

**CITY COUNCIL MEETING / PUBLIC HEARING
TUESDAY, DECEMBER 1, 2009
CITY HALL
22710 E. COUNTRY VISTA DRIVE
7:00 P.M.**

INVOCATION

Mayor Van Orman called for a moment of silence in respect for the four fallen Lakewood, Washington police officers.

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 7:02 p.m.

ROLL CALL

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| Council Member Jenkins | Doug Smith, Director of Community Dev. |
| Mayor Pro Tem Crump | Ann Swenson, City Clerk |
| Council Member Owens | Brian Asmus, Chief of Police |
| Council Member Romney | Sean Boutz, City Attorney (absent) |
| Council Member Schuler | Pamela Mogen, Library Director |
| Council Member Olander | Jessica Platt, Administrative Svcs Manager |
| Council Member Langford | |

Mayor Van Orman reported she heard from Council Member Owens, who reported she was en route from Olympia and would be late to this evening's meeting. She then asked to entertain a motion for excusal. Council Member Olander moved to excuse Council Member Owens' late arrival, seconded by Council Member Schuler. Motion carried unanimously.

AGENDA APPROVAL

Mayor Pro Tem Crump moved to approve the Agenda, seconded by Council Member Olander. Motion passed unanimously.

CITIZEN COMMENTS

Rob Chase, 1102 S. Liberty Drive, Liberty Lake, WA spoke about the first Freedom Festival that was recently held. He said representatives from Washington and Idaho were in attendance. The Friends of Liberty Coalition is hosting a second Freedom

Festival tomorrow at the Greyhound Park at 6:30 p.m. Mr. Chase distributed festival flyers and extended an invitation to everyone to attend.

Colette Seubert 24120 E. Cataldo Court, Liberty Lake, WA spoke about the arboretum. Ms. Seubert is the current the president for Meadowwood Homeowner's Association (HOA). She said the HOA donated some land to the City in 2005 to be used as an arboretum and not much progress has been made since that time. She said she would like to see phase one of the arboretum begin development, and requested the City Council keep the funding in the budget for it.

Louise Quirk, 23012 E. Dutchman's Lane, Liberty Lake, WA also spoke about the arboretum. Ms. Quirk strongly encouraged the City Council to keep the money in the budget for an arboretum. She said she would like to at least see progression toward infrastructure implementation. She outlined two key reasons why she'd like to see the arboretum remain in the budget; one is to donate/plant trees in honor of their fathers who have passed on, the other is because she would like to see a children's garden.

Josh Johnson 1906 N. Cavalier Road, Liberty Lake, WA, representing himself both as a Liberty Lake resident and Publisher and Owner of *The Liberty Lake Splash*, encouraged the Council to consider designating the *Splash* as the City's official newspaper. He spoke about the advantages of having a local newspaper to reach and inform more residents, but acknowledged his appreciation for the need to keep local rates honest. He expressed his frustration with the concept of the approach that is taken to award legal notices because he said a competitive bid process for legal notices is not outlined anywhere in the RCWs.

Craig Howard, 515 S. Mamer, Spokane Valley, WA, representing the *Valley News Herald*, said he has the utmost respect for Josh and the Splash. He too encouraged the City Council to consider designating the *Valley News Herald* as the City's official newspaper. He spoke about their dedicated staff, working with Spokane County, dozens of law firms, and the City of Spokane Valley to publish legal notices. Mr. Craig said he would appreciate the opportunity for due consideration as the official newspaper.

MAYOR AND CITY COUNCIL REPORTS

Mayor Pro Tem Crump provided a Finance Committee report. The committee discussed vouchers, financing City bonds, cash flow and cash flow options. Present value of money vs. future value of money and its implications, as well as some budget preparation discussions were also held by the committee.

Mayor Van Orman said she attend the Governor's cabinet briefing yesterday. A \$2.6 billion deficit has been forecasted for the 2009-2011biennium. She reported parks and recreation, health, higher education, K-12 supplemental programs and arts will be reduced when the Governor sets the new budget in mid-December. Mayor Van Orman talked about the City's upcoming Winter Fest. She challenged Council Members to compete in the City's annual food drive. She also thanked the City Council Members for their diligent review of her proposed 2010 budget. At the conclusion of her report, Mayor

Van Orman said Hima Yerraguntla has vacated her position on the Municipal Library Board.

Mayor Pro Tem Crump asked Chief Asmus to address the tactical strategies to keep our police officers safe in light of the recent massacre of the Lakewood police officers. He also shared citizen observations about the carriage rides from last year. He pointed out that the lack of lighting on the rear of the carriage is a safety issue and asked staff to take the concern into consideration during this year's event.

STAFF AND AGENCY REPORTS

Liberty Lake Municipal Library: Library Director, Pamela Mogen, provided a statistical update regarding patron visits. She spoke about artist presentations from Linda Schneider, the Children's Art Show scheduled for December, the New Moon Night young adult program, a Friends of the Library fundraiser, and the reestablishment of the library's newsletter as well as the library chess club. The library has received favorable survey responses from adults wishing to participate in book clubs. Two possible clubs are being considered for implementation. Ms. Mogen reported the library is participating in the City's food drive. She said library staff will assist Recreation Services with tree lighting event and will close early Thursday. She reminded everyone that the library's meeting room calendar is posted online.

City Staff: Community Development Director, Doug Smith, provided a staff report. City Staff have been diligently preparing for the Winter Fest. Administrative Services has been busy working on the budget and year end. The City's engineer has been working on the pavement management plan. Team and staff evaluations are wrapping up. Mr. Smith reported the City is working on regional projects with Spokane County such as extension of sewer service into the River District area. He reminded the Council that there is a community dialogue taking place on the Bella Lago project.

Planning Commission: Planning Commissioner, Danielle Dunne, said the next Planning Commission meeting is scheduled for December 9th. At the last meeting, the Commission reviewed City Staff's work on the City's wayfaring signage program and those discussions will continue at the next meeting.

Public Safety: Liberty Lake Chief of Police, Brian Asmus, thanked the Mayor for the moment of silence at the beginning of the meeting in honor of the four fallen Lakewood officers. Chief Asmus reported that this difficult time for law enforcement officers has warranted a heightened alert. He talked about the hypervigilance directive issued to officers and the challenge to conduct business as usual regarding community policing. He said safety is still the top priority, both for the police officers and the community. He asked for community support, gratitude, and empathy toward the officers during these challenging times. He reported the memorial service is scheduled at 1:00 p.m., December 8th, in the Tacoma Dome. He thanked community members who have contacted the LLPD to express their heartfelt appreciation for what the Department does and for its service. He acknowledged receipt of the nice card from Council Member Owens.

At 7:44 p.m. Council Member Owens arrived to the meeting.

A brief discussion was then held. Topics included the benefits of placing fencing around the rear parameter of the Liberty Lake Police Department, scheduled rotations for patrol vehicles, officer training regarding responding to calls dealing with mental health issues and Alzheimer's patients, the need to formulate a plan to provide balance between the needs and wants of citizens with the safety of the officers, and providing safety cross training with SCOPE volunteers.

Chief Asmus then reported CIAW, the City's insurance carrier, staff will be here tomorrow to evaluate the new public safety building. He pointed out the letters of appreciation that were included in the Council packets. The LLPD will be recognized for its work with the Child-Passenger Safety project during luncheon on December 3rd.

Fire Department: Spokane Valley Fire Department (SVFD) Deputy Chief, Larry Rider, reported there were 26 calls for the month of October, the majority of which were medically related. Fire apparatus bids were opened yesterday. Bids for the rescue truck ranged between \$456,000 up to \$531,000. The rigs last between 12-15 years and are then surplus. Deputy Chief Rider reported SVFD has passed its budget.

Liberty Lake Sewer & Water District: Commissioner Frank Boyle, reported the total maximum daily load (TMDL) is still in process. Activity is at a slow period this time of year. He talked about the successful leaf clean up, cosponsored by the District and the City, and reported that the District's budget should be passed on December 16th.

ACTION ITEMS

Consent Agenda: Mayor Pro Tem Crump moved to approve the Consent Agenda which included November 17, 2009 City Council Meeting Minutes and vouchers through December 1, 2009 in the amount of \$377,777.67, seconded by Council Member Jenkins. Motion carried unanimously. Check sequences were: 11938 through 11966. Payroll check sequences were 5864 through 5924.

Planning Commission Confirmation – Daniel Dunne: Mayor Van Orman thanked Daniel Dunne for his service on the City's Planning Commission. She reported his term is up for renewal for a period of three years. Mayor Pro Tem Crump moved to confirm Daniel Dunne as a City of Liberty Lake Planning Commission member, seconded by Council Member Owens. Motion carried unanimously.

ORDINANCE – FIRST READ

Ann Swenson, City Clerk, read Ordinance No. 171-B into the record, amending Ordinance No. 171 passed by the City Council on December 16, 2008, entitled "An Ordinance of the City of Liberty Lake, Washington, Adopting a Budget for the Period January 1, 2009, through December 31, 2009, Appropriating Funds and Establishing Salary Schedules for Established Positions".

Jessica Platt, Administrative Services Manager, explained the need for the budget amendment. She said \$4,000 was allocated for unemployment claims when the budget was adopted in December, 2008, but the City has exceeded that amount for claims paid

out in 2009. The budget amendment requests an additional \$4,000 to cover the increased expense. The funds will come from the streets and golf course budgets.

ORDINANCE – SECOND READ / PUBLIC HEARING

At the last meeting, Mayor Pro Tem Crump moved to adopt Ordinance No. 181, seconded by Council Member Jenkins. Discussions were held, but a decision was not reached. Due to time restraints at the last meeting, Council Member Owens moved for a continuance on discussion and deliberation until this evening's meeting, seconded by Council Member Jenkins. Mayor Van Orman called for continuation of Ordinance No. 181.

At 8:12 p.m., Mayor Van Orman opened the public hearing to receive testimony regarding the City of Liberty Lake's proposed 2010 budget. Council Member Jenkins commended and thanked City Staff for providing the Council Members' requested items from the last meeting.

Mayor Van Orman read Ordinance No. 181 into the record, adopting a budget for the period of January 1, 2010 through December 31, 2010, appropriating funds and establishing salary schedules for established positions. She then called for public testimony. No comments were received.

Council Member Owens apologized for arriving to the meeting late. She asked whether there had been citizens comments regarding the budget prior to her arrival. The two citizens who'd spoken previously shared their comments again.

Louise Quirk, 23012 E. Dutchman's Lane, Liberty Lake, WA repeated her comments for the sake of Council Member Owens. She said she asked that the City Council move forward with the arboretum, mainly because she has some special interest in it. She said her family had bought trees that she would like to see get planted in honor of their fathers. She asked the City Council to not cut the infrastructure and stated, "If you don't put it in now, it's going to cost more next time." She said, in the future, she would also like to see a children's garden in the arboretum.

Colette Seubert 24120 E. Cataldo Court, Liberty Lake, WA also repeated her previous comments. She said it is time that the arboretum moves forward. She said the Meadowwood Homeowners Association donated land for the arboretum in 2005.

After no further public comments were received, Mayor Van Orman closed the budget hearing at 8:18 p.m.

DISCUSSION and ACTION:

Council Member Owens stated her change of position since the last council meeting. She said she decided she really can't live without arboretum. She said she would like to see the \$55,000 that was pulled from the budget during the last meeting for the arboretum put back in the budget for development of infrastructure.

Mayor Pro Tem Crump shared that Finance Committee had discussed keeping the money in the budget for the arboretum but not releasing funds for it until the committee heard the status of the City after the first quarter in 2010.

Council Member Olander expressed his concerns about the arboretum. He said he didn't feel the arboretum was the highest priority for the City. He advocated for sports and recreation. He said a public gym or a public swimming pool would rank above an arboretum. He also said he was concerned about the total cost.

Council Member Jenkins expressed his opposition for funding the arboretum in 2010. He said he likes the idea and he would like to see it happen, however, it is just not the best use of funds at this time. He then talked about other priorities, such as staying the course for prior commitments to rotate police vehicles, removal of the \$30,000 to fence an area behind the police department to protect our officers, and having no place in the budget for security cameras for the skate park. He stated, "If we're going to spend that kind of money, we ought to spend it on some of these more critical infrastructure needs."

Council Member Romney spoke in agreement with Council Members Jenkins and Olander. He concurred the arboretum is a great idea and stated he would be happy to support it in a time of "lots of funds and sure revenue", but cautioned it is risky and somewhat brash to expend public funds on something that could wait.

Mayor Van Orman commented her proposed balanced budget would also provide an opportunity to get volunteers involved back the community if the arboretum were to get funding.

Council Member Langford moved to take the \$55,000 from the proposed 2010 budget for the arboretum to fund the vehicle rotation for the police department and include the security system for the skate park, seconded by Council Member Jenkins.

Discussions were then held regarding vehicle rotation at the police department, City policy to accept in-kind donations for fencing for the police department, the cost to implement single-line irrigation at the arboretum, a conflict with Council Member Langford's motion since the \$55,000 he proposed was removed from the budget during the last City Council meeting, and the wayfinding signage project.

After further deliberations, Council Member Olander outlined six concrete budget items had been discussed and suggested voting individually on them. The items were to :

1. Add security cameras to the skate park.
2. Fund police car rotation.
3. Add a fence to the rear entrance of the police department.
4. Remove money from the Legislative budget.
5. Remove funding for wayfaring.
6. Add \$55,000 back to the budget for an arboretum.

Council Member Jenkins then withdrew his second to Council Member Langford's motion. At 9:12 p.m. Mayor Van Orman called for a brief recess. She called the meeting back to order at 9:21 p.m.

Council Member Romney suggested that the Council Members individually walk though the six individual items outlined by Council Member Olander prior to the recess.

Council Member Olander moved to add funding for a security system at the skate park to the budget in the amount of approximately \$10,000 to \$18,000, to be determined by City staff, seconded by Council Member Jenkins. Mayor Pro Tem Crump expressed his concern about the motion. He said that by suggesting a range, it precludes any chance of passing the budget this evening and recommended that a specific dollar amount be determined. Council Member Jenkins asked if Council Member Olander would accept a friendly amendment. Council Member Olander accepted, and then moved to budget \$15,000 for a security camera.

Prior to the vote, Mayor Van Orman invited citizen comments.

CITIZEN COMMENTS: Colette Seubert 24120 E. Cataldo Court, Liberty Lake, WA expressed her concerned about the security camera getting funded. She said the arboretum was talked about way before the skate park was even mentioned, and was worried the arboretum will not get funded.

Chief Asmus reported on the value of having surveillance at the skate park. He said surveillance cameras would provide a good deterrent in lowering of the amount of crimes at the park as well as provide a means for the public to monitor what is happening at the skate park. Parents could logon to the internet and view their children playing at the park. Chief Asmus also explained that, in addition to purchasing the surveillance equipment, there would be a need to install power at the park.

After no further discussion, Mayor Van Orman called for the vote. Motion carried 6-1, with Mayor Pro Tem Crump and Council Members Olander, Jenkins, Schuler, Owens, and Langford voting in favor; Council Member Romney opposed.

Council Member Olander then moved to add an item to the police budget for police car rotation for the value of \$21,000, seconded by Council Member Jenkins. After a brief discussion about the vehicle rotation schedule and vehicle maintenance costs, Mayor Van Orman invited citizens comments.

CITIZEN COMMENTS: An unidentified audience member asked if it was possible to get a used car instead, possibly two years old.

Council Member Owens responded that she appreciated the thought. She explained it would probably be counterproductive, however, since it costs approximately \$10,000 to move necessary police equipment from their cars into other vehicles that are purchased. Mayor Pro Tem commented that City staff did go to the State auction earlier this year to find another vehicle, but unfortunately all of those items were surplus vehicles as well.

After no further discussion, Mayor Van Orman called for the vote. Motion failed 2-5, with Mayor Pro Tem Crump and Council Member Langford voting in favor; Council Members Olander, Jenkins, Schuler, Owens, and Romney opposed.

Council Member Olander then moved to add \$30,000 to the police department's budget for a security fence, automated gate, and associated electronics around the police station's back parking lot, seconded by Mayor Pro Tem Crump.

Council Member Langford said as much as he would like to vote in favor of the motion, he found it to be a discretionary expenditure. He said it was a great idea, but it would not make any of the City's officers or citizens any safer. Mayor Van Orman then invited citizen comments. None were received. She then called for the vote. Motion failed 2-5, with Council Members Schuler and Owens voting in favor; Council Members Olander, Jenkins, Langford, Romney and Mayor Pro Tem Crump opposed.

Council Member Olander moved to amend the legislative portion of the budget, reducing the travel line item from \$6,740 to \$2500, reducing the newsletter line item from \$13,500 to \$8,000, and reducing the Council Retreat/Workshop from \$2,500 to \$zero, seconded by Council Member Jenkins. A brief discussion was then held.

At 9:58 p.m., Council Member Jenkins moved to extend the meeting to 10:30 p.m., seconded by Mayor Pro Tem Crump. Motion passed unanimously. Mayor Van Orman then invited citizens comment. None were received. She then called for the vote. Motion passed unanimously.

Council Member Jenkins moved to eliminate \$100,000 from the Street Fund budget that is allocated for the wayfinding signage project and eliminate \$50,000 from the same fund for projected revenue for wayfinding, seconded by Council Member Olander.

Council Member Jenkins said he did not think this was a mission-critical item for the 2010 budget, noting it is important to look for opportunities to reduce wherever possible. Council Member Schuler reminded everyone how important directional signage is for small businesses. Council Member Olander expressed mixed emotions about this subject. He said it is obviously a lot of money and there is the timing issue to consider since the process has not yet been fully vetted through the Planning Commission. He agreed with Council Member Schuler that businesses do want their government to help them bring customers to their door and wayfinding signs are helpful in that endeavor.

Mayor Pro Tem Crump spoke in opposition of the motion. He talked about the commitment that was already made to the business community and the need to honor that commitment; the City being in a worse financial situation next year; seeing the potential for an increased, long-term revenue stream; and the beneficial impact to the citizens of Liberty Lake. Council Member Owens said she didn't like the idea of businesses having to pay \$1,600 to get four signage blocks and said there has to be a way to make it more affordable. She said wayfaring signage was a big issue early on in prior City discussions and a commitment was made. She voiced that since she has few years left to meet that commitment, she would like see it through. Council Member Romney asked the Council Members, "If we do believe we're going to be worse off economically next year, then is this year the right year to vote [to fund it]?"

After no further discussion, Mayor Van Orman invited citizen comments.

CITIZENS COMMENTS: The same unidentified audience member who previously commented said if this was a benefit to the businesses, he didn't understand why the tax payer had to subsidize it. He suggested sign restrictions be removed, and allow business owners to do what they want with the property rights. He also talked about the rate of return for the businesses.

Louise Quirk, 23012 E. Dutchman's Lane, Liberty Lake, WA stated she has family who comes to Liberty Lake once a year for the golf tournament put on by the Kiwanis Club. She said they normally meet in the parking lot of either Albertsons or Safeway so that someone can show them how to get to the different hotels and motels because they cannot find them that easily. Ms. Quirk said she didn't want to see large, neon directional signs but prefers the smaller signs. She stated, "If you want people to be successful, you're going to have to help them out a little bit."

Mayor Van Orman clarified that the signage program would include government entities in addition to local businesses.

Josh Johnson 1906 N. Cavalier Road, Liberty Lake, WA, spoke as a small business owner. He said he appreciated Council Member Owens' comment about the cost for multiple directional signs. He asked the Council to draw back their expectations on the \$50,000 level of projected revenue based on how many businesses will actually participate in the project and how much those businesses can afford to invest.

After no further comments, Mayor Van Orman called for the vote. Motion failed 2-5, with Council Members Jenkins and Romney voting in favor, Council Members Olander, Schuler, Owens, Langford, and Mayor Pro Tem Crump opposed.

Council Member Olander moved to add \$55,000 into the Park Services budget for an arboretum/beautification/arboretum infrastructure, seconded by Mayor Pro Tem Crump.

Discussions were then held about possible carry over from the Street Fund (snow removal) and the potential to offset the cost for the arboretum; the commitment that was referenced to in earlier discussions this evening and the need to fulfill that commitment, the priority level of the arboretum expenditure in the City budget, and the process involved for bid requests that would need to be brought before the City Council for review again in the future when revenues would be better defined. After no further discussion, Mayor Van Orman invited citizen comments.

CITIZEN COMMENTS: Louise Quirk, 23012 E. Dutchman's Lane, Liberty Lake, WA again emphasized that the arboretum is a place where people can come together and do volunteer work. She said when the community has an opportunity to go to work, she has found that "around here, they go to work." She urged the Council to implement infrastructure for the arboretum and said by waiting it would cost more money.

The unidentified audience member mentioned that he worked in finance. He agreed that economic times will not get any better and will get much, much worse. He stated he

moved here from New York and said there are more places here to go to than anywhere else, but thinks it would be better to have the money stashed away for when things get really rough.

Colette Seubert 24120 E. Cataldo Court, Liberty Lake, WA provided some background on the designation of land for the arboretum by the Meadowwood Home Owner's Association. She also talked about the how the name, "Nature's Place at Meadowwood", came about. She said every year since the homeowners donated the land for the arboretum "it has been put off, put off, and put off." She expressed her understanding about other things that could be considered to be more important financial priorities for the City, but emphasized that a commitment was made by the City in 2006 and so far nothing has ever been done.

After no further comments, Mayor Van Orman called for the vote. Motion failed 2-5, with Mayor Pro Tem Crump and Council Member Owens voting in favor; Council Members Olander, Schuler, Jenkins, Langford, and Romney opposed.

At 10:29 p.m., Council Member Olander moved to adjourn the meeting, seconded by Council Member Schuler. Motion failed. Mayor Pro Tem Crump then moved to extend the meeting for 15 minutes, seconded by Council Member Langford. Motion failed. Council Member Romney made a friendly amendment to extend the meeting for five additional minutes. Motion passed unanimously. Mayor Van Orman then opened the floor to receive citizens comments on Ordinance No. 181. No comments were received.

Council Member Jenkins made a friendly amendment to Mayor Pro Tem Crump's original motion to adopt Ordinance No. 181, to include the amendments that were voted on this evening. Mayor Pro Tem Crump accepted the friendly amendment. Mayor Van Orman called for the vote. Motion carried 6-1, with Mayor Pro Tem Crump, Council Members, Olander, Schuler, Jenkins, Langford, and Romney voting in favor; Council Member Owens opposed.

RESOLUTION

Ann Swenson, City Clerk, read Resolution No. 09-136 into the record, designating the official newspaper.

Council Member Olander moved to designate the Splash as the official newspaper for the City of Liberty Lake, seconded by Council Member Langford.

Jessica Platt, Administrative Services Manager, explained that additional information from the Splash was received by the City, which better explained its rate proposal. Upon review of that information, staff determined the Splash actually offered the lowest rate, therefore recommended designating the Splash as the official newspaper.

Mayor Van Orman called for the vote. Motion carried unanimously.

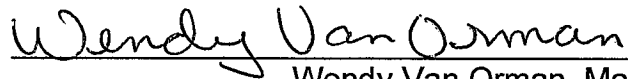
WORKSHOP DISCUSSIONS

Due to time constraints, the Draft 2008 – 2014 Capital Facilities Plan Update will be moved to unfinished business and presented at a future meeting for discussion.

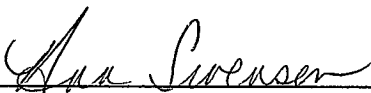
ADJOURNMENT

The meeting adjourned at 10:36 p.m.

These minutes are approved on December 15, 2009.



Wendy Van Orman, Mayor
City of Liberty Lake



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.