

**CITY COUNCIL MEETING  
TUESDAY, FEBRUARY 17, 2009  
CITY HALL COUNCIL CHAMBERS  
22710 E COUNTRY VISTA DRIVE  
7:00 P.M.**

**INVOCATION**

Given by Council Member Langford

**PLEDGE OF ALLEGIANCE**

Led by Mayor Van Orman, City Council, and Staff

**CALL TO ORDER**

Mayor Van Orman called the meeting to order at 7:03 p.m.

**ROLL CALL**

Council Member Jenkins  
Mayor Pro Tem Sayrs  
Council Members Owens  
Council Member Crump  
Council Member Schuler  
Council Member Olander  
Council Member Langford

Doug Smith, Director of Community Dev.  
Ann Swenson, Deputy City Clerk  
Brian Asmus, Chief of Police  
Sean Boutz, City Attorney  
Jessica Platt, Admin Svcs Manager  
Amanda Tainio, Planning & Bldg Svcs Manager

**AGENDA APPROVAL**

Council Member Crump moved to accept the Agenda, seconded by Council Member Langford. Motion passed unanimously.

**APPROVAL OF CITY COUNCIL MINUTES**

Council Member Crump moved to accept the City Council Minutes from February 3, 2009, seconded by Council Member Langford. Motion passed 6-1, Mayor Pro Tem Sayrs abstained.

**CITIZEN COMMENTS**

None.

## **MAYOR AND CITY COUNCIL REPORTS**

Council Member Crump gave a Finance Committee report. Vouchers were reviewed. The Committee discussed draft fee schedules for permits and planning, cost of services, and investments. Fees have not been updated since 2001.

Council Member Schuler gave a Public Safety report. If everything goes well, March 2<sup>nd</sup> is the projected move-in date for the Police Department. She said the City of Spokane Valley Fire Department gave an update to the Public Safety Committee on response time. Liberty Lake Police Chief Brian Asmus discussed the complaints the City has received about motor traffic and near-pedestrian misses at the crosswalk at Meadowwood and Appleway. He said it is a marked crosswalk and citations have been issued. The LLPD will continue to monitor the problem. Council Member Owens thanked the LLPD for enforcing the law and monitoring the situation, and Council Member Olander talked about how issuance of a single ticket to a motorist could be a deterrence for others.

## **PRESENTATION**

Jessica Platt, Administrative Services Manager, conducted a quarterly and year-end financial report. Revenue collections came in slightly higher than anticipated for the fourth quarter of 2008, with a favorable variance of 8.3%. General Fund revenues, however, decreased 5% from fourth quarter 2007 due to a decline in sales tax revenue and miscellaneous revenues. Ms. Platt outlined the sales and use tax revenue by sector. She said that due to the slowing economy and implementation of Streamline Sales Tax, the City experienced a 7% decline in retail sales and use tax. Ms. Platt said comparing total actual to total budget expenditures through the fourth quarter, the General Fund was 82.8% of the budget, which does not include the ending balance. A healthy ending balance was established in 2008, totaling \$1,457,013. She noted there has been a 57% increase in business licensing since partnering with the State of Washington in October for the Master Business Licensing. She also provided a breakdown of where the money goes, and outlined some of the City's 2008 highlights.

## **ACTION ITEMS**

Council Member Crump moved to accept the Consent Agenda, which included vouchers totaling \$108,328.34, seconded by Mayor Pro Tem Sayrs. Motion carried unanimously.

Check number sequences were 10741 through 10800

Troy Mullenix, Recreation Coordinator, talked about two Agreement for Services; one with Family Karate Center Inc, the other with Nancy Ripplinger. He said language has been included into the Agreements regarding insurance and that both Agreements have been reviewed by the City's attorney.

Council Member Owens moved to accept the Agreements for Services with Family Karate Center Inc and Nancy Ripplinger. Mayor Pro Tem Sayrs seconded the motion. Motion carried unanimously.

## **PUBLIC HEARING**

City Attorney, Sean Boutz, reviewed the closed record public hearing process. Amanda Tainio, Planning & Building Services Manager, gave a brief chronology from the record regarding the issue to consider the decision of the Hearing Examiner and the objections thereto filed by Hunt Family Properties, LLC concerning the Denial of Variance Request, File # V-08-0001, Appeal File # AP-09-0001.

Mayor Van Orman opened the Closed Public Hearing at 7:45 p.m.

Council Member Jenkins inquired about section 3 in the Statement of Facts Concerning Sign Violation Appeal, asking if the statement, "Where it is determined that implementation of the current code is impractical and the applicability of the code requirements shall be determined by the Planning & Community Development Director", is still in the City's current sign code. He also asked, "What is the definition of impractical; financial, physically not movable?" Discussion was then undertaken about the Council receiving an incomplete record for the closed hearing since Development Code Section 10-5C-2 was not included in the City Council packets, citing that section has been reviewed by the Hearing's Examiner and was important to his decision. After further discussion, City Attorney Boutz concluded that since the Code was reviewed by the Hearing's Examiner and used in his decision, the code section could be disclosed.

After discussions regarding the history of the issue and the applicant's non-compliance issues and economic hardship, Council Members Olander, Owens, Crump, and Mayor Pro Tem Sayrs each acknowledged support of the Hearing Examiner's decision to deny the variance application.

Mayor Pro Tem Sayrs then moved in the matter of denial of variance request file V-08-0001, Appeal File AP-09-0001 to sustain the decision of the Hearing Examiner to deny the applicant's variance application, seconded by Council Member Owens.

Brandon Hunt, representing Hunt Family Properties, 23800 E. Appleway Avenue, Liberty Lake, WA approached the Mayor and City Council. Mr. Hunt reviewed purchase dates of the property, the property owners, and talked about the economic hardship in premier manufacturing and how challenging it is at this time to remove the sign. He respectfully asked the Mayor and City Council to give Huntwood until the end of the year to get the signage issue taken care of.

Council Member Crump clarified that Mr. Hunt's request for an extension is a separate issue and City Attorney Boutz concurred that the request is outside the closed hearing record.

After no further discussion, Mayor Van Orman closed the public hearing at 8:11 p.m.

Mayor Pro Tem Sayrs repeated his previous motion; in the matter of the denial of variance request file V-08-0001, Appeal File AP-09-0001 to sustain the decision of the Hearing Examiner and deny the aforementioned appeal, seconded by Council Member Owens. Motion passed 4-7, with Mayor Pro Tem Sayrs, Council Members Olander,

Owens, and Crump voting in favor of the motion and Council Members Schuler, Jenkins, and Langford voting against it.

Councilman Crump revisited the issue of the request for an extension to remove the sign. Community Development Director, Doug Smith said there are two options; either continue the enforcement of the nonconforming status and request that the sign is removed, or the appellant has the opportunity to appeal the Council's decision.

Theron Rust, Real Estate Manager for Huntwood, 1504 E. Pinehurst, Spokane, WA approached the City Council. He said at the time estimates were made for removal of the sign, it was \$40,000 to replace it to meet the City code standards. He said Hunt Family Properties derives its income from Bargain Hunt, not Huntwood Industries. He testified that income is down substantially, all management has been laid off, and currently there are only four part-time workers. He said Hunt Family Properties does intend to replace the sign and re-emphasized it is a financial difficulty to do so at this time. He asked the Council to allow a little bit of time to "get a good sign planned" that would meet the City standards.

## **RESOLUTION**

Ann Swenson, Deputy City Clerk read Resolution No. 09-124 into the record, designating the official newspaper.

Council Member Crump moved to adopt Resolution No. 09-124, seconded by Council Member Owens. Motion passed unanimously.

## **WORKSHOP DISCUSSIONS**

### Facility Rental Fees and Regulations:

Troy Mullenix, Recreation Coordinator, conducted a presentation about facility rentals and fees. He talked about the need to charge for facilities, proposed fees, and a proposed reservation form. He said there is no set way to determine how to create fees because they vary from City to City based on what each City has available within it. He outlined a simplified fee structure and gave a comparison with our neighboring City of Spokane Valley. He said since the City of Liberty Lake has never implemented fees, the proposed fees are minimal.

After Mr. Mullenix's presentation, discussion ensued regarding recuperation of costs for the City maintenance crew's time to clean the parks and facilities, differentiating between charging some people and not others, such as non-profit groups, establishing language in policy, and guaranteed reservations. Council Member Langford requested further information regarding how much money the City is losing, and expressed that it is poor timing to think about implementing fees in the current economic climate.

Council Member Owens, speaking as a member of the Finance Committee, said in looking at the City's revenue projections for 2009, it is the Council's fiduciary responsibility to ensure the City's solvency. She said she does not feel the proposed

fees are excessive. Council Member Schuler agreed, but said, "I would rather put my efforts towards being business friendly and saving businesses."

Mayor Van Orman said she would like to see cost recovery but would like to make sure we are not exceeding any other comparable facility charges. Council Member Olander suggested that when policies are established they should outline a first come, first-served basis and that it should be emphasized that no matter who uses the facilities, it is their responsibility for excessive clean up and any damages sustained during use of the facility.

Council Member Jenkins expressed his disagreement with the proposal, saying, "If we are having such a hard time recovering costs, we need to start minimizing services". He said, "It is just wrong to keep nickeling and diming our citizenry to death".

Mayor Pro Tem Sayrs said he views our parks as part of the commonwealth of the community and encourages its use, but that he is loath to charge per event because it could have a discouraging effect. He advocated for people who cannot afford the proposed fees, and said they are the ones who need the free space the most.

In addition to providing the City Council with figures to recoup costs, Council Member Schuler requested that Mr. Mullenix verify whether an area of a public park can legally be restricted.

## **UNFINISHED / NEW BUSINESS**

Mayor Van Orman informed the City Council that Lois Molter, who was our local SCOPE Treasurer and an avid community volunteer, passed away last week.

Council Member Owens revisited the need to recover costs for services. She said we need to meet the requirements of today and update the fees that were established in 2001 when Liberty Lake became a city. Mayor Van Orman said something also to keep in mind is that in 2001 the city had only 324 residents and now we are approaching 7,000 residents.

## **CITIZEN COMMENTS**

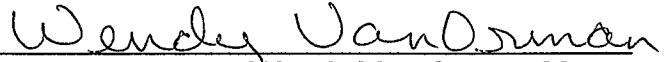
Brandon Hunt, 18910 E. Twelfth Court, Greenacres, WA, recommended enforcement of the cleaning deposit for any facility reservations. He said most people who are responsible do clean up after themselves, but for those who do not, they should be responsible for their lack of respect for the community.

Jennifer Tomlinson, 525 N. Homestead Drive, Liberty Lake, offered a big thank you to the Mayor, City Council, and City Staff for agreeing to work together regarding baseball at Pavillion Park.

## ADJOURNMENT

The meeting adjourned at 8:53 p.m.

These minutes are approved on March 3, 2009.



Wendy Van Orman, Mayor  
City of Liberty Lake



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