

## REGULAR CITY COUNCIL MEETING

June 26, 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 Rast, Councilmember Overhauser, Councilmember Huff, Councilmember Stockton, and Councilmember Trulove. Staff members present included Ms. Niemeier, Mr. Maggs, Mr. Richardson, Mr. MacDonald, Ms. MacDonald, Ms. Gemmell, Mr. Sale, Mr. Simmons, Mr. Ableman, Mr. Winters, Mr. Behrens, Mr. Johnson, Mr. Wahl, Ms. Rosier, Mr. McClure, Mr. Hartford, Ms. Cooper, and Ms. Showalter. Councilmember Harris and Councilmember McKeehan were excused.

**C. Minutes** of the Regular City Council meeting of June 12, 2007 were approved as distributed.

**D. Claims and Vouchers** nos. 90400 and 90517 through 90652 in the amount of \$739,661.77 were approved as read.

**E. Claims for Damages** None

**F. Small Contracts** Ms. Niemeier stated that the small contract was removed for further review.

Mayor Gainer stated that we need to add the Solid Waste Management Plan, Youth Commission appointments, and a presentation by Lisa Rosier to the agenda. We need to remove agenda item 8 and add 8a, which is 07-084 Accepting Hearing Examiner's Decision and 8b, Accepting Resignation of City Administrator. Councilmember Stockton moved to approve the changes. Councilmember Overhauser seconded. Carried unanimously.

**G. Information Items** Ms. Cooper introduced Oliver Graves. He is a criminal justice graduate from EWU and he will be filling in for Molly Davidson while she is on maternity leave. Mr. MacDonald stated that the ordinance that resulted in vacation of N 10<sup>th</sup> Street stated that EWU would construct the intersection. Troy Bester from EWU will present the design. STA said it would be acceptable for EWU to bill the City and then we will bill STA. If the design is acceptable, this will be brought back on July 10 as an agenda item. Mr. Bester stated that they contracted with ALSC for design of the crosswalk. The intent is to better design the crosswalk and pedestrian path. They will add more street lighting and put up a speed limit sign that is radar operated. Councilmember Rast stated that he would prefer a light that would stop the students to let cars pass. The problem is that cars will back up for blocks while the students cross. Mr. Bester stated that a crosswalk sign does not mean the students will stop. Discussion followed. Councilmember Trulove stated that he saw some impressive signs in Tacoma with moving lighting for this type of situation. Discussion followed. Councilmember Rast stated that the crossing issue is more important than speeding. Councilmember Stockton stated that the foot traffic will double with the recreation center and dorms. Mr. Bester stated that they would like to do the majority of the street construction this summer. Mr. MacDonald introduced Damon Taam and Suzanne Tresko from the Spokane Regional Solid Waste System. He stated that the draft plan is out for comment. The draft is scheduled to go to the Department of Ecology on August 1. They have ninety days to approve it. Ms. Tresko stated that the only change from the recommendations is that they have eliminated some of them and changed some of the language. The recommendations can be reviewed at [www.solidwaste.org](http://www.solidwaste.org) and hard copies are in the libraries. They have been working with and getting comments from city staff. The end of June is the end of the thirty day comment period, but they will still accept comments after that date. They are having a special meeting on July 9<sup>th</sup> at 10 a.m. at Spokane City Hall. Ms. Rosier presented a certificate of appreciation to the City of Cheney and the Cheney community for their generosity in reuniting Duncan with her dad. Ms. Rosier also presented Mr. Sale with a drawing of Duncan to be put in the Police Department.

**H. Appointments** Mr. Simmons stated that the new members of the Youth Commission are Tyler Pratt, Morgan Saul, Amy Schroeder, and Sam Shellabarger. The alternates are Ashley Smith, Katie Haselbacher, Briana Estrellado, and Jenna Hatch.

## **I. Citizen Comments** None

## **J. Action Items**

**1. 07-074 – Resolution D-296 – Cheney Transportation Improvement Program: 2008-2013** Mr. MacDonald stated that State law requires us to have a six year transportation program. Mayor Gainer opened the public hearing at 6:32 p.m. Mr. Ableman stated that this is not much different from last year as far as number of miles. We have completed nine years of the residential street program. He presented street ratings and information. Councilmember Rast asked if improved ratings hurt us when it comes to grants. Mr. Ableman stated that it can. Councilmember Trulove commended Mr. Ableman and Mr. MacDonald for planning ahead and being proactive. Mr. Ableman stated that this program sunsets in 2012, but hopefully we can gather enough data to keep it going. Rich Baker, 1320 3<sup>rd</sup> St Apt. 9, questioned if the program takes into consideration price increases and inflation. Mr. Ableman stated that it does. Mr. MacDonald stated that it was taken into consideration when this was put together in 1998. Mayor Gainer closed the public hearing at 6:43 p.m. Councilmember Huff moved for passage of Resolution D-296. Councilmember Trulove seconded. Carried unanimously.

**2. 07-073 – Resolution D-295 – Cheney Water Reuse Analysis – PWTf Closeout** Mr. MacDonald stated that Larry Esvelt is here to present the analysis. We began this in late 2003, but our focus shifted once it became evident that we had to expand the wastewater treatment plant. The focus in this analysis has been how we can use the treated effluent to offset the demand on potable water. We have to maintain enough water in the wetlands. We hope there will be grant funds through DOE or EPA to convert the plant to a water reclamation facility. Mr. Esvelt stated that population growth has exceeded what was projected. Draw downs in ground water will be cut in half with water reuse. There is a cost difference for different types of tracking filters and disinfection. Mr. MacDonald stated that the intent is to get this to the Public Works Board. We want to start discussions with EWU to show them the benefits of this. We will continue to monitor the availability of funding. Councilmember Trulove moved for passage of Resolution D-295. Councilmember Stockton seconded. Carried unanimously.

**3. 07-075 – Resolution D-297 – Cheney Research and Industrial Park – EDA Application** Mr. MacDonald stated that this will enable us to submit an application to the EDA for \$1,379,239 to finance installation of the infrastructure at the technology park. The location is next to the old Honeywell site, which is now owned by Allpak. We are looking at a public-private partnership. Allpak would like to retain some of the property. They have to develop it in a way that is conducive to the technology park. The City would purchase twenty-one acres. The City would develop Fred Johns Way and install fiber, water, and sewer to the site. Allpak would provide 45% of the match. They would also strive to meet the EDA targets. The big issue is funding. The enterprise funds would provide the City's share of the match. The general fund would provide the money for the land acquisition. The application packet is due on July 6. We do not have to pay back the money if we do not meet the targets. Allpak's obligation would be 124 jobs and their share of the private investment is \$13 million. Our attorneys are drawing up a purchase agreement. The EDA will not award the funding unless we have the property in hand. Formation of a public development authority would occur this fall. Ms. Niemeier presented the current amended budget. She stated that \$314,000 is needed from the general fund for the land acquisition. That is doable. Councilmember Trulove questioned why the money has to come from the general fund. Ms. Niemeier stated that enterprise funds cannot give funds to governmental projects. Councilmember Trulove asked if the general fund can borrow from the enterprise funds. Ms. Niemeier stated that most of those funds are being used for the wastewater treatment plant expansion and well eight. Councilmember Huff stated that we do not need to borrow anything. Mr. MacDonald stated that the point is that there are no guarantees. It is an investment, but it should bring in considerable revenue for the enterprise and general funds. Councilmember Huff stated that we already committed ourselves. Councilmember Huff moved for passage of Resolution D-297. Councilmember Overhauser seconded. Carried unanimously.

**4. 07-067 – Resolution D-298 – Well Eight Consultant Agreement** Mr. MacDonald stated that CH2M Hill will prepare for a test drill. If it is a viable site, we would look to work with them on the real well. This site is appealing because we own the property and there is an eight inch transmission main. Councilmember Huff moved for passage of Resolution D-298. Councilmember Trulove seconded. Rich Baker, 1320 3<sup>rd</sup> Apt 9, asked what the loss would be if we do not find water and have to look for another site. Mr. MacDonald stated that the cost would be the investment for the consultant and approximately \$50,000 for the test drill. If this site does not work then we will probably go out to well six and drill a well there. Carried unanimously.

**5. 07-068 – Resolution D-300 – Water Cost of Service Analysis – Consultant Agreement** Mr. MacDonald stated that we want to look at how we are distributing our costs between rate classes. We would also like the consultant to look at things like senior discounts. Councilmember Trulove stated that he thinks the Council should determine what is fair and equitable. He has not been happy with having someone else tell us what is fair. There are some issues that we should consider. He is not ready to turn this over to a consultant. Mr. MacDonald stated that he is looking for the consultant to bring in options. We are very dependent upon overage sales. He is not suggesting that they tell us what to do. Councilmember Overhauser stated that this is just one work element. There are several tasks that need to be completed. Councilmember Trulove asked if it is important to do this now. Mr. MacDonald stated that he will defer to Council. Councilmember Huff moved to pass Resolution D-300. Councilmember Overhauser seconded. Councilmember Rast stated that he is in favor of sending it to the Public Works and Utilities Committee so Councilmember Trulove has a chance to look at it. Councilmember Stockton stated that he agrees unless there is a great hurry. Councilmember Huff withdrew his motion. Councilmember Overhauser withdrew the second. Councilmember Rast moved to send this to the Public Works and Utilities Committee. Councilmember Trulove seconded. Carried unanimously.

**6. 07-079 – Resolution D-303 – 2006 CDBG Subrecipient Agreement Amendment** Mr. MacDonald stated that this is a housekeeping item. It will extend the agreement to August 31. Councilmember Huff moved for approval of Resolution D-303. Councilmember Rast seconded. Carried unanimously.

**7. 07-081 – Resolution D-304 – Award of Bid for City Hall ADA Improvements** Mr. Richardson stated that this started out with Mayor Sooy's request to improve the doors of City Hall. There are five additional areas that need improved. There have been many starts and stops. We decided to get the door done and put the other items on hold. This will also add a sink in the break room. This will be paid out of Light Department funds. Councilmember Huff moved to approve Resolution D-304. Councilmember Stockton seconded. Carried unanimously.

**8a. 07-084 – Resolution D-307 – Approving Hearing Examiner's Decision** Mr. Sale stated that we approved a contract with the hearing examiner at the last meeting. The hearing was held and the hearing examiner submitted his recommendation. This is to approve his findings and recommendation. Councilmember Huff moved for approval of Resolution D-307. Councilmember Overhauser seconded. Carried unanimously.

**8b. 07-083 – Resolution D-306 – Acceptance of City Administrator Resignation – Robert Strobe** Ms. Showalter stated that Mr. Strobe has chosen to resign. His contract has provisions requiring a severance. This allows the Mayor to accept the resignation. Councilmember Overhauser moved to approve Resolution D-306. Councilmember Huff seconded. Carried unanimously.

**9. 07-071 – Ordinance U-49 – Adoption of 2006 International Building Codes** Mr. Richardson stated that every three years we are required to adopt the international codes. The three dollar technology fee was adopted by resolution but it does not say what we will do with the money. He stated that it will be used for computers and software for permitting. Councilmember Huff moved for the first reading of Ordinance U-49 in title and summary form only. Councilmember Rast seconded. Carried unanimously. Councilmember Huff moved to defer this to the next meeting. Councilmember Rast seconded. Carried unanimously.

**K. Council Reports** Councilmember Overhauser stated that she was hoping Councilmember Trulove would provide information about the AWC conference. Councilmember Trulove stated that they spent time organizing the testimony to a joint hearing of the Senate and House. The theme of the conference was partnerships.

**L. Staff Reports** Ms. Cooper stated that the Washington State Bar Association selected Judge Tripp for the Outstanding Judge for the state this year.

**M. Mayor's Report** Mayor Gainer stated that the Veterans Memorial Park dedication was really nice. It was amazing to watch the Scouts do the flag retirement ceremony. He thanked the Fire Department for their help.

**N. Executive Session** Mayor Gainer recessed the meeting at 7:45 p.m. for executive session regarding matters of litigation lasting ten minutes. There will be no action to follow. He asked Mr. Richardson, Ms. Showalter, and Ms. Niemeier to stay. Mayor Gainer reconvened the meeting at 8:09 p.m.

**O. Adjournment** Councilmember Huff moved to adjourn the meeting. Councilmember Rast seconded. Carried unanimously. The meeting was adjourned at 8:10 p.m.

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City Clerk

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Mayor