

**CITY COUNCIL MEETING / PUBLIC HEARING  
TUESDAY, NOVEMBER 16, 2010  
CITY HALL  
22710 E. COUNTRY VISTA DRIVE  
7:00 P.M.**

**INVOCATION**

Given by Mayor Pro Tem Crump

**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 7:10 p.m.

**ROLL CALL**

Mayor Pro Tem Crump  
Council Member Kaminskas  
Council Member Owens  
Council Member Romney  
Council Member Schuler  
Council Member Beckett  
Council Member Langford (absent)

Ann Swenson, City Clerk  
Doug Smith, Comm. Dev Director  
Brian Asmus, Chief of Police  
Sean Boutz, City Attorney (absent)  
Jessica Platt, Admin Svcs Manager  
Andrew Staples, City Engineer

Mayor Pro Tem Crump moved to excuse Councilman Langford, seconded by Council Member Schuler.

**AGENDA APPROVAL**

Mayor Pro Tem Crump moved to approve the Agenda with a recommended modification of moving Agenda Item 9a, Mayor and City Council Reports, between Agenda Items 5 and 6, and adding a 10-minute Executive Session to discuss personnel following Action Item 10c, seconded by Council Member Beckett. Motion carried unanimously.

**MAYOR AND CITY COUNCIL / COMMITTEE REPORTS**

Public Safety Committee: Council Member Kaminskas reported the LLPD is currently undergoing its annual training records audit. The department is also undergoing a grant-funded upgrade for computer-aided dispatch for the patrol cars. The committee reviewed and discussed speeds near playgrounds as well as the upcoming Emergency Management Services workshop on disaster declarations. Spokane Valley Fire District (SVFD) opened its Greenacres station today. A formal opening will be held in the spring. A new rescue truck is in place. SVFD's budget is final. Deputy Chief, Larry Rider, reported SVFD will soon be accepting bids for a new administration building.

Community Development Committee: There was no community development report.

Finance Committee: Mayor Pro Tem Crump reported the Finance Committee met and discussed the city's budget and failure of liquor excise tax initiatives. He reported Governor Gregoire has asked every Washington state department to make a 6.287% budget cut. Currently, our state is facing a \$4.8 billion deficit. The Finance Committee also reviewed vouchers.

Council Member Kaminskas then addressed reports of salary increases for the mayor and city council. She provided some background information on this year's salary commission recommendation to increase the elected members' salaries. Subsequent to the salary commission's determination to increase salaries, several city council members spoke in opposition of the proposed increases, and many were surprised to see the wage increases included within the mayor's 2011 proposed budget. Additionally, council members recently discovered the salary commission's determination is legally binding. Council Member Kaminskas cited RCW 35.21.015, which mandates any change in salary shall become effective and incorporated into the city or town budget without further action of the city council or salary commission. She again stated her opposition to the pay raise and explained the council is trying to find an avenue for individuals to decline the increased compensation.

Council Member Schuler commented on the amount of emails and phone calls she and the other council members had received regarding the proposed salary increases. She adamantly expressed opposition to the salary increase, and vehemently expressed her frustration about the way this situation was handled, stating the mayor and staff knew this was going to happen. She said she felt she had "once again been thrown under the bus." She announced she had not planned to run for reelection once her term expired in 2012, but because of the lack of leadership and undue stress that has been put on the public as a result of this particular issue, she would reconsider her decision if no one else in the community steps up to run for mayor.

Mayor Pro Tem Crump reported he, Liberty Lake Police Chief, Brian Asmus, and SVFD Deputy Chief, Larry Rider, presented at a Rotary function for a youth leadership. He also talked about the salary commission and thanked its members for their efforts. He too stated he is not interested in receiving the increased salary. Mayor Pro Tem Crump provided some background on the establishment of the salary commission, recalling former Council Member, Patrick Jenkins', suggestion to establish the commission in an effort to get more people to run for public office.

Mayor Van Orman provided a community update. She talked about Central Valley School District's Partners Advancing Character Education (PACE) Program. This month's character trait is citizenship. The mayor reported about her attendance at a recent animal control meeting. Several regional jurisdictions that are not already members plan to join Spokane County Regional Animal Protection Service (SCRAPS). SCRAPS is currently considering a move into a different facility near the fairgrounds. Mayor Van Orman also provided an update on her attendance at the Association of Washington Cities' (AWC) legislative conference. Conference topics included the state's budget deficit, public record requests, financial flexibility for cities, salary comparisons, economic development in LIFT/TIF districts, and street utility tax.

Mayor Pro Tem Crump announced he and Councilman Beckett attended the Liberty Lake Municipal Library's board meeting last week.

## **CITIZEN COMMENTS**

Dennis Scott, 1009 N. Tanglewood Lane, Liberty Lake, WA: stated several stop signs throughout the city are obscured by trees. He expressed concern about the safety hazard the obstructions pose and requested the city's maintenance crew prune leafed trees at the affected intersections. Mr. Scott also asked, if possible, to move the speed limit sign (going north on

Molter when approaching the elementary school's playground) to the middle of the island. He said that would certainly improve the visibility of approaching traffic in that area.

Lori Peters-Merkel 23037 E. Broadway, Liberty Lake, WA: stated she voted for Wendy Van Orman for mayor and "is tired of watching Doug Smith run this city." She said she has a vested interest in what occurs in the city, and the recent decisions to close the golf course and cut the library service directly affect her. Ms. Peters-Merkel spoke in strong opposition of those decisions. She also spoke about allocation of one city staff member's salary being in more than one category of expense. She alluded to lack of transparency and questionable ethics, stating "I think there is no meaningful measurability to city staff members' time and that this allocation distorts the perception of the city's actual commitment of resources."

Steve Peterson, 719 N. Lancashire Lane, Liberty Lake, WA: talked about the proposed salary raises for the mayor and council members. Mr. Peterson stated the city's Ordinance establishing the salary commission requires a unanimous vote from all three commissioners in order to approve a salary schedule. He suggested that language might invalidate the decision to grant the raises, since one of the commissioners did not vote on the proposed increase. He suggested the council refer to the minutes surrounding the raises to see if there was indeed lack of a unanimous vote. Mr. Peterson then transitioned his comments to the golf course. He claimed golf course revenues during winter months were \$40,313 for 2009 and revenues during prior winters with heavy snowfalls were \$23,952 and \$17,593, respectively. He said the course brought on quite a bit of funds during those times and stated the city will lose \$15,000 this year based upon the decision to close the course. Mr. Peterson also spoke about the community's dependence on the trails during all seasons and asked who is going to take care of the trails.

## **WORKSHOP DISCUSSION**

Playground Speed Zones: City Engineer, Andrew Staples, reported after meeting with a concerned community citizen, he conducted a short investigation to monitor traffic speeds around Rocky Hill and Pavaillion parks. He presented his speed data results to the city council for consideration, should council members decide speed limit reductions are necessary. Liberty Lake Police Chief Asmus weighed in on the issue from a public safety aspect. He reported there are some safety issues. Based on the design of Molter Road, the use of the park, and the surrounding neighborhoods, the current speed of 35 mph probably needs to be reviewed and possibly reduced. Chief Asmus suggested the creation of a park zone, similar to a school zone.

After a brief discussion about speed zones near playgrounds, Mayor Van Orman introduced Susan Myer, CEO, of Spokane Transit Authority.

## **PRESENTATIONS**

Spokane Transit Authority: Ms. Susan Myer, CEO, Spokane Transit Authority (STA), in conjunction with Mr. Karl Otterstrom, STA's Director of Planning, conducted a presentation of the proposed service reductions and revisions for 2011. They addressed why STA is proposing to cut services, what services and routes could be affected, and how citizens can provide input on proposed reductions.

At 8:35 p.m., Mayor Van Orman called for a brief recess. She reconvened the meeting at 8:45 p.m., then introduced Mr. John Loucks, Liberty Lake Municipal Library Board President. Mr. Loucks conducted a presentation on the library's budget.

Liberty Lake Municipal Library: Mr. Loucks reported the library Board of Trustees held a special meeting November 9<sup>th</sup>, during which a 2011 proposed budget of \$350,371 was voted on. This is \$61,157 less than the Board's originally-submitted proposal to the city in October. He provided

explanations for the reductions, which affect facility utilities and insurance expenditures. He argued the library only occupies 31% of the current facility and should only be responsible for that portion of the utilities. He then showed a comparison between the city's and the Library Board's proposed budgets, resulting in a \$31,480 difference. Mr. Loucks provided three solutions to make up the difference: move the money from the library's capital fund, move it from the city's reserve fund, or finance the \$31,480 from the \$800,000 expected revenue that will be generated from the recent passage of the utility tax. He also reported the library staff agreed to cut their hours from 46 to 40 as well as to temporarily cut their salaries 10%. In closing, Mr. Loucks pleaded with the city council to accept the Board's newly-proposed library budget.

## **ACTION ITEMS**

**Consent Agenda:** Mayor Pro Tem Crump moved to approve the consent agenda, which included City Council Meeting Minutes from November 2, 2010 and checks through November 16, 2010 in the amount of \$172,273.86. Council Member Owens seconded the motion, which carried unanimously. Check sequences were 13359 through 13404. Payroll check sequences were 6236 through 6241. Motion carried unanimously.

**Approval of Revocable License for Liberty Lake Internet Portal, LLC:** City Engineer, Andrew Staples, said the license allows the Liberty Lake Internet Portal the use a small portion of the city's public right-way to join two of its facilities by underground boring via conduit installation. Mayor Pro Tem Crump expressed concern about the language, solely allowing withdraw of the license by the City of Liberty Lake Engineer. After a brief discussion about revising the language to allow revocation rights to the City Council rather than a single individual, this action item was tabled.

**Approval of Distributed Renewable Performance Agreement with Avista Utilities and Renewable Generation Incentive:** Community Development Director, Doug Smith, said the purpose of the agreement is an incentive opportunity Avista has prepared in lieu of solar panels that have been installed on the Public Safety/Library building. Avista will provide the city 20 cents per kilowatt hour over a year's period of time for the energy that is generated by the renewable energy source. Mayor Pro Tem Crump moved to approve the mayor to sign the Distributed Renewable Performance Agreement, seconded by Council Member Owens. Motion carried unanimously.

## **EXECUTIVE SESSION**

At 9:12 p.m., Mayor Van Orman called the Executive Session to order as per RCW 42.30.110(h) to discuss personnel. At 9:25 p.m., Mayor Pro Tem Crump announced extension of the Executive Session for an additional five minutes. The Executive Session adjourned at 9:34 p.m. No action was taken.

## **SECOND READ ORDINANCE / PUBLIC HEARING**

Ann Swenson, City Clerk, read Ordinance No. 189 into the record, an Ordinance of the City of Liberty Lake, Washington Levying the Regular Property Taxes for the City of Liberty Lake, Washington in Spokane County for the Year Commencing January 1, 2011 to Provide Revenue for the Provision of City Services as set forth in the City Budget.

Mayor Pro Tem Crump moved to approve Ordinance No. 189, seconded by Council Member Owens. Councilman Romney affirmed the 1% increase in property tax represents additional revenue in the amount of \$18,162. Jessica Platt, Administrative Services Manager, explained the 1% levy rate is equivalent to \$1.68 per \$1,000 assessed value, which is an increase from

the 2010 rate of \$1.55. The City Council also has the alternative option of adopting 1% plus the highest lawful levy, which would bring the tax levy rate up to \$1.72 per \$1,000 assessed value, resulting in additional revenue of \$37,822. The Mayor's 2011 Proposed Budget recommended the council approve the 1% levy rate, and not utilize the bank capacity of 1% plus the highest lawful levy.

Mayor Van Orman then opened the floor to receive citizen comments.

### **CITIZEN COMMENTS**

Steve Peterson, 719 N. Lancashire Lane, Liberty Lake, WA: commented that tonight's decision by the council could possibly offset some of the utility tax.

Councilman Beckett moved to amend the original motion and to increase the levy to the highest lawful capacity of \$1.72, seconded by Council Member Owens.

Pat Dockery, property owner of 325 Stimson Lane, Liberty Lake, WA: commented he supported the city council's proposed amendment to increase the levy from \$1.68 to \$1.72. He said with the budget the way it is, there is not much choice; "It has to be a combination of cuts and tax increases where we can. And if things get better in the future, we can always rebate that back."

Council Member Romney spoke in opposition of the proposed levy increase. He expressed that when he voted for the 6% utility tax that was the sole tax that he wanted to vote for. He said with the appropriate cuts being made and the utility tax implementation, that should be sufficient. Council Member Owens spoke in support of the increased levy rate. Council Member Beckett said having the second lowest property taxes in Spokane County is not a badge of honor and also spoke in favor of the proposed increased levy.

Mary Munger, 104 Lindeblad Lane, Liberty Lake, WA: said while she appreciates Councilman Romney's position, she agrees with Council Members Beckett and Owens. She commented her property value has decreased \$57,000 and stated, "You don't have to feel compelled to protect us. We are residents by choice and I'm willing to pay".

John Loucks, 908 N. Oakmont Lane, Liberty Lake, WA: stated, "We keep hearing this tirade about cutting taxes – cut taxes, cut taxes, cut taxes. But, people, you can only cut so much and at some point you're going to have to raise some taxes." He said he and his wife are both retired but he does no mind paying increased taxes as long as they are getting good services. He said he would much rather pay the taxes here than spend money on a war overseas.

Mayor Van Orman weighed in on the discussion. She suggested the council has several different areas from the budget that can be pulled from, citing funds such as the library capital fund and the restricted reserve fund.

Prior to the vote on acceptance of the friendly amendment, she again invited additional public comment. No comments were received. Motion carried 4-2, with Council Members Beckett, Owens, Schuler and Kaminskas voting in favor and Mayor Pro Tem Crump and Council Member Romney opposed.

Prior to the final vote on Ordinance 189, including the above-outlined amendment, Mayor Van Orman invited public comments. No comments were received. Motion carried 5-1, with Mayor Pro Tem Crump and Council Members Beckett, Owens, Schuler, and Kaminskas voting in favor. Council Member Romney opposed.

At 10:00 p.m., Council Member Kaminskas moved to extend the meeting up to 30 minutes, seconded by Council Member Owens. Motion carried unanimously.

Ann Swenson, City Clerk, read Ordinance No. 190 into the record, an Ordinance of the City of Liberty Lake, Washington Adopting a Budget for the Period of January 1, 2011 through December 31, 2011, Appropriating Funds and Establishing Salary Schedules for Established Positions.

Mayor Pro Tem Crump moved to discuss Ordinance No. 190, seconded by Council Member Kaminskas. Mayor Pro Tem Crump asked that the city council take some time to consider what was presented earlier this evening by the Liberty Lake Municipal Library's Board. He also requested the same opportunity be given to the golf course to see if they have a budget proposal.

Council Member Owens clarified that Mollie Thola and Ron Knudsen are no longer staffed and if the council is asking them to do work, they should be compensated. Mayor Van Orman announced she had met with both Ms. Thola and Mr. Knudsen and they had some incredible ideas. After brief discussion, the council set a parameter of up to four hours per individual to consider budget ideas, meet collaboratively, and prepare a presentation.

Council Member Schuler asked, if allowable, the council consider that \$10,000 of the capital fund be set aside to get the safety fencing behind the police department. Otherwise, she pledged she would start contacting local businesses to try to get the funding for the fence. Council Member Kaminskas cautioned that should capital funds be used to help offset the budget shortfall, to be aware of what the fallback will be when those funds have been exhausted.

## **PUBLIC HEARING**

At 10:20 p.m., Mayor Van Orman opened the public hearing

Louise Quirk, 23012 E. Dutchman Lane, Liberty Lake, WA: stated she lives in the county and is a substitute library clerk the Liberty Lake Municipal Library. She said, as a county resident, she can use the Spokane Valley, Otis Orchards, and Liberty Lake libraries free. She suggested making up the budget shortfall by skipping the proposed celebrated entryway and charging a \$20 fee to Spokane County and other non residents for library usage. She also spoke about the high-volume traffic at the Jobs & Career Center as well as the phenomenal staff at the library. On a separate note, she said she and others frequently use the local trails and hopes someone shovels them this winter.

John Loucks, 908 N. Oakmont Lane, Liberty Lake, WA: clarified that at end of his presentation he chose not to use the reserved capital fund as an option because the \$38,000 should be borne by the LLPD because they use 69% of the building. He again suggested the money could be taken out of the utilities fund that will be generated, or from the reserves, but not from the library's capital fund.

Roberto Garza, 1699 N. Carson Range Street, Liberty Lake, WA: said he wrote a recent letter to the editor in the Splash. He declared the ethics behind the pay raises for the elected officials were the worst he could imagine. He stated he felt the raises, bound by the salary commission, should have been brought forth more clearly a lot earlier to everyone involved.

At 10:30 p.m., Council Member Owens moved to extend the meeting an additional 15 minutes to 10:45, seconded by Council Member Schuler. Motion carried unanimously.

Steve Peterson, 719 N. Lancashire Lane, Liberty Lake, WA: stated he currently is a Library Foundation member. One of the Foundation's capital project goals is to get the overhang for the library's entrance. He also stated, "Our passion for the golf course goes back to 2002 or 2003 when we bought it." He commented it is imperative the council understands the golf course is not like the library; it is not funded by the general fund property taxes, but is a revenue stream. Mr. Peterson then provided month and year-to-date statistics from 2003 through 2010, with an emphasis on the months of November through February. He defended the recently laid-off staff, emphasizing what a good job they do, how the course pays their salaries and "almost helps pay for our investment there." Mr. Peterson claimed without the revenue stream, the city's investment will go down and the costs of the land will continue. He implored the council to fund the golf course for the entire year.

Charmaine Peterson, 719 Lancashire Lane, Liberty Lake, WA: stated the council had to extend meeting twice, not because of people coming to comment but because the members came ill prepared. She stated, "Tonight alone several of you have found things in your packet you haven't even seen. You're reading your packet here and we have to sit here and watch you stumble." She stated people are being cut off from citizen comments after three minutes. She also said the citizens, as opposed to the elected officials, are not used to talking, "and then you say I wonder why more citizens don't come to our meetings."

Tracey Garza, 1699 N. Carson Range Street, Liberty Lake, WA: stated she does not envy the mayor and council's positions in this hard economic time and understands they are not well paid. She commented on the proposed salary increases for council members and the mayor. She questioned who would or would not vote for the pay raise and asked for a yes or no answer from each member. She stated, "The elephant is still in the room until this is resolved, until it is gone. As soon as it is gone, I will be happy."

Margaret Keeve, 22821 E. Clearwater Lane, Liberty Lake, WA: is a regular attendee at the Liberty Lake City Council meetings. She defended the mayor and city council and asked, "Instead of jumping on their ethics and backs, why don't you come to the meetings and listen to what is said and find out facts?"

At 10:45 p.m., Mayor Pro Tem Crump moved to extend the meeting an additional five minutes, seconded by Council Member Kaminskis. Motion carried unanimously.

Dan Dunne 501 N. Homestead, Liberty Lake, WA: said he was trying to understand the mechanics of the budget. He asked whether one specific city staff member's expense gets attributed to just one category. Mayor Van Orman responded the state auditor requires accounting of staff's time in all pertinent categories and the budget is reflective of that. Mr. Dunne questioned whether there is a material tracking method for city staff's time. He stated, "For transparency and integrity, it would be important to align and allocate hours in collection with attributed hours in the budget as it is a demonstration of the city's resource commitment."

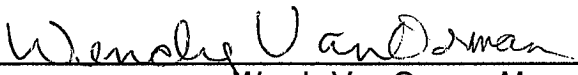
Mary Ellen Steen, 23024 E Settler Drive, Liberty Lake, WA: stated, as a library board member, she very much appreciates the dialogue that has opened up with the city council. She said, "I really think we should keep this going onwards until things are all resolved."

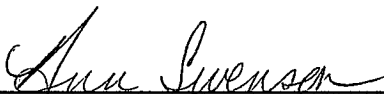
At 10:48 p.m., Mayor Van Orman closed the public hearing.

## **ADJOURNMENT**

Meeting adjourned at 10:49 p.m.

These minutes are approved on December 7, 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.*