

REGULAR CITY COUNCIL MEETING

March 13, 2007

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 Overhauser, Councilmember Huff, Councilmember Trulove, and Councilmember McKeehan. Staff members present included Ms. Niemeier, Mr. Conklin, Mr. McClure, Mr. Richardson, Mr. Strobe, Mr. MacDonald, Ms. MacDonald, Mr. Sale, Mr. Behrens, Mr. Simmons, Mr. Wahl, Mr. Hartford, and Ms. Showalter. Mayor Gainer stated that Councilmember Rast and Councilmember Stockton requested to be excused due to illness. Councilmember Huff moved to approve the requests. Councilmember McKeehan seconded. Carried unanimously.

Mayor Gainer stated that he would like to add Agenda Item 07-031 Land Use Public Hearing to the agenda as the first item. Mr. Strobe requested an executive session to discuss the land use issue. Councilmember Huff moved to add agenda item 07-031 and the executive session to the agenda. Councilmember McKeehan seconded. Carried unanimously.

C. Minutes of the Regular City Council meeting of February 27, 2007 were approved with a correction in Section 10 to state that Councilmember Huff is friends with the Millers but has never discussed City business with them.

D. Claims and Vouchers nos. 89386 through 89504 in the amount of \$236,061.06; payroll warrants nos. 52249 through 52302 in the amount of \$35,296.34; direct deposits nos. 21223 through 21367 in the amount of \$213,198.16; claims warrants nos. 89215, 89216, 89336 through 89367, and 89378 in the amount of \$249,663.75; and transfers to claims clearing fund for distribution in the amount of \$9,021.48 for a total payroll of \$507,179.73 were approved as read.

E. Claims for Damages Ms. Niemeier stated that the claim from Tom Balderree for a sewer back up was referred to our insurance. There is also a claim from Rick Huguenin that was presented at the last Council meeting. Councilmember Overhauser moved to pay the claim from Rick Huguenin in the amount of \$53.12. Councilmember McKeehan seconded. Carried unanimously.

F. Small Contracts Ms. Niemeier stated that the small contracts are with IRS Environmental for asbestos removal in the amount of \$1,226, Vivid Learning Systems for on-line training in the amount of \$454.86 for the year, and Xerox for the Police Department copy machines in the amount of \$4,704 annually. Councilmember Huff moved to approve the small contracts. Councilmember McKeehan seconded. Carried unanimously.

G. Information Items Mr. MacDonald introduced Damon Taam and Suzanne Tresko from the Spokane Regional Solid Waste System. Mr. Taam stated that they are here because they are updating the Solid Waste Management Plan. The plan is supposed to be updated every five years, but it has not been updated since 1998. They are doing a full update and it will cost about \$480,000. The contract with Cheney is up in 2014. They would like to get input on what Cheney would like to see in the plan. Ms. Tresko presented the different alternatives. She stated that they will come back in October and ask us to adopt the 2007 plan. Councilmember Trulove asked about the deadline for written comments. Ms. Tresko stated that the preliminary draft plan will be completed in two weeks. There is a minimum thirty day review. She needs comments back by mid April. Councilmember Trulove stated that he would like to be able to see the draft financial analysis to compare the different alternatives. Councilmember Overhauser questioned if they are receiving the quality and quantity of comments that were needed. Ms. Tresko stated that they would like to put a link on the webpage to help encourage comments.

H. Appointments None

I. Citizen Comments None

J. Action Items

1. 07-031 – Land Use Appeal on Comprehensive Plan and Zoning amendment CPA-01-06 – Public Hearing Mayor Gainer asked if any councilmember had any ex-parte communication. Councilmember Overhauser, Councilmember Huff and Councilmember Trulove stated that they have not. Councilmember McKeehan stated that he received an e-mail message but did not read it. Mayor Gainer explained the public hearing procedures. Mr. Richardson summarized the project and stated that RW Thorpe submitted an application to amend the Comprehensive Plan last year. The original hearing was held in June 2006. Mayor Gainer opened the public hearing at 6:44 p.m. Stacy Bjordahl, 422 W. Riverside Suite 1100, stated that she is an attorney here on behalf of PMCIT. They acquired property through a foreclosure action. Their proposal was brought to the Planning Commission. She asked the Council to reconsider the Planning Commission's recommendation to deny the request. The zoning of the site is I-1. It was annexed in 1999. There has been no demand for industrial development on this property. There is a property owner that is ready, willing, and able to develop the land for residential use. The surrounding county land is designated for rural residential use. Spokane County has recently amended their light industrial classification to allow residential uses. Mullinix Road could be a logical place for cutting off the industrial classification. She presented possible uses for I-1 and R-1 zones. They had one meeting with the neighborhood that followed the Planning Commission meeting in June. The neighbors thought that the noise from Wilcox, Haakon, and any other industrial uses would interfere with residential use. Ms. Bjordahl stated there does not appear to be an overabundance of residential property in Cheney. The infrastructure is there. The City should get a return on the investment of installing services. Some adjoining property owners were concerned about incompatibility. PMCIT would notify potential residents of all the uses. They would put in a two acre park. There would be a buffer installed along Mullinix Road. This property was annexed in 1999 and has not been used. It should be changed to help facilitate use of the property. They are willing to enter into a contract and/or establish covenants. They will agree to landscaping and screening, an access plan, no manufactured homes or trailers, and possibly other conditions. Councilmember Huff asked about the acreage. Ms. Bjordahl stated that it is 22 acres. They are looking at between forty to sixty homes, but that is probably negotiable. Brian Deardan, manager of Haakon Industries, stated that they are located at the corner of Mullinix Road and SR 904. They view land use planning as specific reasons to separate residential and industrial development. Industrial plants run twenty-four hours per day. Industrial users may emit unpleasant odors. Visual views may not be as nice as residents like. They are concerned about safety. There are approximately twenty trucks per day from Haakon Industries and there are even more from Wilcox Farms. Truck traffic and residential traffic are not a good combination. They are concerned about the future and whether any established covenants would be enforced. Nancy Nation, W. 14603 Lance Hill Road, stated that she does not believe that housing belongs in that area. She has been there for twenty-six years. Residential development was supposed to go east and light industrial was supposed to go west. She does not hear the noise from the industrial uses, but some people do. Twenty-five years ago there were not a lot of industrial uses there. Another twenty-five years could bring a lot more. She believes that the industrial land will be used up in that area. There are currently three homes on twenty-two acres. This new development would have 40-60 homes. The County requires at least five acres for residential use. She does not want to see residential at that end of town. Ms. Bjordahl stated that she does not have much to add. She feels they have done a good job of trying to address the concerns of the adjacent land owners. Transportation experts would say that Mullinix Road could handle that amount of traffic. Residential uses would have about half the trips of what an industrial use would have. It comes down to what the city wants. She questioned if the City wants the land to sit idle for the amount of time it takes to get it occupied. Councilmember Overhauser stated that she thought we could not prohibit mobile homes in that area. Ms. Bjordahl stated that the Cheney Municipal Code allows manufactured homes on a foundation. PMCIT would agree to establish covenants that would prohibit manufactured homes there. Mayor Gainer closed the public hearing at 7:10 p.m.

2. 07-029 – Resolution D-251 – Federal Non-Discrimination Agreement – Federal Transportation Funding Mr. MacDonald stated that this will enable the City to adopt a Title VI non-discrimination agreement. It is a requirement for us to get funding. It appoints the Human Resource Director as the Civil Rights Coordinator. Councilmember Huff moved for passage of Resolution D-251. Councilmember McKeehan seconded. Discussion followed. Carried unanimously.

3. 07-032 – Resolution D-254 – Animal Control Contract with SCRAPS – Renewal Mr. Sale stated that this is for renewal of the animal control contract. The total cost is approximately \$17,435. Councilmember Huff moved for passage of Resolution D-254. Councilmember Overhauser seconded. Councilmember Trulove stated that he believes the City should provide its own animal control even if it costs more. He thinks

we should be investigating how we could run our own program. Carried with Councilmember Trulove voting nay.

4. 07-033 – Resolution D-255 – Safe Schools/Healthy Students Grant Contract Amendment with ESD 101 Mr. Sale stated that this amends the contract to add \$4,762 to pay for training. Councilmember Huff moved for approval of Resolution D-255. Councilmember Trulove seconded. Carried unanimously.

5. 07-034 – Resolution D-256 – Cheney Hang Out Appropriation of Dare Funds Mr. MacDonald stated that he worked on this agreement with Mr. Simmons and Sue Wright from EWU. It would allow the Cheney Hangout to use the conference room at Wren Pierson. There would be minor modifications of the space. Mr. Simmons stated that the age group is 9-15. Cheney School District would provide transportation and a snack. EWU would provide supervision. The City would provide the facility. EWU would hire a coordinator through the Children’s Study Program. They would also hire staff and seek grant funds. There is almost \$32,000 of DARE funds left over that can only be used for teen center amenities. They are proposing to spend \$20,000 of that to get the room ready. The remaining \$12,000 would be spread out over the next few years. The center would also be available for the Youth Commission for activities. Sue Wright, EWU, stated that the Children’s Study Program is excited about this. It is good to provide the space for these kids. Councilmember Huff stated that he likes this better than the remodel. Discussion followed. Councilmember Huff moved to approve Resolution D-256. Councilmember Trulove seconded. Carried unanimously.

6. 07-025 – Resolution D-257 – Policies and Procedures Ms. Showalter stated that these were brought forward at the last meeting and were sent to the General Government Committee. The policies are regarding service animals, a compressed work week, and contagious diseases. Councilmember Huff moved to adopt Resolution D-257. Councilmember Trulove seconded. Carried unanimously.

7. 07-004 – Take Home Vehicle Use Mr. Strobe stated that the City Council asked the Public Safety Committee to review take home vehicle use. The recommendation is to approve the take home use for the Fire Chief, Police Chief, and Police Commander. We have an existing practice and our policy does not address proximity to the city. The best way to address this is to put a policy in place that meets our needs. There is great merit in having the Fire Chief, Police Chief and Police Commander have vehicles at home. They are able to provide command on the way here. Councilmember Huff moved to approve the Mayor’s recommendation to allow the Fire Chief, Police Chief, and Police Commander to have take home vehicles. Councilmember Trulove seconded. Councilmember Overhauser stated that she would like to have an annual review of the automobile use during budget time. Councilmember Trulove stated that reviewing the use is not necessarily what the Council should be engaged in. He thinks that is why we have a City Administrator and Mayor. Mr. Strobe stated that the draft policy and adopted policy will be brought forward. Councilmember McKeehan stated that he thinks we need something in the policy about proximity to the city. Carried unanimously.

8. 07-030 – Letter of Support for North South Corridor Mr. Strobe stated that this was discussed by the General Government Committee. They decided the best course of action would be to make minor adjustments to the letter and send it with a cover letter that states our priorities. The cover letter makes clear what our intent is. Councilmember Huff stated that he does not think SR 904 is our number one priority for the city. Councilmember Trulove stated that he thinks this is a good approach. Councilmember Trulove moved to affirm the Mayor’s decision to send the letter of support for the North South Corridor with a cover letter. Councilmember McKeehan seconded. Discussion followed. Carried unanimously.

K. Council Reports Councilmember Overhauser stated that the cover letter for the North South Corridor support letter was tactful and she appreciated it. Councilmember Huff asked why we charge 14.5% tax on natural gas. Mr. MacDonald explained that the City originally had it at 6% and the electorate agreed to increases to fund residential streets and parks and recreation. Councilmember Trulove requested to be excused from the next meeting. Councilmember Huff moved to approve the request. Councilmember McKeehan seconded. Carried unanimously.

L. Staff Reports Mr. Sale stated that Duncan the dog was released from quarantine on Sunday in Australia. Everything went as planned. There was extensive media coverage in Australia. Since then, Lisa Rosier, Duncan, and Lisa’s dad have been on the Australian equivalent of Good Morning America and other talk shows. Throughout the interviews they have talked about the goodness of the people of Cheney. The media

division of the Queensland Police Department will make us a CD of the coverage. Councilmember Trulove stated that it was a wonderful event. Mr. Strobe stated that he would like to have time before or after the next Council meeting to have a workshop to talk about improved communications, streamlining council agenda items and actions items, chain of command, use of Council committees, budget administration policies, top priority items in departments, Council correspondence, and the trigger for staff responding to a Councilmember. He would like thirty minutes to an hour. Councilmember Huff stated that he thinks it is a good idea, but maybe we should wait to have all councilmembers there. Councilmember Trulove stated that he would be happy to stop by the office to discuss those issues.

M. Mayor's Report None

N. Executive Session Mayor Gainer recessed the meeting at 7:44 p.m. for executive session regarding the land use issue lasting approximately ten minutes with no action to follow. He asked Mr. Strobe, Ms. Niemeier, and Mr. Conklin to stay. Mayor Gainer reconvened the meeting at 7:51 p.m.

O. Adjournment Councilmember McKeehan moved to adjourn the meeting. Councilmember Overhauser seconded. Carried unanimously. The meeting was adjourned at 7:51 p.m.

City Clerk

Mayor