

REGULAR CITY COUNCIL MEETING

May 9, 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 Overhauser, Councilmember Huff, Councilmember Stockton, and Councilmember Trulove. Staff members present included Ms. Niemeier, Mr. Maggs, Mr. Montague, Mr. Richardson, Mr. Schmidt, Mr. MacDonald, Ms. MacDonald, Mr. Sale, Mr. Simmons, Mr. Ableman, Mr. Wahl, Ms. Gemmell, and Ms. Showalter. Mayor Gainer stated that Councilmember Rast requested to be excused due to vacation and Councilmember McKeehan requested to be excused due to illness. Councilmember Harris moved to approve the requests. Councilmember Stockton seconded. Carried unanimously.

C. Minutes of the Regular City Council meeting of April 25, 2006 were approved as distributed

D. Claims and Vouchers nos. 85901 and 85910 through 86019 in the amount of \$265,467.03; payroll warrants nos. 51762 through 51803 in the amount of \$25,744.87; direct deposits nos. 19743 through 19892 in the amount of \$209,279.69; claims warrants nos. 85868 through 85901 in the amount of \$258,396.02; and transfers to claims clearing fund for distribution in the amount of (\$14,673.48) for a total payroll of \$478,747.10 were approved as read.

E. Claims for Damages None

F. Small Contracts Ms. Niemeier stated that the small contract is with Studio Cascade in the amount of \$7,790 for a visioning process. Councilmember Harris moved for approval of the small contract. Councilmember Overhauser seconded. She stated that the cost is actually a decrease from the previous cost. Discussion followed. Carried unanimously.

G. Information Items Mr. Simmons stated that Cheney Wellness has formed a team for Relay for Life. It is a fundraiser for the American Cancer Society. There are eleven members so far and additional people who have donated money. Relay for Life begins the evening of May 19. Paulette Shanahan stated that she is a member of the quilt committee for Relay for Life. There are three quilts that are in the raffle. All blocks were made by community members. The money raised goes towards cancer research, support for cancer patients, education, etc. Mayor Gainer stated that the City has been awarded the AWC Well City Award for an outstanding worksite wellness program. He presented certificates to Wellness Committee members Diane Showalter, Keri MacDonald, Karen Gemmell, and Paul Simmons. Committee members Lori Musgrave, Dan Holtan, Mike Lambert, and Tim Steiner were unable to attend. Mayor Gainer proclaimed May 2006 as Helmet Safety Month. He also proclaimed May 15 as Peace Officers Memorial Day and May 14-20, 2006 as Police Week.

H. Appointments None

I. Citizen Comments Doug Gore, Northwest Renovators, stated that they own property by Mary Street that they asked to be vacated. They have been asked for a business plan and they want a clarification. They feel that it would have been appropriate to invite them to speak at the Public Works & Utilities meeting. They have asked to sit down with the Mayor and Mr. Schmidt to discuss this fully. They have no clear understanding of what the City wants for a business plan. Northwest Renovators is an opportunity to the City of Cheney. If they bring in new business, that will bring in sales tax revenue. Councilmember Huff stated that he would like to have a meeting set up with them. Discussion followed. Mr. Schmidt stated that he spoke with Mr. Gore and it is a work in progress. Michael Lee, Northwest Renovators, stated that their goal is to maximize profit for their properties. They have 2.91 acres zoned commercial. They would like to be able to get past the obstacles. Keith Walker, 605 Irene Pl, thanked the Water Department. He had a water break in a rental and the City alerted him to the high water meter read. He stated that he has an issue with water pressure at his house. He brought this to Council's attention last year and has not seen resolution. He would like the Council to do something so they can find out what is going on with water pressure. He owns a four plex on Second Street. The Building Department told him the property line needs to be dissolved because of the stairs. Both Mr.

Schmidt and the Mayor said they would take care of it and nothing has been done. He is tired of the Building Department getting on him when the City is not reacting. He would like a meeting date set. Councilmember Huff stated that he would like to follow up at the next meeting to see if a date has been set. Bonnie Eccles, 214 N 6th St, asked if the plat for the Bi-Mart will come to the Council for approval. Mr. Richardson stated that the Planning Commission approved the mitigation plan for the stream. They did not approve a plat. A binding site plan has to come to the Council. Ms. Eccles stated that she would like the City to set up rules and follow them. She also stated that the Council really needs to be certain that we have water for Cheney before we give any to Clear Lake. Mr. Schmidt stated that we struggle with citizen comment because the citizen wants a response to questions as they come up. Each one of these issues has a story behind it. The City's responses from the last two meetings are included with the agenda. We are trying to prevent arguments and find a means to address these while still having a business meeting. The issue is how we wish to respond to them.

J. Action Items

1. 06-074 – Resolution D-119 – Interlocal Agreement with Medical Lake for Jail Services Mr. Sale stated that this is an interlocal agreement with Medical Lake. It will replace the one approved in January. It is for use of our jail. Councilmember Huff moved for passage of Resolution D-119. Councilmember Harris seconded. Carried unanimously.

2. 06-075 – Resolution D-120 – Emtman Development – Sanitary Sewer System Councilmember Overhauser stated that she would like to eliminate item 2 and add a new item. Item 2 will be an ordinance at the next meeting. The additional item is for discussion of the Fairchild AFB water issue. Councilmember Harris seconded. Mr. MacDonald stated that we were attempting to bring something forward at Mr. Emtman's request. We have discovered that it would be better to amend the Code so that we could consider a low pressure system which meets the requirements on a case by case basis. Councilmember Trulove stated that he thought this was an experiment. Mr. MacDonald stated that this is new to us, but it is used by other jurisdictions and approved by Underwriters Laboratory. It is used in rocky areas or by bodies of water. We are proposing to add this where there are adequate safeguards. Discussion followed. Councilmember Huff asked why there was not an ordinance for this meeting. Mr. Schmidt stated that Mr. Maggs and Mr. Conklin decided today that an ordinance would be better than a resolution. Discussion followed. Carried unanimously.

3. 06-076 – Resolution D-121 – 2006 Residential Road and Sidewalk Project – Bid Award Mr. MacDonald stated that skyrocketing oil prices affected the bid prices. Bids were well above what was budgeted. The low bid was \$50 per ton for oil and the contractor was able to bid that because they purchased oil in January and stockpiled it. The increased costs will be factored into the six year transportation program. The low bidder was Degerstrom Corporation. Councilmember Overhauser moved for passage of Resolution D-121. Councilmember Harris seconded. Discussion followed. Carried unanimously.

4. 06-077 – Resolution D-122 – Cheney Comprehensive Parks and Recreation Plan – Adoption Mr. MacDonald stated that this is the culmination of a year's work. The plan will require more detail. He would like to budget for a formal design of the Betz Road property. An IAC application could be submitted in 2008. He introduced Bill Grimes from Studio Cascade. Mr. Grimes stated that it was very clear that the City wanted to establish a list of projects and prioritize them. The planning process was fairly extensive. They did a comprehensive facilities assessment. The City has an aging parks system. They received 320 responses from their mail survey, which amounted to 8%. That is phenomenal for a mail survey. They identified respondents by their use of the parks. The current users group showed that there is not one specific priority. It is a fairly even distribution. They put together a capital improvement plan looking at the first six years. They need City Council consideration and adoption. Councilmember Huff moved to approve Resolution D-112. Councilmember Overhauser seconded. Discussion followed. Bonnie Eccles, 214 N 6th Street, asked if anyone has thought of creating a new aquatics center and putting the skate park in the existing pool. Keith Walker, 605 Irene Pl, stated that he did not attend any of the meetings, but he thinks the City and the School District should build a partnership to save money. Steve Emtman, 5232 Bella Vista, asked if there was consideration to the planned park that he is going to be putting in. Mr. MacDonald stated that there is nothing specific. The plan shows a need for additional parks. Ms. Eccles stated that the 50 acre park is on the other side of town so the users will not actually do anything in town. Carried unanimously.

5. 06-078 – Resolution D-123 – Wren Pierson Project – Architect Agreement Mr. MacDonald stated that we have \$150,000 budgeted for development of a youth center. The proposal is to retain Zeck Butler

Architects to provide us with a design. There are issues with the structural façade of the building that need to be addressed. The roof is in poor condition. If it is developed, it could be a play court of some sort. The boiler also needs to be addressed. Councilmember Harris moved for passage of Resolution D-123. Councilmember Stockton seconded. Councilmember Huff stated that he voted against this in the budget process. He thinks it is ridiculous to spend the money on a youth center since it is a trial program. He thinks we are making a big mistake. Councilmember Overhauser stated that the program has been in place and they have overgrown their space. Discussion followed. Bonnie Eccles, 214 N 6th St., stated that we had a DARE Center and she does not know why it would not go. It takes at least two people to monitor so it might have been a staffing issue. Mr. Simmons stated that the space could also be used by the Recreation Department for meeting space. Mike Lee, Northwest Renovators, asked if this is for design work or construction. Mr. MacDonald stated that this is an architectural design that we would use for construction. Carried with Councilmember Huff and Councilmember Trulove voting nay.

6. 06-080 – Resolution D-125 – WSP MOU for Commercial Vehicle Enforcement Software Mr. Sale stated that he would like permission to sign an MOU with the Washington State Patrol for software for commercial vehicle inspection. There is no cost to the City. They supply the software, training, and updates as they become available. Discussion followed. Councilmember Huff moved for passage of Resolution D-125. Councilmember Trulove seconded. Carried unanimously.

7. 06-083 FAFB Water Rights Mr. MacDonald stated that this came together late today and Mr. Maggs requested it be brought forward. Fairchild Air Force Base approached the City to obtain 15 gpm of the City's 5400 gpm water rights. Our peak demand is 2400-2500 gpm. We have more than enough water rights to meet growth demand for the next twenty years. Fairchild AFB wants to use the water at their Clear Lake park. His concern is that there is the potential that we could have water rights revoked in the way it is written. Another step would be to go to the Conservancy Board in Spokane County. Fairchild AFB would be the petitioner. What is not clear is what that does with the water rights certificate. The resolution would authorize the Mayor to sign the application to go to the Conservancy Board although we would not do it if our water rights would be revoked. Councilmember Trulove stated that he does not understand why this is being done because we do not even share the same water source. He would like to table this until we really know what is going on. We need to know what the ramifications are. Mr. MacDonald stated that the State Legislature does allow for the transfer and sale of water rights. Trying to get new water rights is nearly impossible. Discussion followed. Councilmember Huff moved to postpone this to the next meeting. Mr. Maggs stated that the Department of Ecology conceded that they cannot touch the remainder of our water rights. Municipal water rights are not subject to relinquishment. That does not mean that they are not going to change their minds. Councilmember Overhauser seconded. Bonnie Eccles, 214 N 6th St., stated that they have been operating Clear Lake since at least 1980 without this well. Carried unanimously.

8. 06-071 – Strategic Plan (Draft) Mr. Schmidt stated that the purpose is to take comment on the strategic plan. Bonnie Eccles, 214 N 6th St, stated that a few years ago when improvements were done on SR 904, DOT stated that widening SR 904 to four lanes would be a traffic hazard for the people that live on that road. Mr. MacDonald stated that they actually concluded that it needs to be done. What they said is that they need to realign some of the roads to make it safer. Doug Gore, Northwest Renovators, stated that he fully supports developing a new business recruitment plan and sharing recent market studies. It would be helpful to potential new businesses. He suggested identifying vacant lots as well as empty buildings. Mike Lee, Northwest Renovators, stated that economic development is part of many departments and he thinks having one person do economic development would be a good idea. Mayor Gainer stated that there are several people that are involved to help us out. We are using a collective group. Mr. Lee suggested putting information on the website on who to contact and where to go. Tim Gainer, 2616 N Eton Ln, stated that he has a problem with completion of the fiber optic network. He suggested the City talk to Grant County to see how much money they lost. Wireless services should be provided by a company within the city. Councilmember Overhauser stated that the plan does not say the City of Cheney will complete that. Keith Walker, 605 Irene Pl, stated that the Seahawks are leaving.

K. Council Reports Councilmember Overhauser asked about the Police Department Monthly Accountability review. Mr. Sale stated that it will be the second Wednesday at 6 pm for the next couple months to see if more people will attend. Councilmember Huff stated that other jurisdictions have proclaimed the first week of May as Public Service Recognition Week.

L. Staff Reports Councilmember Trulove asked about the power outage over the weekend. Mr. Richardson stated that it was caused by a squirrel. Mr. Schmidt stated that we need the names of three voting delegates at the AWC conference. Councilmember Trulove stated that he was asked by AWC to be on the Resolutions Committee and he would like to be a voting delegate. Councilmember Overhauser stated that she can attend the Friday meeting if we need another person. There will be two councilmembers missing from the Public Works & Utilities meeting on Thursday. The Public Safety Committee will meet on May 16, but Councilmember Overhauser will be out of town. There are also conflicts with the General Government Committee meeting. The audit entrance conference will be Monday at 9 a.m.

M. Mayor's Report Mayor Gainer stated that the Comprehensive Plan meeting will be next Tuesday at 6 p.m. at the Wren Pierson Building.

N. Further Citizen Comment None

O. Executive Session Mayor Gainer recessed the meeting at 7:54 p.m. for a one minute recess and executive session regarding matters of real estate lasting eight minutes with no action to follow. Mayor Gainer reconvened the meeting at 8:06 p.m.

P. Adjournment Councilmember Huff moved to adjourn the meeting. Councilmember Stockton seconded. Carried unanimously. The meeting was adjourned at 8:07 p.m.

City Clerk

Mayor