

REGULAR CITY COUNCIL MEETING

March 28, 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, Councilmember Trulove, and Councilmember McKeehan. Staff members present included Ms. Niemeier, Mr. Conklin, Mr. Montague, Mr. Richardson, Mr. Schmidt, Ms. MacDonald, Mr. Campbell, Ms. Westhoff, Ms. Cooper, Mr. Simmons, Mr. Wahl, and Ms. Showalter. Mayor Gainer stated that Councilmember Overhauser requested to be excused due to illness. Councilmember Huff moved to approve the request. Councilmember Stockton seconded. Carried unanimously.

C. Minutes of the Regular City Council meeting of March 14, 2006 were approved as distributed.

D. Claims and Vouchers nos. 85473 through 85583 in the amount of \$492,465.81 were approved as read.

E. Claims for Damages None

F. Small Contracts Ms. Niemeier stated that the contracts are with Spokane Youth Sports Association for field use and Fred Evander and David Hooks for \$300 per credit hour for Planning interns. Councilmember Harris moved to approve the small contracts. Councilmember McKeehan seconded. Carried unanimously.

G. Citizen Participation None

H. Information Items Ms. Cooper introduced Molly Davidson, the new Probations Clerk. Mr. Simmons introduced Brandon Babin, the Summer Intern. Judge Tripp introduced Judge Derr, the Spokane County District Court Presiding Judge. Judge Derr provided an overview of the District and Municipal Courts. Judge Tripp provided the Cheney Municipal Court report. Judge Derr explained the Day Reporting Program and stated that it was sponsored by the judges. Friendship Diversion Services established the program. Those enrolled are required to be at a specific location for eight hours each day. There is no limitation on who can be referred to them. Judge Tripp explained the DUI Court. Councilmember Huff questioned who pays the Day Reporting fees. Judge Tripp stated that Friendship Diversion Services seeks reimbursement from the defendant.

I. Action Items

1. 06-051 Mary Street Vacation Hearing Mayor Gainer opened the public hearing at 6:37 p.m. Mr. Schmidt stated that this is a petition for vacation of a portion of Mary Street. The ownership is complicated in that area and we are getting help from the City Engineer. Councilmember Huff asked if we would be giving the land to Northwest Renovators or selling it if we decide to vacate. Mr. Schmidt replied that it would be something to take to the Public Works and Utilities Committee. Bonnie Eccles, 214 N 6th St., asked if there is any thought of connecting the walking trail to the downtown area. Mr. Schmidt stated that we are looking at that and the logical access would be Pine Street. Nancy Kuonen stated that she is the owner of the building at 1605 First St. She stated that Northwest Renovators does not own all of the property along there. She stated that if Mary Street is vacated she only has one access to her property. She is highly opposed to this. Michael Lee with Northwest Renovators stated that the piece of Mary Street they want vacated is south of what she is referring to. Bud Chase stated that he owns a house there. He questioned how the one hundred feet is determined. Mr. Schmidt replied that it is from the edge of the right-of-way. Discussion followed. Lori Chase stated that before the City vacates, it would be nice to know what the property is going to be used for. Doug Gore, Northwest Renovators, stated that it is speculative development. Bud Chase questioned if we normally vacate without knowing what is going to be done. Mr. Schmidt stated that State law only requires the Council to determine if it is surplus and whether to vacate. Christie Bruntlett, 499 Annie Place, stated that commercial developers take all the trees down and she would like to see them preserve the natural resources. Mayor Gainer closed the public hearing at 6:59 p.m. Councilmember Harris move to refer this to the Public Works and Utilities Committee. Councilmember McKeehan seconded. Carried unanimously.

2. 06-049 Adoption of 2001 Annual Comprehensive Plan Amendments Mr. Richardson stated that this was adopted long ago but it was not published. An ordinance is not in effect until it is published. Councilmember Huff moved for the first reading of Ordinance T-11 in title and summary form only, that reading considered the second and third, and placed before Council for final passage. Councilmember Trulove seconded. Carried unanimously. Yes votes: Councilmember Harris, Councilmember Rast, Councilmember Huff, Councilmember Stockton, Councilmember Trulove, Councilmember McKeehan. Ordinance T-11 passed.

3. 06-057 Amend Petty Cash Ordinance Ms. Niemeier stated that this is a simple amendment that would provide \$250 to Parks and Recreation for Day Camp and ECHO supplies. Councilmember Huff moved for the first reading of Ordinance U-23 in title and summary form only, that reading considered the second and third, and placed before Council for final passage. Councilmember Rast seconded. Carried unanimously. Yes votes: Councilmember Harris, Councilmember Rast, Councilmember Huff, Councilmember Stockton, Councilmember Trulove, Councilmember McKeehan. Ordinance U-23 passed.

4. 06-042 Cheney Research and Industrial Park – Feasibility Analysis Agreement Mr. Schmidt stated that we have been talking about the Honeywell building and trying to get the facility occupied. The analysis would determine if we have the market demand for industrial in Cheney. It would determine if Honeywell is a viable site for a public development authority. Councilmember McKeehan asked where the money would come from for this. Mr. Schmidt stated that it would more than likely come from the Mayor's contingency fund or the Light Department. Councilmember Trulove stated that it appears that there is some stranded investment. The ratepayers would benefit if the investment generated revenue. We talk about development but we do not know what is feasible. This would be a good step. It looks like it is worth five or six times the price. Mr. Schmidt stated that this would benefit other properties as well as the Honeywell site. Councilmember Huff stated that we do not own the Honeywell building. He asked if companies do their own analyses. Mr. Schmidt stated that it is a valid concern. It depends on how interactive we want to be to attract other things in the community. Councilmember Huff stated that this may or may not be useful to us. There is not enough assurance that this is worthwhile. Councilmember Trulove stated that we have been talking about how involved the City should be in economic development. We do not know the answer to that or even what the risks are. This would answer some questions. We would be relying on an industrial development specialist that could give us a realistic view of what is going on. Discussion followed. Bonnie Baker questioned if the University would be willing to do the study. Mr. Schmidt stated that we contacted them and they are not interested. Doug Nixon questioned why Honeywell does not pay for the analysis. Mr. Schmidt stated that this is not specific to the Honeywell Building. Councilmember Harris moved for passage of Resolution D-098. Councilmember Rast seconded. Carried with Councilmember Huff voting nay.

5. 06-030 Street Sweeping Policy Mr. Schmidt stated that this includes prioritized routes for street sweeping. No comments were received. Councilmember Huff stated that he would like it to state that we will not spend overtime on it. It is not an emergency. Councilmember Huff moved to approve Resolution D-090 with an amendment to the policy that states that we will not pay overtime for street sweeping. Councilmember Rast seconded. Carried unanimously.

6. 06-053 City Park Playground/Shelter Installation Mr. Schmidt stated that we purchased a picnic shelter with Spokane County grant funds. We have also purchased new playground equipment. Installation would include assembling the equipment and the shelter. The cost is over what is budgeted. Other items will be deferred to make up the difference. Councilmember Huff moved for passage of Resolution D-103. Councilmember Stockton seconded. Carried unanimously.

7. 06-055 2006 Outdoor Pool Schedule and Fees Mr. Simmons stated this there are slight adjustments to the schedule. The Park Board and Youth Commission have both reviewed this. It reduces the morning hours and cuts out water aerobics. EWU has a year round water aerobics program that is very popular. They will use our facility this summer while theirs is being renovated. There will be no teen swim on Saturday. Wednesday family swim has been moved to Friday. Councilmember McKeehan asked if there could be an adult lap swim during swim team practice. Bonnie Eccles, 214 N 6th St, thanked Mr. Simmons for the pool. Councilmember Rast moved to approve Resolution D-105. Councilmember McKeehan seconded. Carried unanimously.

8. 06-047 Policies and Procedures Ms. Showalter stated that these were introduced to Council at a previous meeting. The General Government Committee met and discussed these policies. Councilmember McKeehan moved to approve Resolution D-104. Councilmember Huff seconded. Carried unanimously.

9. 06-058 Pathways to Progress Membership Mayor Gainer stated that he has been promoting Pathways to Progress. He thought it would be a good idea to join Pathways since it encompasses the whole city. Councilmember Huff asked if he served on the Board. Mayor Gainer replied that his is a member. Councilmember Huff asked if the City put up the money to start Pathways. Mr. Schmidt stated that we were behind the original movement. EWU was the prime sponsor, but the City and University worked together on the beginning. Councilmember Trulove stated that when he was on the Planning Commission, Pathways would come with suggested modifications to the Comprehensive Plan. He questioned if it would be a conflict if the City was a member. Mr. Schmidt stated that Pathways would still be their own non-profit organization for improving Cheney. Councilmember Trulove stated that he does not want the public to feel that the Council cannot be impartial. Discussion followed. Councilmember Huff moved to defer this to the next meeting. Councilmember Harris seconded. Carried unanimously.

10. 06-056 Spokane County Grant "Have a Seat Project" Mr. Simmons stated that they would like to apply for funds for bleachers at the parks. This is the same funding that paid for the playground equipment and shelter at City Park. They will request funding for two new bleachers at Salnave Park and three bleachers at Centennial Park. The City's match would be \$2,000, which would come from mitigation funds. Councilmember Huff moved to approve submitting a funding proposal to Spokane County. Councilmember McKeehan seconded. Carried unanimously.

11. 06-054 Policies and Procedures Ms. Showalter stated that she is asking for referral to the General Government Committee for review. The new policies include emergency staffing, vehicle use, leave of absence without pay, and water efficiency and restricted use. Councilmember Huff stated that with the vehicle use policy a log of what the vehicle is used for would be good for all vehicles. It would make employees more accountable. Councilmember Huff moved to refer this to the General Government Committee for review. Councilmember Harris seconded. Discussion followed. Carried unanimously.

J. Council Reports None

K. Staff Reports Mr. Richardson stated that a squirrel caused the power outage last Thursday. It knocked out the whole substation. Over 2,000 customers were affected. Mr. Conklin stated that he received notice from the Court of Appeals that the 1997 Myers case has been dismissed. It was the suit for \$10 million dollars and attorneys fees. Mr. Schmidt stated that he provided Council a draft report on the retreat. It will be brought back as a draft for the public to look at. A potential new format for the Council agenda was included in packets. It provides a better order and more information.

L. Mayor's Report Mayor Gainer stated that he asked the General Government Committee to review the applicants for the vacancy on the Planning Commission. He is going to accept their recommendation to appoint David Rey. Councilmember McKeehan stated that it was difficult to choose from such good candidates. Councilmember Huff moved to confirm David Rey's appointment to the Planning Commission. Councilmember Rast seconded. Carried unanimously.

M. Citizen Comment Christie Bruntlett, 499 Annie Place, asked how the community could get involved in the Comprehensive Plan. Mr. Schmidt stated that there will be information in the utility billings. There will also be a follow up.

N. Motion for Adjournment Councilmember McKeehan moved to adjourn the meeting. Councilmember Stockton seconded. Carried unanimously. The meeting was adjourned at 7:50 p.m.

City Clerk

Mayor