

## REGULAR CITY COUNCIL MEETING

June 24, 2008

**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 Mather, Councilmember Nixon, Councilmember Overhauser, Councilmember Huff, and Councilmember Trulove. Staff members present included Ms. Fisher, Ms. Niemeier, Mr. Schwartz, Mr. MacDonald, Ms. MacDonald, Mr. Sale, Mr. Jennings, Mr. Simmons, Mr. Haight, Mr. Ableman, Mr. Noland, Mr. Winters, Ms. Cooper, and Ms. Showalter. Councilmember McKeehan was excused. Mayor Gainer stated that he received a request from Councilmember Stockton to be excused due to personal business. Councilmember Trulove moved to approve the request. Councilmember Huff seconded. Carried unanimously.

Councilmember Overhauser moved to remove Incident Command from the Information Items and add an executive session regarding matters of litigation. Councilmember Huff seconded. Carried unanimously.

**C. Minutes** of the Regular City Council meeting of June 10, 2008 were approved as distributed.

**D. Claims and Vouchers** nos. 94603 and 94706 through 94848 in the amount of \$813,587.15 were approved as read.

**E. Claims for Damages** None

**F. Small Contracts** Ms. Niemeier stated that the small contract is with Robert Quinn for \$1,600 for the Cheney Research and Industrial Park. Councilmember Overhauser stated that this is a slight expansion of tasks regarding the wetland at the industrial park. Councilmember Overhauser moved for approval of the small contract. Councilmember Trulove seconded. Councilmember Huff stated that we should make sure that this is not part of the wetland mitigation covered by WCIA. Councilmember Overhauser stated that a portion is paid by the development firm. This is not totally the city's responsibility. Ms. Fisher stated that she did not have a chance to contact WCIA. Mr. MacDonald stated that we can look into that. Carried unanimously.

**G. Information Items** Val Melvin, SRTC, stated that there have been some appeals regarding development proposals in some of the local areas. The basis of the appeals is often a difference in standards. Regional street standards should provide a basis for further agreements that will deal with growth. Cheney is anticipating a 39% increase in population by 2026. If the city gets on board now, it may eliminate problems later on. She requested a letter of support from the Council. Councilmember Trulove stated that it appears the standards in Cheney exceed those of other jurisdictions. Ms. Melvin stated that there would be minimum standards. Cheney has thicker roads because of clay. This board would decide a minimum that the region could adopt, but the jurisdiction could deviate from the standard if needed. Councilmember Overhauser asked if it would be more difficult to apply our standard if our standard is higher than the minimum. Ms. Melvin stated that the city would want to justify why it was needed. Everyone would need to do a pavement design. Mr. MacDonald stated that it would require a geo-engineering analysis which would provide the information for a deviation. Councilmember Huff asked if this would affect our ability to get grants. Mr. MacDonald stated that it would not. Ms. Melvin stated that we are looking at collaborating as a region. Mr. Schwartz stated that he thinks it is important to have something in the County. Cheney has to have a greater road base because of the soil basis. He questioned why the City would deviate from that. The Cheney concern is property adjacent to its boundaries. Ms. Melvin stated that there are some areas in Cheney that do not need a thicker road base because the clay is not there. Mr. MacDonald stated that it would be on a case by case basis. Councilmember Trulove asked what happens if we decide to approve this. Ms. Melvin stated that there is a subcommittee and a board. The subcommittee is made up of engineers. Mayor Gainer is on the SRTC board. Once the standards are set, it is up to the local jurisdiction to get the interlocal agreement done. They are just asking for support of the process at this point. Mr. MacDonald stated that the TTC board was tasked with finding out if there is support from the jurisdictions. Councilmember Huff requested a letter of support to be presented to the Council at the next meeting for a vote. Ms. Melvin stated that they have looked at the standards and there is not a lot of difference in width.

## **H. Appointments** None

**I. Citizen Comments** Bill Thompson, 6917 Lucas, stated that he appreciates Council and staff trying to mediate the Myers Park issue. He just learned of the letter saying he must be out by July 18. There are only four places in the County that move mobile homes and they cannot do all of them before July 18<sup>th</sup>. He cannot move his home because he does not live in it. The move is estimated at \$10,000. He feels the city is partly responsible because he was given a permit to move into the park. He thinks the purpose of taking Mr. Myers to court was to protect the residents there. His options are to sue Mr. Myers or to sue the City of Cheney. He asked the city to pay for the removal of his home or to purchasing it outright. Steve Haight, 415 Simpson Parkway, stated that he still has speeding on his street. The Police Department was out a couple of years ago and ticketed 20-30 people. He was told by the Public Works Department that they would be installing larger speed limit signs and that did not happen. They got orange triangles on the signs instead. The problem is still there. His wife runs a daycare and the kids cannot go anywhere near the street. A solution would be to narrow the street and remove the turn lane. Roy Coumbs, 7 Huron St, stated that his issue is with the utility department policy regarding tenants and landlords. He has no problem with the people in the utility department. They are always very helpful. If a tenant pays the \$75 deposit and leaves with a higher bill, the landlord has to pay it. That does not seem fair. If a tenant's lease ends in June, sometimes they quit paying their utilities in April. The bill adds up until they move. Utility bills have gone up in the last 15-20 years. Often the \$75 deposit does not cover the final bill. The city does not even have a forwarding address if the utility is disconnected for nonpayment and the tenant has moved away. He suggested raising the deposit to an acceptable amount. Mayor Gainer stated that we have been discussing this. Paula Tindall, 707 W First St #9, stated that she sent an email late this afternoon to the Mayor and Council. She asked the city if there is any way to help them get a brief extension on the closure of the park.

## **J. Action Items**

**1. 08-108 – Resolution D-495 – Cheney Transportation Improvement Program: 2009-2014** Mayor Gainer opened the public hearing at 6:37 p.m. Mr. Ableman stated that we have just less than one half mile of street widening, 1.7 miles of new construction, and 4.18 miles of street restoration. The estimated cost is \$4.2 million. We have completed ten of the fourteen years of residential street projects. We have completed 85% of the residential streets. We have 8.4 miles of residential street improvements for this period. Asphalt costs have increased from just less than \$30 per ton when we started to about \$70 per ton now. Councilmember Huff asked when the tax expires. Mr. Ableman stated that it expires in 2012. Mayor Gainer closed the public hearing at 6:46 p.m. Councilmember Huff moved for approval of Resolution D-495. Councilmember Overhauser seconded. Carried unanimously.

**2. 08-103 – Resolution D-492 – 2007 CDBG Agreement Amendment** Mr. Ableman stated that this is an amendment to extend the project which is primarily the N 6<sup>th</sup> Street water main project. Projects are usually done by June 30, but the long winter has caused delays. This extends the time to October 30. Councilmember Huff moved to pass Resolution D-492. Councilmember Trulove seconded. Carried unanimously.

**3. 08-107 – Resolution D-494 – SAFER Grant Application** Mr. Winters stated that they would like to apply for a SAFER grant for funding to recruit volunteers and retain residents. We are asking for \$104,800. No city match is required. Councilmember Trulove moved for passage of Resolution D-494. Councilmember Overhauser seconded. Carried unanimously.

**4. 08-109 – Resolution D-496 – Golden Hills Park Playground and Picnic Shelter Installation** Mr. MacDonald stated that this is an agreement with Prosser and Sons to install the playground equipment at the pocket park in Golden Hills. The equipment has been purchased. They hope to get volunteers from Golden Hills to help. This is an hourly contract and the maximum amount is \$24,125. Councilmember Huff moved for passage of Resolution D-496. Councilmember Overhauser seconded. Carried unanimously.

**5. 08-111 – Resolution D-498 – Cheney Research and Industrial Park – Engineering Agreement** Mr. MacDonald stated that this is an agreement with Taylor Engineering. They were selected by a group that reviewed twelve statements of qualifications that came in. There were some excellent submittals. Taylor Engineering has worked with similar business parks. The listing agent contract will come forward in July. Councilmember Trulove asked if these costs are comparable to equally qualified firms. Mr. MacDonald stated that he did not do a study of comparables. They made it known what was budgeted. Councilmember

Overhauser asked if we followed the criteria in the packet. Mr. MacDonald stated that we absolutely did. Councilmember Huff moved for passage of Resolution D-498. Councilmember Overhauser seconded. Councilmember Huff stated that WCIA might be able to help. Councilmember Mather stated that this has been discussed at the committee meetings. She did some research and thinks Taylor Engineering is the best firm. Mr. Schwartz stated that he thinks they are very well qualified. Carried unanimously.

**6. 08-112 – Resolution D-499 – Cheney Rodeo Parade** Mr. Simmons stated that this authorizes the Mayor to sign an agreement with WSDOT to close SR 904 for the rodeo parade. Councilmember Overhauser moved to approve Resolution D-499. Councilmember Huff seconded. Carried unanimously.

**7. 08-114 – Resolution D-500 – “Drive Hammered, Get Nailed” DUI Emphasis Campaign Grant** Mr. Sale stated that the Washington State Traffic Safety Commission will reimburse us for overtime for this DUI emphasis. Councilmember Huff moved for approval of Resolution D-500. Councilmember Trulove seconded. Carried unanimously.

**8. 08-113 – Ordinance U-85 – Amending Title 22 – Subdivisions** Mr. Jennings stated that this addresses our design standards for subdivisions. We have not been requiring subdivisions to be designed in this manner. The actions should remove the conflicting standards and allow the current projects to advance. Changes in street block layout make alleys optional in business districts and areas other than business districts. Councilmember Trulove asked if we might need alleys for utility purposes. Mr. Jennings stated that we could still require utility easements. Mr. Schwartz stated that in Section 8, the words *interim zoning* should be used instead of *moratorium*. Councilmember Huff moved for the first reading of Ordinance U-85 in title and summary form only with the change suggested by Mr. Schwartz, that reading considered the second and third, and placed before Council for final passage. Councilmember Overhauser seconded. Roy Coumbs, 7 Huron Street, asked if this is going to make it easier for someone to get a building permit. Mr. Jennings stated that this would not affect that, but they are proposing changes to the permitting process also. Carried unanimously. Yes votes: Councilmember Mather, Councilmember Nixon, Councilmember Overhauser, Councilmember Huff, Councilmember Trulove. Ordinance U-85.

**K. Council Reports** Councilmember Mather stated that she has been to several Council committee meetings. There has been a lot of discussion and she has gotten a lot of good information from Mr. MacDonald. Councilmember Overhauser apologized for missing the committee meeting. Councilmember Trulove attended the AWC annual conference. The sessions were informative, especially the session on setting municipal utility rates.

**L. Staff Reports** Ms. Fisher stated that there was a staff retreat on Monday. She and Mr. Jennings attended a meeting with EWU. She participated in a park audit and will talk with staff about that shortly. They finalized the CIP process. She attended the AWC conference in Yakima. Personally, they graduated their fourth child and have a new grandbaby on the way. There were no appeals or challenges on Well 8. Councilmember Trulove stated that it is a project well done.

**M. Mayor’s Report** Mayor Gainer stated that he is continuing to collaboration with EWU. He is meeting with the Board of Directors tomorrow. The AWC conference was good.

**N. Executive Session** Mayor Gainer recessed the meeting for executive session as per RCW 42.30.110 at 7:14 p.m. for ten minutes with no action to follow. He asked Mr. Schwartz and department heads to stay. Mayor Gainer reconvened the meeting at 7:31 pm.

**O. Adjournment** Councilmember Huff moved to adjourn the meeting. Councilmember Overhauser seconded. Carried unanimously. The meeting was adjourned at 7:31 p.m.

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City Clerk

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Mayor