

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

INVOCATION

Given by Council Member Schuler

PLEDGE OF ALLEGIANCE

Led by Mayor Van Orman, City Council, and Staff

CALL TO ORDER

Mayor Van Orman called the meeting to order at 7:01 p.m.

ROLL CALL

Council Member Jenkins
Mayor Pro Tem Sayrs (absent)
Council Members Owens (absent)
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
Pamela Mogen, Library Director
Amanda Tainio, Planning & Bldg Svcs Manager
Troy Mullenix, Recreation Coordinator
Mollie Thola, Golf Pro

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

AGENDA APPROVAL

The Agenda was approved as presented.

APPROVAL OF CITY COUNCIL MINUTES

Council Member Crump moved to approve the City Council Minutes from March 17, 2009, seconded by Council Member Jenkins. Motion passed unanimously.

MAYOR AND CITY COUNCIL REPORTS

Council Member Schuler thanked the City Council for excusing her from the last meeting. She reported she went to China with the Greater Spokane Incorporated and the International Trade Alliance. She said it was a wonderful experience and reported there are great opportunities for international business partnerships.

Council Member Crump gave a brief Finance Committee report. Vouchers were reviewed. Fee structures and revenue were discussed. Staff has been working on the quarterly report, which will be presented at the next City Council meeting.

Council Member Crump said he attended the Mayor's Council for Economic Policy and Forecasting. Representatives from Spokane County, the City of Spokane, and some of the outlying areas were present. Discussion centered around the difficulties and struggles with the state budget and decline in revenue, as well as incentives available and the impact of the stimulus package. Council Member Crump, who sits on the Spokane Regional Health District Board representing small cities, also reported the Board has engaged in an agreement for a new health officer.

Mayor Van Orman said part of the federal stimulus funding will be given to Spokane Transit Authority. STA plans to purchase 23 new coaches, including hybrid coaches, a security surveillance system, transit enhancements, and preventative maintenance. There will be an opportunity for public input regarding STA's plan beginning April 1st and continuing until May 4th. The Mayor said registrations have begun for the Easter Egg and All Fools Hunts. She reported Tracy Rebstock will be stepping down as an advisor to the Liberty Lake Youth Commission and she will be stepping up as its advisor. She said, per our ordinance, a City Council Member needs to act as a liaison to the Youth Commission, and extended the invitation to the Council. She also asked for Council input regarding development of a comprehensive transportation planning organization, a transportation benefit district, and agreeing to a funding mechanism that allocates 80% of revenues to M&O and 20% to projects of regional significance.

STAFF AND AGENCY REPORTS

City

Community Development Director, Doug Smith, provided a City update. The parks crew have been pruning and enhancing the park in preparation for upcoming events. Building activity is on par with the first quarter of last year. A review and draft update of the Parks Plan are underway and will be coming before the City Council next month. The Transportation Improvement Plan has nearly been completed and will be brought before the City Council soon, as will the first half of the bids for the skate park. Mr. Smith also reported the financial reports have been completed and, in general, finances are going well.

Municipal Library

Liberty Lake Municipal Library Director, Pamela Mogen, provided a library report. Total circulation for March was 9% higher than the previous record which was set in July, 2008. A total of 174 new cards were issued in March, which is also up compared to the usual card issuance of between 30-50 per month in the past. Ms. Mogen said the library partnered with the Kindergarten PTO for an all day visit by child performer Nancy Stewart and that presentations have been made to parent-teacher organizations at Liberty Lake Elementary School. She spoke briefly about upcoming events, including the 2nd annual edible book contest, the 5th annual spring tea, Let's Read Liberty Lake, and featured author Sherman Lexie.

Public Safety

Liberty Lake Police Chief, Brian Asmus, reported the LLPD will be joining Spokane in the car seat campaign and that the Too Good for Drugs campaign has kicked off. An emergency operations plan for public facilities has been drafted. Chief Asmus reported FEMA paperwork has been received and Liberty Lake is being considered for reimbursement for some of our snow removal costs. He acknowledged eight officers have been killed in the last week and asked everyone to be mindful of the tragedy.

Planning Commission

Planning Commission Chairman, Dennis Paul, said the public hearing for the River District SAP is slated for tomorrow at 5:00 p.m. Twelve key issues have been brought up for points of clarification. He said he is hopeful the Commission will decide whether to accept the original plan, accept the modified plan, reject the whole plan, or the accept any or all of the 12 issues and bring that decision back before the City Council soon.

Fire District

Spokane Valley Fire Captain Jeff Bordwell reported there were 31 alarms in the month of March in Liberty Lake. Three bids for a new fire apparatus have been received, with the lowest bid coming in at \$417,000. The Captain said a six-year strategic plan has been in the works and he invited the Mayor and City Council to attend the planning event April 29th. Various representatives will be in attendance.

Sewer & Water District

Liberty Lake Sewer & Water Commissioner, Steve Skipworth, gave an update. A new sewer replacement project has been started in the Wicomico area down by the lake. Spokane County Parks is requesting a section of Liberty Lake Park to be annexed into the District. The Commissioner reported 9.5 acres of the Hagan Properties on E. Appleway have been improved. He said construction is slow at this time, but crews are busy doing maintenance. A brief discussion then took place regarding water right issues and annexation of land.

PROCLAMATION

Mayor Van Orman read the Proclamation of the City of Liberty Lake, Washington declaring the week of April 20-24, 2009 as Financial Education Week. This coincides with city events that week such as Shred Day, ID Theft Prevention, and financial education seminars. She then turned the floor over to Council Member Jenkins.

TIF UPDATE PRESENTATION

Council Member Jenkins gave a presentation on tax increment financing. He said the objective of the TIF and LIFT was to develop a commercial infrastructure, which basically will be a revenue center for the City and offload some property tax responsibilities. He expressed concern about a breakdown in partnerships between Spokane County, the developer, and the City of Liberty Lake. He said he would like to see a resolution that forms a consensus by the City Council that represents where it currently is in the process, how it arrived here, and where it would like to advance. He said a resolution will provide a snapshot of historical significance for future City Councils. Following Council Member Jenkins' presentation, discussion was undertaken.

Council Member Olander stated, "The overriding feeling I have, is that I've let the tax payers down here." He talked about agonizing over how to expend funds, yet letting the \$65 million "slip by", resulting in the loss of oversight by the City. He emphasized that after numerous conversations and correspondence with Spokane County, the County is adamant that the City will not have approval rights on TIF projects. He concurred with Council Member Jenkins' idea to create a resolution to capture the consensus from the current City Council to provide background for future city councils of priorities and policies, noting that TIF/LIFT will last for 20-25 years. He also suggested the Council was naïve in this venture and that it should be more assertive when signing future contracts.

Council Member Crump disagreed with the notion of having to apologize. He suggested the Council was very advanced in its thinking and opportunistic in going after the funding. He acknowledged the City has changed since the creation of TIF in 2005 with respect to

boundaries, but emphasized the need to share in the decision making process. After further discussion, it was decided a resolution will be established as requested.

ACTION ITEMS

Council Member Crump moved to accept the Consent Agenda, which included vouchers totaling \$302,902.75, seconded by Council Member Jenkins. Motion passed unanimously.

Check number sequences were 10903 through 10972

Manual check sequences were 10897 through 10902

Paycheck sequences were 5287 through 5349

ORDINANCE

Ann Swenson, Deputy City Clerk, read Ordinance No. 175 into the record, approving the Bylaws of the City Planning Commission.

Council Member Crump moved to adopt Ordinance No. 175, seconded by Council Member Jenkins.

Planning & Building Services Manager, Amanda Tainio, said the requested severability language has been added to Ordinance No. 175 and the draft City of Liberty Lake Planning Commission Bylaws. After a brief discussion clarifying that the bylaws do not supersede the original ordinance, as well as residency requirements for Planning Commission members, Mayor Van Orman opened the floor for public testimony; none was received. She then called for the vote. Motion passed unanimously.

RESOLUTION

Ann Swenson, Deputy City Clerk, read Resolution No. 09-126 into the record, repealing Resolution No. 05-80 and establishing a new fee schedule for Trailhead Golf Course.

Council Member Crump moved to adopt resolution No. 09-126, seconded by Council Member Jenkins.

City of Liberty Lake Golf Pro, Mollie Thola, reported the feedback she has received from patrons regarding potential rate adjustments has been positive. She said, "People understand our fees are very low, and actually have been expecting a price increase for the last couple of years". She stated there has been no fee increase since 2002 and noted Trailhead's fees are substantially lower in comparison to all the courses in the Spokane area. Ms. Thola communicated the need, as an enterprise funding source, to keep up with the rising costs associated with fertilizers, fuel, and wages. After no further discussion, Mayor Van Orman called for the vote. Motion passed 4-1, Council Member Langford opposed.

WORKSHOP DISCUSSIONS

Community Oriented Policing Services Grant Project:

Police Chief, Brian Asmus, presented additional information requested by the City Council at the last meeting regarding the Community Oriented Policing Services (COPS) Grant Project. Chief Asmus again requested permission from the City Council to move forward with applying for grant funding for additional officers. He recommended applying for two entry-level, salaried and benefited officer positions for a three-year period, totaling \$394,430.

Council Member Crump again spoke in favor of applying for the funding, stating "It behooves us to apply for this, we'd be idiots not to". Discussion was then undertaken regarding two officers vs. three officers, population to police ratio, entry-level vs. lateral officers, sustainability of the officers after grant funds expire, and maintaining safety in the community to attract businesses and residents.

Council Member Langford expressed concern about having the necessary resources available in four years to sustain the officer positions. Council Member Schuler questioned whether the City would be legally bound to honor the grant-funded officers at the expense of another officer if the resources are not available. Council Member Olander said he would be in favor of the additional officers if the city was more built out. Council Member Jenkins spoke in favor applying for the grant funding for two additional officers. Upon no further discussion, Mayor Van Orman gave Chief Asmus the approval to apply for the grant.

Recreation Fee Schedule:

Troy Mullenix, Recreation Coordinator, discussed cost recovery for parks and recreation. He said Liberty Lake is the only jurisdiction within the Spokane-Metro and surrounding area that does not charge a facility usage fee. He provided an example of 2008 summer event costs, and then offered proposed fees to help offset those costs. After a brief discussion, it was decided a resolution will be forthcoming at the next City Council meeting.

Planning & Building Services and Public Works Fee Schedule Update:

Planning & Building Services Manager, Amanda Tainio, reported there has been no fee update to the Planning & Building Services fee schedule since the City first established the rates nearly eight years ago, with the exception of the building valuation data which has been updated once a year since 2006 based on the Building Valuation Data Sheet printed in the *Building Safety Journal*, published by the International Code Council. She said the update is to primarily provide transparency in fees, provide additional cost recovery to keep up with inflation, and adjust it to match the current City Code. Ms. Tainio compared the City's cost recovery based on current fees versus the cost recovery with the proposed fees. She also provided a fee comparison with other local jurisdictions. Staff will research whether a resolution or an ordinance is the proper method to update the fees and bring it back before the City Council at the next meeting.

Salary Commission:

Council Member Jenkins said this week represents his 7th year on the City Council and is surprised that no one has run against him during that period. He talked about other council members running unopposed as well, and said he would like to see a change in compensation for elected officials to hopefully attract more candidates. He asked the Council to consider putting together a commission to evaluate salaries of all elected officials and provide a recommendation. Discussion was then undertaken regarding Councilman Jenkins' request.

Council Member Olander said he would like more time to study the proposal. He spoke in favor of getting constituent input, but felt the Mayor's salary should undergo review more so than the Council's. Council Members Crump and Langford opposed the idea, saying it is bad timing and bad economics for everyone involved. Council Member Schuler agreed that it is disconcerting that no one in the community is running for the Council, noting she too ran unopposed, and suggested the focus should be to find out why. Mayor Van Orman suggested waiting to discuss this until budget talks later in the year since it's probable that any recommendation by a salary commission wouldn't be prior to June's deadline to file for candidacy.

UNFINISHED / NEW BUSINESS

Mayor Van Orman gave an update of upcoming events, including finance week April 20-24, spring greening, free shred day, tree planting on Arbor Day at Rocky Hill Park, spring tea at the library April 25th, and the Liberty Lake Business After Hours event April 14th at the Peppertree Inn.

Council Member Jenkins then brought up a discussion regarding Mayor Pro Tem Sayrs. He pointed out that Council Member Sayrs has missed several City Council meetings in the last couple of months with no explanation why, and said there is an immediate need to appoint a new Mayor Pro Tem. He said he is not advocating removing Councilman Sayrs from the City Council, but asked for the City Attorney's guidance how to proceed.

Subsequent discussion centered around the previous motion for excusal during this evening's roll call. Clarification was made that the vote was to excuse both Council Member Owens and Mayor Pro Tem Sayrs. Council Member Schuler requested specifying the name of the council member(s) during future meetings when a motion is made to excuse an absence, noting it was not her intent this evening to excuse Mayor Pro Tem Sayrs. Council Member Langford voiced that it was not his intent to excuse Mayor Pro Tem Sayrs either.

Council Member Schuler made a motion to reconsider excusing Council Member Owens and Mayor Pro Tem Sayrs and revote on this evening's attendance, seconded by Council Member Jenkins. Council Member Jenkins then made a friendly amendment to change the wording of the Council Member Schuler's motion to reconsider the clarification that was made in regard to excused absences. Council Member Schuler accepted the amendment, the vote was taken and motion passed unanimously.

Council Member Crump made a motion to excuse Council Member Owens, seconded by Council Member Jenkins. Motion passed unanimously.

Council Member Jenkins then moved to excuse Mayor Pro Tem Sayrs, seconded by Council Member Schuler. Motion failed unanimously, 0-5.

In other business, Council Member Crump reacted to a recent article in the Splash that he felt presents a real lack of understanding by the public for the processes to get services, such as the library, for the community. He suggested trying to provide more education for the public so they may be better informed and can participate in the process as well as better understand the Council's actions.

At 10:01 p.m., Council Member Crump moved to extend the meeting for five minutes, seconded by Council Member Schuler. Motion passed unanimously.

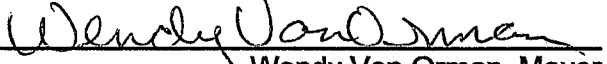
CITIZEN COMMENTS

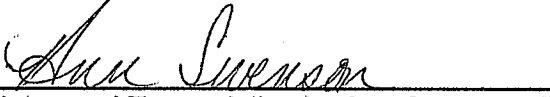
Drew Benado, Greenstone Corporation, 1421 N. Meadowwood Lane, Liberty Lake, WA. He said there may be some miscommunications between the developer and the City regarding TIF. He said he would like to provide their version of an update at a subsequent City Council meeting in the spirit of communication. He spoke of being intertwined with the City through the development code, as well as providing fees for permits to keep the staff going, and said Greenstone is in favor of working through the process.

ADJOURNMENT

The meeting adjourned at 10:03 p.m.

These minutes are approved on April 21, 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 City Clerk or Deputy City Clerk