

**CITY COUNCIL MEETING / CLOSED PUBLIC HEARING  
TUESDAY, JANUARY 5, 2010  
CITY HALL  
22710 E. COUNTRY VISTA DRIVE  
7:00 P.M.**

**INVOCATION**

Given by Mayor Van Orman

**PLEDGE OF ALLEGIANCE**

Led by Mayor Van Orman, City Council and City Staff

**CALL TO ORDER**

Mayor Van Orman called the meeting to order at 7:04 p.m.

**OATHS OF OFFICE:**

Ann Swenson, City Clerk, conducted the Affirmation of Oaths of Office for City Council Member Position 4, Odin Langford, and City Council Member Position 6, Ryan Romney. Mayor Van Orman reported that she'd conducted the Oath of Office for Council Member Josh Beckett earlier today at Valley Medical Center. Mayor Van Orman then called roll.

**ROLL CALL**

Council Member Jenkins	Doug Smith, Director of Community Dev.
Mayor Pro Tem Crump	Ann Swenson, City Clerk
Council Member Owens (absent)	Brian Asmus, Chief of Police
Council Member Romney	Sean Boutz, City Attorney
Council Member Schuler	Pamela Mogen, Library Director
Council Member Beckett (absent)	

Mayor Pro Tem Crump moved to excuse Council Members Owens and Beckett, seconded by Council Member Schuler. Motion passed unanimously.

**AGENDA APPROVAL**

Mayor Pro Tem Crump moved to amend the Agenda, removing the Draft Capital Facilities Plan Update from Item 12 and refer it back to committee for further discussion. He also moved 2010 Standing Committee Members from Agenda Item 12 to Action Item 10c, seconded by Council Member Romney. Motion passed unanimously.

**MAYOR AND CITY COUNCIL REPORTS**

Mayor Pro Tem Crump provided a Finance Committee report. The committee discussed and reviewed vouchers. Other discussions included the closed-record hearing procedure, Council Member Beckett's swearing in today at Valley Hospital, Council Member Owens' absence, Rocky Hill Park, the procedure for check signers, and personnel issues. Mayor Pro Tem said he met with Mayor Van Orman and Director, Doug Smith, last evening to review goals and directions for the City as well as Agenda items for tonight.

Mayor Van Orman reported about her attendance at the 9-1-1 Emergency Communications meeting. She said the second round of systematic test calls for reverse 9-1-1 were conducted last week. It was discovered that public notification is limited because only 300-700 phone calls could be performed in an hour. The Board will be working with Quest to see what can be done regarding the future impact of reverse 9-1-1 calls. Mayor Van Orman provided a Youth Commission update. The Commission is currently preparing for upcoming events such as the All Fools Hunt and community Easter Egg Hunt.

## **STAFF AND AGENCY REPORTS**

Liberty Lake Municipal Library: Library Director, Pamela Mogen, reported about the Children's Art Show and Reception and the community tree lighting event. She reported end-of-year totals for library circulation is 36% higher this year compared to last year, and that her library report now includes revenues to date. She spoke about upcoming activities as well as the planned reception for the City Council Members, which is scheduled for February 9<sup>th</sup> at 6:30 p.m.

Council Member Langford thanked Ms. Mogen and her staff for their service. In particular, he commended their work for the delivery of books for the homebound in conjunction with SCOPE.

City Staff: Community Development Director, Doug Smith, provided a staff report. He reported the new BIAS accounting software has been implemented by Administrative Services. Planning & Building Services have been working on a variety of different planning and building projects. Land use and building activities are underway. The 2010 US Census Bureau's information is currently being reviewed for accuracy. Regionally, the City of Liberty Lake is continuing to work with the metropolitan jurisdictions on urban growth areas and annexation issues. Public Works has completed the Rocky Hill Phase 2 construction drawings. The bid opening will be January 12<sup>th</sup> and the bid tabulation will be presented to the City Council on January 19<sup>th</sup>. Parks and Recreation has been busy planning for new programs in conjunction with the Liberty Lake Municipal Library. Coordination efforts continue with Central Valley District for their Capital Facilities Plan (CFP). A public meeting regarding the CFP is scheduled January 14<sup>th</sup> and a strategic meeting is scheduled February 5<sup>th</sup>. In closing, Mr. Smith reported that due to the lack of snow, the City has been able to capture back \$30,000 from the 2009 budget.

Planning Commission: Community Development Director, Doug Smith, reported that the Planning Commission is working through the Wayfinding signage exercise. A public hearing is scheduled for January 13<sup>th</sup> for deliberation and decision. The Planning Commission's recommendation will then come before the City Council for consideration.

After discussing wayfinding signage and the global sign issue, Council Member Jenkins moved to request that the overall sign ordinance be reconsidered prior to consideration of any wayfinding program, seconded by Council Member Romney. Discussion continued briefly then Mayor Van Orman called for the vote. Motion carried unanimously.

Public Safety: Liberty Lake Chief of Police, Brian Asmus, reported the new year is starting off rough with more deaths of police officers. Today he attended the memorial service for a Pierce County deputy. Chief Asmus spoke about the Grant County deputy who was killed in a car accident Sunday night and a female deputy from Utah who was also killed after a traffic stop. He then provided highlights from his written police report, which included reverse 9-1-1 testing, implementation of the new online policy and procedure manual, updates to mobile data computers in the police vehicles, and the new reporting program, National Incident Based Reporting System (NIBRS).

Mayor Pro Tem Crump thanked Chief Asmus and the Department for providing education to the SCOPE officers and asked that they continue education for those out in the field. Council Member Langford inquired whether there are any updates regarding the new jail location. Chief Asmus responded that he has not heard anything. He also asked Chief Asmus to begin including statistics for closed cases in the monthly police data report.

Fire Department: Spokane Valley Fire Department (SVFD) Deputy Chief, Larry Rider, reported about fires at Chef in the Forest and Arbor Crest. He said SVFD has made a mutual aid agreement with Kootenai County and now resources can be provided in Idaho. He said five replacements for retired fire fighters will be hired February 1<sup>st</sup> and that the Department is working on its capital facilities updates. Communication infrastructure proposals for Spokane County have been narrowed to two providers. The ambulance services contract deadline has been extended to March. Deputy Chief Rider said it has been a quiet December.

Liberty Lake Sewer & Water District: Commissioner Frank Boyle provided an update. The District will be boring under the freeway at two locations; one will provide service to the new weigh station and the other will provide a looping for those north of I-90.

**PROCLAMATION:** Mayor Van Orman proclaimed January 11, 2010 as Human Trafficking Awareness Day. Ms. Sue Holly, Lutheran Community Services NW, thanked the Mayor and the City Council members for their support and invited them to attend a vigil January 11<sup>th</sup>. She reported she has also received support for their cause from the City of Spokane, Governor Gregoire, and President Obama.

## **ACTION ITEMS**

**Consent Agenda:** Mayor Pro Tem Crump moved to approve the Consent Agenda which included approval of the City Council Meeting Minutes from December 15, 2009 and vouchers through January 5, 2010 in the amount of \$287,849.46, seconded by Council Member Langford. Motion carried unanimously. Check sequences were: 12050 through 12098. Payroll check sequences were: 5925 through 5984.

**Appointment of Mayor Pro Tem:** After City Attorney, Sean Boutz, explained the nomination procedure for Mayor Pro Tem, Council Member Romney nominated Dave Crump, seconded by Council Member Langford. There were no additional nominations. Mayor Van Orman called for confirmation, motion passed unanimously.

**2010 Standing Committee Members:** After brief discussion, Council Member Romney moved to suspend City Council Rule of Procedure 11E, seconded by Council Member Langford. Motion passed unanimously. Council Member Romney then moved to appoint the 2010 Standing Committee Members as follows:

Finance (Includes Human Resources)

Dave Crump  
Odin Langford  
Josh Beckett  
Judi Owens (alternate)

Public Safety

Susan Schuler  
Patrick Jenkins  
Judi Owens  
Odin Langford (alternate)

Community Development (Includes Public Works and Parks & Rec)

Ryan Romney  
Patrick Jenkins  
Odin Langford  
Susan Schuler (alternate)

The motion was seconded by Council Member Langford, which carried unanimously. Mayor Pro Tem Crump then moved to reenact City Council Rule of Procedure 11E, seconded by Council Member Langford. Motion carried unanimously.

At 8:11 p.m., Mayor Van Orman called for a brief recess. She called the meeting back to order at 8:19 p.m.

**CLOSED RECORD PUBLIC HEARING – Bella Lago Change of Conditions (CC-09-0001)**

City Attorney, Sean Boutz, explained no additional public comment will be accepted outside of the public record for what was previously provided to the Hearings Examiner or other public testimony given in this matter. Mayor Van Orman inquired whether any City Council member had spoken with or received written communications from any of the parties or whether there was a conflict of interest from any of the Council members. Mayor Pro Tem Crump reported he received an email, did not respond to it, and deleted it. He was also approached by a community member regarding the Bella Lago Change of Conditions, but communicated that he was a City Council member and would not participate in any conversation regarding it. Mayor Pro Tem Crump clarified that he did not hear any side to the matter. Council Member Schuler reported she received a phone call from a resident, but that she did not violate the protocol. Council Member Jenkins reported that over 1.5 years ago, he walked the property with the developer and that was the extent of his involvement with Bella Lago. Mayor Van Orman disclosed that she too walked the property. Mayor Van Orman then asked if any party to the quasi-judicial matter wished to challenge or request a Council Member to abstain from the decision on

the matter so the challenge could be placed into the record. No challenges or requests were made.

At 8:22 p.m., Mayor Van Orman opened the closed public hearing for the Bella Lago Change of Conditions Request CC-09-0001. She explained the purpose of the closed record hearing was for the Council to consider the pertinent facts. She then introduced Amanda Tainio, Planning & Building Services Manager. Ms. Tainio introduced the items of record, reviewed the Hearing Examiner's recommendation, and explained the action request brought before the City Council to consider the Hearing Examiner's Recommendation.

Applicant comments: Mayor Van Orman then opened the floor to the Applicant. Ms. Stacy Bjordahl, spoke on behalf of Bella Lago LLC. She asked that the Council accept the recommendation of the Hearing Examiner for all of the reasons set forth in his decision. She also expressed her appreciation to City Staff for their help in working through the process.

Ms. Bjordahl provided some history regarding the Change of Conditions. The plat, when originally approved, was for 47 lots. Subsequently, that had been reduced to a 15 lot project. She said the topography on the east side of Lakeside is not conducive to making frontage improvements for curbing and sidewalk. She stated, with the City making improvements to Lakeside, the preference is that those improvements be moved to the west side to be done in conjunction with the City's overall street improvements to Lakeside.

Mayor Van Orman asked if there were any questions or comments from the Council. Mayor Pro Tem Crump spoke in favor of the making improvements to the west side. He confirmed improvements would coordinate with the City's Capital Facilities Plan. He also pointed out that from the 61 letters that were received, there seemed to be a general concern that "the development was trying to get away with not doing it". To alleviate that concern, he clarified that is not what has been presented to the City Council and it is not what was being presented and recommended by the Hearings Examiner. Ms. Tainio concurred. She explained the Notice of Application and Notice of Public Hearing were issued with a request to delete the condition; however, as the record shows, it was further discussed at the public hearing to modify the condition, not to delete it.

Council Member Langford expressed concern about the timing for the project and the resident's safety in that area. He encouraged the Council Members to be mindful when making their decision that safety should be the priority. He said the project has been linked to coordinate with City improvements, but cautioned there is no guaranteed timeline for completion of those improvements.

Mayor Van Orman then closed the public hearing at 8:45 p.m. and asked for the vote of the Council. Mayor Pro Tem Crump moved to accept the Hearing Examiner's Recommendation that the condition be changed as set forth in the Findings, Conclusions, and Recommendation for File CC-09-0001, seconded by Council Member Jenkins. Motion carried 4 to 1, with Mayor Pro Tem and Council Members Schuler, Jenkins, and Romney voting in favor of the motion, Council Member Langford opposed.

## **WORKSHOP DISCUSSIONS**

SRTC Interlocal Agreement: Mayor Van Orman outlined the changes to the Spokane Regional Transportation Council's (SRTC) interlocal agreement, which includes the governing body and officers. City Attorney Boutz expressed concern regarding the selection in power abilities of the board members and how they are selected, as well as the funding and contribution aspects of the agreement. He will further review the interlocal agreement.

Mayor Pro Tem Crump also expressed his concern with the lack of definition for appointment of the governing body and officer. He inquired about the liability insurance, who is covered and what is the percentage of the policy premiums? Mayor Van Orman said currently small towns do not pay anything to belong to SRTC, however, she will take the concerns back to SRTC for discussion.

Homeless Housing and Assistance Act Regional Program: Director Smith reported the State Legislature passed a bill in 2005 that called for an end to homelessness by 2015. In compliance, Spokane County implemented a planning process that included Liberty Lake. Liberty Lake has now been presented with an opportunity to continue to participate with the county or to opt out and create its own homelessness program. Director Smith recommended that the City continue its regional collaboration with Spokane County and continue in the program for 2005-2015.

## **UNFINISHED / NEW BUSINESS**

Council Member Jenkins resigned his seat 7 position on the City Council effective this evening. He said it has been a privilege to serve the community and an honor to serve with the Mayor and other Council Members. Mayor Van Orman thanked Councilman Jenkins for his service and presented him with a service recognition award.

Mayor Pro Tem Crump said he always loved Patrick's positive skepticism, his integrity, his service to the community, and his depth of insight. He said he will miss his perspectives and dedication. He wished the Jenkins family happiness and success in their future.

## **CITIZEN COMMENTS**

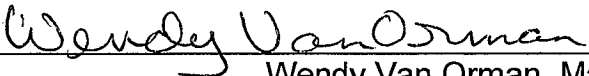
Spokane Valley Fire Deputy Chief Larry Rider gave thanks to Council Member Jenkins for his service.


Susan Schuler, speaking as a citizen, said as much as she is happy for him, it is a loss to our community. She asked him to keep in touch and thanked him for his service as a City Council Member. She stated it has been an honor to sit next to him.

## **ADJOURNMENT**

The meeting adjourned at 9:08 p.m.

These minutes are approved on January 19, 2010.

  
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Wendy Van Orman, Mayor  
City of Liberty Lake

  
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Notes and Transcription by Ann Swenson, City Clerk. This Council meeting was also audio taped. Anyone desiring to listen to the recording may contact the City Clerk.