

REGULAR CITY COUNCIL MEETING

May 23, 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 Overhauser, Councilmember Huff, Councilmember Stockton, Councilmember Trulove, and Councilmember McKeegan. Staff members present included Ms. Niemeier, Mr. Maggs, Mr. Montague, Mr. Richardson, Mr. Schmidt, Mr. MacDonald, Ms. MacDonald, Mr. Simmons, Mr. Wahl, Ms. Hale, and Ms. Showalter.

C. Minutes of the Regular City Council meeting of May 9, 2006 were approved as distributed.

D. Claims and Vouchers nos. 86047 through 86138 in the amount of \$432,514.25 were approved as read.

E. Claims for Damages None

F. Small Contracts Ms. Niemeier stated that there are five small contracts. They are with the Two Dudes in the amount of \$300 for a summer concert, Eric Engerbretson in the amount of \$400 for a summer concert, The Honeybuckets in the amount of \$250 for a summer concert, Pages of Harmony in the amount of \$250 for a summer concert, and Gary Carver in the amount of 70% of fees collected for yoga instruction. Councilmember Harris moved for approval of the small contracts. Councilmember McKeegan seconded. Carried unanimously.

G. Information Items None

H. Appointments None

I. Citizen Comments None

Councilmember Huff moved to move Item 11 to the first item. Councilmember Harris seconded. Carried unanimously.

J. Action Items

1. 06-087 – 2006 Police Guild Contract Ms. Showalter stated that this will give the sergeants a 2% pay raise, a 2.5% deferred compensation match, and pay them for pages. It is a one year contract. Councilmember Huff moved for approval of the 2006 Police Guild contract. Councilmember Rast seconded. Carried unanimously.

2. 06-085 – Ordinance U-26 – 2006 Salary Ordinance Ms. Showalter stated that this includes the increase in the sergeant's salary. The Finance Department was reorganized. They are adding a Treasury Manager and Accounting Manager and leaving both accountant positions vacant. Ms. Niemeier's former position was eliminated. Apprentice Meter Technician is new. New construction is requiring advanced metering. It is a three to four year apprenticeship. Councilmember Overhauser moved for the first reading of Ordinance U-26 in title and summary form only, that reading considered the second and third, and placed before Council for final passage. Councilmember McKeegan seconded. Councilmember Huff questioned what the savings will be in the Finance Department. Ms. Niemeier stated that it will be approximately \$25,000. Discussion followed. Ms. Niemeier stated that records management will still need to be addressed in the future. Carried unanimously. Yes votes: Councilmember Harris, Councilmember Rast, Councilmember Overhauser, Councilmember Huff, Councilmember Stockton, Councilmember Trulove, Councilmember McKeegan. Ordinance U-26 passed.

3. 06-091 – Ordinance U-28 – Amend CMC Chapter 15.08 – Sewer System Mr. MacDonald stated that this is an amendment to the Code. The provisions would allow for a low pressure sanitary sewer system if the conditions warrant it. They have researched other jurisdictions that are using this. Bonnie Eccles, 214 N 6th St, asked what happens during a power outage. Mr. MacDonald stated that you would have to look at back up

generation. Discussion followed. Councilmember Huff moved for the first reading of Ordinance U-28 in title and summary form only, that reading considered the second and third, and placed before Council for final passage. Councilmember Rast seconded. Discussion followed. Mr. MacDonald stated that this is actually a thirty day ordinance instead of five days as it was distributed. Carried unanimously. Yes votes: Councilmember Harris, Councilmember Rast, Councilmember Overhauser, Councilmember Huff, Councilmember Stockton, Councilmember Trulove, Councilmember McKeehan. Ordinance U-28 passed.

4. 06-050 – Ordinance U-29 – EWU Recreation Center – N. Tenth Vacation Mr. MacDonald stated that the Public Works and Utilities Committee discussed this and their one primary focal point was movement of vehicles and pedestrians. EWU had a study done that looked at traffic flows. They found that there was not a drop in the level of service. It did find that the level of service would drop at Cedar and Washington Streets during a weekday morning activity. The Committee felt that there is an issue they want addressed. They are focusing on Ash Street and developing that right of way. We are proposing that the University would pay for the appraised value of N 10th Street and improvements on Ash Street. The Committee wanted to see a pedestrian sky bridge. That was problematic in terms of the budget and it may not be the best mechanism to divert traffic. Mr. MacDonald introduced Rick Romero from EWU. Mr. Romero stated that it has taken a month or two to work through these issues. They had to make some changes to the design of the facility. He presented the new design. With a sky bridge the students would have to go upstairs, cross, and then go back down. They probably would not do that. They tried to focus the flow of traffic to one primary point and will address it with lights and signage. They have shut off the access to the facility because they do not want people crossing between the two crossing areas. The University would purchase the right of way for \$70,000 and agree to \$20,000 for improvements on Ash St. It would be the University's responsibility to relocate any utilities that are in that area. Mr. Romero stated that he thinks this will be a good thing for the entire community. It is a \$23 million project. It is out to bid this week. Bids are due June 23. They have spent \$1.6 million on design to date. Councilmember Trulove stated that he likes what has been done in terms of channeling pedestrian traffic and asked about lights for the crosswalk. Mr. Romero stated that they are considering any type of lighting and pavers that would define the area. Councilmember Harris thanked Mr. Romero for listening to their concerns and making changes. Councilmember Huff moved for the first reading of Ordinance U-29 in title and summary form only. Councilmember Rast seconded. Mr. MacDonald stated that this is a thirty day ordinance. Bonnie Eccles, 214 N 6th St, asked about parking at the facility. Mr. Romero stated that there are approximately 52 parking spots on the first floor of the facility. They have also had discussions about the site where the Outdoor Center is currently located. That would be approximately 85 additional spaces. Discussion followed. Mr. Romero stated that those spots are a commitment from the University. Ms. Eccles asked about flagging during events. Mr. Romero stated that it would be very unusual to have a special event in the morning on a school day. Keith Walker, 605 Irene Pl, stated that he likes the idea of having ice in the facility. He asked if there had been thoughts about a tunnel for pedestrians. Mr. Romero stated that they looked at that. The elevations and other logistics do not lend themselves to a tunnel. Councilmember Overhauser moved to amend the motion to include all three readings of the ordinance. This has been worked on since February. Discussion followed. Councilmember Rast seconded. Carried unanimously. Yes votes: Councilmember Harris, Councilmember Rast, Councilmember Overhauser, Councilmember Huff, Councilmember Stockton, Councilmember Trulove, Councilmember McKeehan. Ordinance U-29 passed. Councilmember Trulove stated that he would like to have all three readings of ordinances only in an emergency.

5. 06-081 – Resolution D-126 – BPA Conservation Acquisition Agreement Mr. Richardson stated that this replaces the existing contract. It is for things like lighting and motor rebates. Councilmember Trulove moved to pass Resolution D-126. Councilmember Stockton seconded. Carried unanimously.

6. 06-088 – Resolution D-128 – 2006 City of Cheney Strategic Plan Mr. Schmidt stated that this has been at the last couple meetings. We have not received comments other than what we have in the agenda. Councilmember McKeehan moved for adoption of Resolution D-128. Councilmember Stockton seconded. Councilmember McKeehan stated that he will try to contact Mr. Gainer regarding fiber optic and wireless when they go through the process. Carried unanimously. Bonnie Eccles, 214 N 6th St, stated that she would like to see the City Council figure out a plan for the two lanes of traffic that will be brought in on SR 904.

7. 06-086 – Resolution D-129 – Adoption of City Policies P-4, P-7, E-3 Ms. Showalter stated that Councilmember Overhauser suggested removing P-4 to look at it further. This will approve the Personnel

Records and Seat/Safety Belt policies. Councilmember Huff moved for passage of Resolution D-129 excluding P-4. Councilmember Rast seconded. Discussion followed. Carried unanimously.

8. 06-090 – Resolution D-130 – Audit Agreement Mr. Schmidt stated that this came up in the audit entrance conference. The auditors gave us a letter that Bonneville wants the conservation program audited. The original BPA agreement allows them to do that. The cost will be \$1,890. Councilmember Trulove asked if we can contract with someone else. Mr. Schmidt stated that this was ironed out before it came to us. Councilmember Huff moved for approval of Resolution D-130. Councilmember Trulove seconded. Carried unanimously.

9. 06-089 – Resolution D-131 – USDA Farm Program – Betz Property Mr. Schmidt stated that Betz Farms participates in the USDA Farm Program and the Mayor needs to sign the form. We receive \$200 and Betz Farms receives a little more than that. Councilmember Huff moved for approval of Resolution D-131. Councilmember Trulove seconded. Steve Emtman, 5323 S Bella Vista, asked about the length of the contract. Mr. Schmidt stated that we update it annually. Carried unanimously.

10. 06-079 – Resolution D-132 – Wireless Communication Analysis – Supplemental Agreement Mr. MacDonald stated that an agreement with Electronic Systems Technology was approved in February to conduct a radio systems survey. Our current modems are not capable of functioning under the harsh climactic conditions in our facilities. Electronic Systems Technology can cover all wells, including 6 and 7, with a wireless radio system to monitor our production, distribution, and storage systems. We have the capacity with these modems to get into video surveillance. Councilmember Huff moved for passage of Resolution D-132. Councilmember Harris seconded. Carried unanimously.

11. 06-092 – Resolution D-136 – McCardle Annexation – accepting petition and scheduling date for public hearing Mr. Richardson explained that the statute states that after the petition is certified it has to come to Council to see if we want to entertain it or not. The property is in the urban growth area and it is zoned R-1. Councilmember McKeehan stated that we are simply setting a date for a public hearing. Councilmember Huff moved for approval of Resolution D-136. Councilmember Overhauser seconded. Councilmember Overhauser questioned if this allows the appropriate notice for holding a public hearing. Mr. Richardson stated that there is not a fourteen day requirement. This will give us at least ten days before the hearing. Councilmember Trulove stated that this does not mean we are going to annex it. We are just listening to it. Councilmember Huff stated that he is concerned that this does not give enough time for notice. Councilmember Huff moved to amend the motion to have the hearing on July 11. Councilmember Overhauser seconded. Carried unanimously. Christie Bruntlett, 499 Annie place, stated that she presented a petition regarding development and she has not heard anything regarding it. She wants to know what the Council is thinking. Councilmember Huff stated that by having the hearing July 11, it would give people plenty of time for notice. Mayor Gainer stated that everyone is aware of the petition. Councilmember Rast stated that he puts a lot of credence in what happens at a public hearing. Councilmember Trulove stated that if people qualify for a public hearing, they should be given the opportunity to have one. It does not mean we agree with them. Discussion followed. Councilmember Trulove stated that the point of the petition is not to stop all public hearings. The petition has a very specific comment on a hearing that deals with annexation or land use changes. We have to provide an opportunity for all members of the public to have their say. Ms. Bruntlett questioned if property owners will be notified before the hearing. Mr. Richardson stated that we notify people within 300 feet. The statute only requires posting of the property and legal notice. Discussion followed. Mr. Schmidt stated that the petition is not of public record regarding this annexation unless it is submitted at the hearing. Discussion followed. Carried unanimously.

K. Council Reports Councilmember Overhauser reminded everyone of the West Plains Chamber golf tournament. Councilmember Huff stated that he would like to change the way we do things. He does not want to take action on all the small contracts. He would like something similar to a consent agenda.

L. Staff Reports Mr. Schmidt stated that the voting delegates at the AWC Conference will be Mayor Gainer, Councilmember Trulove, and Councilmember Stockton. He is going to question AWC why we have to pay the registration fee to attend the business meeting since we are members. There are three weeks before the next Council meeting. We might have Council Committee meetings during that time.

M. Mayor's Report Mayor Gainer stated that there will be a Memorial Day breakfast and walk to Fairview Cemetery.

N. Further Citizen Comment Bonnie Eccles, 214 N 6th St., thanked Councilmember Trulove for bringing up the point that we need to follow the rules. She stated that the Planning Commission made exceptions for a developer that she felt were unacceptable. If exceptions are going to be made, they should be for people that try to address the concerns. Steve Emtman, 5323 S Bella Vista, thanked Mr. MacDonald and Mr. Schmidt for getting the sewer issue taken care of. He also thanked Mr. Richardson for working on the growth area. He stated that each time we delay development it makes it even more difficult for the developer to accomplish what they want. He would like to try to push things forward. He is hoping there is a way to speed up the process.

O. Executive Session None

P. Adjournment Councilmember Huff moved to adjourn the meeting. Councilmember McKeegan seconded. Carried unanimously. The meeting was adjourned at 7:13 p.m.

City Clerk

Mayor