a previously platted block at 304 W First St (the old Hacienda/Rosebrook Inn), bounded by W First, Salnave, W Second and “L” Streets. The parcel also includes land on the south side of W First where a small self-storage facility is located. The BSP would create a lot on the west half of the block for construction of a future church. No utility main or road construction is required. Resolution D-236 has been prepared, which would approve the BSP with conditions.

07-011 – Resolution D-237 – Cheney SR 904 Enhancement Project – Local Agency

Agreement/Prospectus

The city was awarded \$200,000 in Federal Highway Administration (FHWA) funding for the Cheney SR 904 Enhancement Project. This project will result in streetscape improvements along SR 904 at the north entrance of the city as well as within the Cheney Central Business District. A Local Agency Project Prospectus must be submitted to the Department of Transportation in order to obligate our federal funding for the construction phase of this project.

07-024 – Resolution D-238 – Public Defense Grant

Resolution to accept public defense grant in the amount of \$15,000 for improved indigent defense services

07-030 – Resolution D-248 – Letter of Support for North South Corridor

The completion of the North South Corridor project has a significant growth and economic impact on Spokane County. It is in the City’s best interest to have this project completed. This should not affect any local project funds.

07-027 – Resolution D-249 – Cheney Water System Plan Update Agreement – HDR Engineering

The city must update its water system plan as a condition for approval from the Department of Health (DOH) in order to develop a new source of municipal potable water supply (well eight). HDR Engineering was selected by city staff as the most qualified of the respondents to the city’s request for qualifications pursuant to RCW 39.80. The last DOH approved update of the Cheney Water System Plan was in 2002 and was prepared by EES Engineering which has since merged with HDR Engineering. Fortunately, most of the former EES staff who worked on the last update of the plan will now do the same on behalf of HDR Engineering in this latest update of the Cheney Water System Plan. The plan must be updated at least once every six years or when there is an expansion of the system.

07-028 – Resolution D-250 – Cheney Water System Plan Modeling Agreement – Simpson Engineers

Simpson Engineers was selected to provide hydraulic modeling data that HDR Engineering will incorporate into the sections of the Cheney Water System Plan addressing the water system’s capacity to supply and distribute water in sufficient volume and pressure to meet peak day and fire flow demands. Simulated flow analyses will be conducted by Simpson Engineers using a computer software program to determine the capacity of the distribution system to meet flow and pressure demands at individual nodes (locations) throughout the city. Simpson Engineers was selected to separately model the system when the Cheney Water System Plan was last updated and as was the case then, they have been selected to do the same with the latest update of the plan based on their extensive knowledge of the city’s distribution system.

07-025 – Resolution D-252 – Policies and Procedures

Service Animals; Land Use Appeal; Compressed Work Week & Contagious Diseases Policies for approval.

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

Ordinance U-41 has had two readings and upon passage 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 the 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 service. 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.

07-017 - 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. City Council has the first reading of this ordinance at the previous meeting. The property owner requests that the City Council adopt the annexation as soon as possible.

07-004 - Take Home Vehicle Use

City Council adopted a Vehicle Use Policy which requires their approval of take home use for vehicles. We currently have a request from the Police Chief, the Police Commander, the Police detective and the Fire Chief with the Mayor's approval.

07-023 - City of Cheney vs. Miller and Miller Inc. Barry Miller and Dennis Miller

A settlement has been negotiated between the City and the Miller's for actions involving property started in 2006. This Accord and Satisfaction agreement is the result of the directions from City Council at the last meeting.