



**CITY COUNCIL MEETING
TUESDAY, SEPTEMBER 7, 2010
CITY HALL
22710 E. COUNTRY VISTA DRIVE
7:00 P.M.**

INVOCATION

Given by Council Member Owens

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 Kaminskis
Council Member Owens
Council Member Romney
Council Member Schuler
Council Member Beckett
Council Member Langford

Michelle Griffin, Accounting Technician
Doug Smith, Community Dev. Director
Brian Asmus, Chief of Police
Jessica Platt, Admin Services Manager
Andrew Staples, City Engineer
Pamela Mogen, Library Director
Sean Boutz, City Attorney

Mayor Van Orman discussed the Partnerships Advancing Character Education (PACE) program, a grassroots Spokane Valley initiative to promote the importance of good character through partnerships with schools, businesses, public agencies, residents, faith based organizations and community service groups. At the root of the initiative is a list of monthly character traits. Working from this common list, partners strive to promote and integrate each trait into the regular activities of the organization. Each month features a different character trait to be the focus of multi-faceted communication, motivation and educational programs throughout the entire month. The trait for the month of September is respect.

AGENDA APPROVAL

Mayor Pro Tem Crump moved to approve the agenda. Council Member Owens seconded the motion, which carried unanimously.

CITIZEN COMMENTS:

Shanna Hale, 121 N. Lindeblad Lane, Liberty Lake, WA discussed her safety concerns regarding Valleyway Avenue. She stated that Valleyway Avenue/Lakeside Road is a narrow, unsafe road with a blind curve that endangers both pedestrians and bicyclists. She stated that motorists travel at excessive speeds through this area which compounds the issue. She reminded Council members that for the last nine months there has been a representative at

every City Council meeting and weekly workshops to report on the dangers at Valleyway Avenue/Lakeside Road. She stated that tonight at her kindergarteners' open house she was informed by Central Valley School District staff that all children in her neighborhood are considered "walkers" as they reside within the one mile radius from Liberty Lake Elementary School. She reported that sixty-one letters were submitted to city staff to advocate for improvements to Valleyway Avenue/Lakeside Road and that neighbors have been advocating for Council's help for the last nine months and nothing has been done for the residents of Liberty Lake. She wanted to know what the plan is for the neighbors in this area. She said it is unacceptable that children should have to walk down this dangerous road to and from school. She stated that the City made a commitment as a Condition 22 as of 2001 to improve the conditions of this road. At the City Council meeting on November 16, 2009 sixty-one residents expressed their deep concerns in testimony to city staff. September 1st was the latest extension that City staff gave George White to complete the road improvements. She asked why this is not a priority. She asked if the City had a plan for this dangerous road.

Mayor Van Orman responded that this project is high on the City's priority list and staff is seeking out solutions for Valleyway Avenue and Mission and Harvard which also needs pedestrian access improvements. She stated that staff is applying for a grant to fund the Valleyway Avenue project but that it will take time.

Larry Rider, Deputy Fire Chief for Spokane Valley Fire Department, 10319 E. Sprague, Spokane Valley, WA invited everyone to attend an open house on Saturday, September 11, 2010 at 9:00 a.m. at the Greenacres Fire Station located at 17217 E. Sprague. He stated that every facility since 2001 has been dedicated on September 11th whether the buildings were completed or not. There will be a plaque dedicated to the community. He also stated that the name was changed from Station 10 to Greenacres Station. The names of the fire houses will now be named based on the community where they reside.

WORKSHOP DISCUSSION

Golf Cart Ordinance No. 186:

Police Chief Asmus discussed the draft Golf Cart Ordinance No. 186. He stated there is a new Washington State Law, SSB 6207, which authorizes cities to create golf cart zones by ordinance or resolution for the purposes of permitting incidental use of golf carts on public roads. He stated that the City's ordinance can be more restrictive than the State's requirements but not less restrictive than State Law. The draft ordinance incorporates RCW Chapter 46.61 into the city's new Golf Cart Ordinance. The biggest differences in the new ordinance are the age limits; golf cart drivers must now be 16 years of age without a revoked license. There are new equipment requirements including the mandatory use of seatbelts on golf carts and it defines a Golf Cart Zone as any public roadway within the City of Liberty Lake having a speed limit of 25 M.P.H. or less. The new law states that carts are exempt from child restraint requirements. Public Safety has reviewed the ordinance and verbiage relating to passengers riding in the golf carts was added based on previous comments from Council Member Langford. The penalty for noncompliance of the ordinance is a Class I Civil Infraction, a fine not to exceed \$250 to any person found in violation of the provisions. Chief Asmus asked Council members if they had any feedback or additions to add before the first read at the next Council meeting.

Council Member Romney asked if it is typical to have a seatbelt on a golf cart.

Chief Asmus responded that typically golf carts are not equipped with seatbelts so golf carts would have to be retrofitted with seat belts if driven on city streets. If a golf cart owner did not want to install the required seatbelts then they would have to refrain from driving on city streets

and stay exclusively on golf paths. He stated that if they cross a road going from one path to another then that is considered a continuation of the trail.

Mayor Pro Tem Crump stated that he has been observing golf carts overloaded with passengers, some are driven erratically and some are driven by very young children. He stated that he is very concerned with golf carts being driven by teens or children at high speeds on the same path that children may be learning to ride a bicycle or toddlers may be walking with parents.

Council Member Romney stated there are a lot of instances where the carts are operated dangerously but he asked how we impose an ordinance that most residents will not comply with.

Chief Asmus responded that officers will be complying with the new state law and if residents do not want to retrofit their carts then they can use them on the cart paths.

Council Member Owens asked what constitutes a seatbelt. She asked if a tie down counts as a seatbelt.

Chief Asmus responded that the new law did not define what constitutes a seat belt.

Integra Telecom Franchise Agreement Ordinance No. 187:

City Engineer Staples discussed the draft Integra Telecom Franchise Agreement Ordinance No. 187. This sets up a working relationship between the City of Liberty Lake and Integra, a provider of high end information transfer. This is not a revenue source for the City because it is a telecom utility. If at some point there the City does have the lawful ability to collect fees, this franchise does not prohibit the City from doing so. This will be a first read for the next Council meeting

Budget Discussion Including Cost Savings for Second Half of 2010

Mayor Van Orman presented information from the City of Liberty Lake Service Priority Level Survey and how 87% of survey respondents were satisfied with the City's current level of service. She discussed the finding that 68% of survey respondents stated they would support some sort of additional revenue option which keeping taxes as low as possible. She discussed where city taxes go and how the City of Liberty Lake receives only \$0.13 out of every dollar for property tax. The City has the second lowest property tax rate in Spokane County.

Mayor Van Orman reported on the second half of the year cost saving measures which total \$167,889. The five year financial forecast predicts a budget shortfall of \$700,171 for 2011. Revenue options are very limited for cities due to federal and state restrictions. The most sustainable revenue options include a Utility Tax levied on gross operating revenues earned by private utilities including electric, gas, telephone, garbage and cable. Other revenue options are a combination of Utility Tax and Metropolitan Parks District and/or Transportation Benefit District funded through a property tax levy up to \$0.75 per 1,000 assessed. This option would require voter approval. Another option is a Regional Transportation Benefit District which is funded through vehicle license fees and would also require voter approval.

Council Member Owens requested that information be posted on the City's website showing "where does your money come from" instead of just "where does your money go".

Administrative Services Manager Platt responded that the revenue sources information is currently on the web site.

There was a discussion on whether or not there would be any cost savings to residents if the Liberty Lake Municipal Library was closed down.

Council Member Owens asked if the City's website plainly stated that if the City closed the Liberty Lake Municipal Library and went with Spokane County's library system then residents' taxes would rise by \$0.50 because the City would be obligated to spend an additional .50 per 1,000 above and beyond current tax. Spokane County has its own taxing authority. She stated that it would be a very irresponsible move to close the City's library and she certainly hoped that the citizens get that message.

There were discussions on potential options for discretionary services such as the library and Trailhead Golf. If the branch in Liberty Lake was closed then the residents who want to access to a library then they would be charged to join the County Library System at a cost of \$100 for a family.

Council Member Romney inquired about Trailhead Golf Course and what happens if it is closed down.

Mayor Van Orman stated that the golf course is an Enterprise Fund. It is supposed to pay for itself but there is still debt service. One bond is paid off in 2017 and the other is paid off in 2022. She stated that the City would not recuperate the costs and that the City would still be obligated to pay off the golf bonds.

There were discussions on water rights for the golf course and how the land was slated for R22 which is multi family housing. This was one of the main reasons the City purchased the land as open space. The designation could be changed if the golf course was sold.

Council Member Kaminskas asked if the City could lease the golf course to an outside entity and share the revenue. She asked if that is something staff could look into.

Director Smith stated that staff have investigated that option and did not find any contractor that would give us a break even situation. He added that it would cost the City money to contract this out.

Council Member Owens stated that in a time when people are looking for ways to entertain their family, to close the library is ridiculous. She stated that when we founded this city we had a few things in mind and she said she would leave the Council if it is decided to close the library or the golf course. She emphasized that closing the library would be a very irresponsible move. To start dumping your property just because times are tough is silly. She said that Council needs to think outside the box.

Council Member Kaminskas responded that she felt that no one was advocating for closing the library. She felt that the discussion was a fact finding discussion only. She stated that there is a lot of misinformation in the community. She was willing to start a committee to educate the community or Council could get the information to the Splash or in the City's newsletter. She suggested grouping the survey results into the top two or three bullet points to respond to those misconceptions and help educate residents as soon as possible.

Council Member Schuler stated that it is very important to stay engaged with our citizens and partner with them to run their city as responsibly as possible. She stated that she feels that the majority rules. There are ways that we can cut. She noted that there is 1.8 million dollars allocated to salaries and benefits in the budget and there are cuts to be made for the sustainability of the city. She stated that we are running a big business and we have to make

tough decisions like a business owner would so we may need to make cuts to fix the deficit. She said she not advocating for closing the library and golf course.

Council Member Romney interpreted the survey as the majority of survey responses wanted Council to cut costs. He felt that it is important to find out what the facts are for each expense the city has. By investigated these facts it helps gain knowledge on what is the absolute maximum we could recuperate if we wholesale got rid of one function of the government. Then you can better understand if it is cut by 20% what percentage of the revenue is saved by doing that.

Council Member Owens stated that she would support a balanced approach. She would support freezing salaries or a reduction in library time. She would support reducing the percentage of funding allotted to the library. She said the City should be more efficient with hours and to cut the percentage that we are allowing for our library. She said she would support putting recreation classes on hold if the program is not self supporting.

Council Member Schuler stated that she wanted it on the record that she does not want a raise.

Council Member Langford stated that what is apparent to him is that no one on the Council has a full understanding of what this government costs. He said everyone is guessing and that has to stop. He stated that we do not know what staff is costing us. He wants to have something from staff that says this is where we are going to be. He said we do not have a full handle on where we are at. We only have big ticket items, Police and staff. We need to examine the big ticket items and what they represent in the dollars and services provided. Until we have gone through and examined every job and each source of expenditure to see where we are at, do not ask us to apply a tourniquet, i.e. raising taxes. "We do not apply a tourniquet unless we are bleeding to death."

Council Member Kaminskas would like to see every line item and what each expense is.

Council Member Schuler stated that the problem with budgets is that you are crystal balling what you think might happen. Budgets are somewhat of a guessing game and they are moving targets. She would like to see the cost savings on how much the City would save if staff pay freezes were implemented. If we only allocate \$0.40 to the library then what would that equate to. That is factual information that she can make a decision from.

Mayor Pro Tem Crump stated that it is great to have this conversation because how do we expect the citizens to understand this if we do not have a good understanding of it ourselves. He stated that cuts are required, whether it is hours, program or staff. The citizens deserve and demand that but cuts may not be enough. We still need to look at other revenue sources. He does not want to see layoffs but we may need to go that direction. He would like the line items broken down into cost centers and revenue centers. He would also like to see what the administrative overhead is. "Once you chop down a forest it does not grow back in a few years and we need to be careful of what we clear cut and we may not be able to get those resources back." He stated that it is going to take decisive actions by Council and Mayor to cut certain positions and hours and propose new revenue options and then take these options to the local elementary school and have a financial forum. He felt that having a forum at the Liberty Lake Elementary School would be well attended and if there were packages to illustrate various cuts then residents could provide feedback.

Council Member Owens stated that she also feels that it will need to be a combination of tough cuts and new revenue options. If we can lower our costs and raise revenue to put something away, let's get ahead of the game. She moved to Liberty Lake for a quality of life so why would we want to change that. She stated this quality of life can be maintained.

Council Member Beckett stated that increasing taxes is the only viable option. He commented that he keeps hearing that we should run the City like a business but most businesses are not a model by which you run a city government and currently businesses are not doing better than a 5% increase. Businesses have an objective of returning a profit to shareholders or owners. Even if there were staff pay freezes and other cuts he felt it would not save nearly enough revenue. If we are going to review the budget per line item then we are doing the job of the Mayor and we will lose traction. He stated that we need to raise \$700,000 and he asked that all survey respondents who asked the City to cut government waste to come to a Council meeting and show us where the waste is. He felt that Council needs to make a decision and implement a Utility Tax.

Council Member Romney stated that Council needs to be as prudent as possible in judging what needs to be cut and what new revenue sources need to be implemented. There is value in having us take preliminary swipes at scenarios on what we would feel comfortable presenting as a means of moving forward. In order to approach a final solution we need to discuss options and find areas of common belief. He suggested that Council members meet with Admin. Services Manager Platt and Director Smith to review cost estimates and see how much the City could save.

Council Member Schuler stated that Council needs to run the City like a business. She disagreed with Council Member Beckett and stated 'that it is our job to manage the city within our means and to not strip it off taxpayers' backs'.

Mayor Van Orman will bring back to the next Council meeting cost saving measure scenarios which will cut service levels. She suggested a workshop to discuss scenarios. She reminded Council members that the 2011 budget season starts in October.

Council Member Romney asked that Council members e-mail the Mayor cost cutting options for consideration.

Mayor Van Orman requested that Council members send in their suggestions by Friday, September 10th in order to give staff time to complete the necessary research. She then requested a five minute break at 8:55 p.m.

Meeting resumed at 9:00 p.m.

MAYOR AND CITY COUNCIL / COMMITTEE REPORTS

Finance Committee: Mayor Pro Tem Crump reported the Finance Committee discussed the City of Liberty Lake Service Priority Level Survey results, vouchers and the perception of costs versus expenditures. They also discussed the fluctuating costs and trying to predict what that is. Back in July the deficit for 2011 was reported as \$700,000 but trying to give it a dollar figure it becomes misleading because once you hear a number it gets set in people's minds. The figure is not exact; it is a range between \$700,000 and \$1.2 million.

Community Development Committee: There were no reports.

Public Safety Committee: There was not a Public Safety Committee meeting to report on but Council Member Schuler stated there has been progress on the Police Department fence. They are moving forward on locating fencing.

Mayor Van Orman reported that the Council of Governments is this Friday at 9:45 a.m. at the Spokane County Fairgrounds. Agenda topics are jail, collaborative planning, upcoming legislative issues, regional TBD and veteran services. She reported that on the City's website is information on the Transportation Vision Project and a link to their website. SRTC will host a community workshop for the Transportation Vision Project on Tuesday, September 14 from 6 to 9 p.m. at the Moran Prairie Library, 6004 South Regal Street, Spokane. This workshop will include an interactive exercise, also known as a 'game,' that lets participants try their hand at being a transportation planner for the day. The game asks players to determine their transportation project priorities, and then try to arrange funding for their projects, while taking into consideration outside elements such as the impact on the economy, environment and quality of life.

The Police contract negotiation process will be starting on September 15, 2010. On Saturday, September 18, 2010 from 2 p.m. to 3 p.m. there will be a skateboarder who will attempt to break a world record for skateboarding. The State of the City address was a success and Greenstone staff did tours for the public to see the facility. Last Saturday was the City's 9th anniversary celebration at Pavillion Park. She thanked Council Member Beckett and Council Member Kaminskas along with Administrative Services Manager Platt for attending and making the event a success.

Mayor Pro Tem Crump stated that he met with Mayor Van Orman last week and discussed that cutting costs is not going to be enough but it is a required step. He stated his concerns regarding the Valleyway Project. He would like to meet with Director Smith and discuss any possible options regarding this issue.

It was suggested that Council members could write a letter of support challenging the Central Valley School District on the one mile radius rule for the Valleyway residents due to the safety concerns of residents.

Council Member Beckett suggested that it would be more effective to have Director Smith contact the Transportation Director for the Central Valley School District.

ACTION ITEMS

Consent Agenda: Mayor Pro Tem Crump moved to approve the Consent Agenda, which included approval of the City Council Meeting Minutes from August 17, 2010, and checks through September 7, 2010 in the amount of \$278,951.63. Council Member Langford seconded the motion, which carried unanimously. Check sequences were 13121 through 13178, totaling \$240,345.89. Payroll checks totaled \$62,847.29.

Consortium Agreement for the License of Downloadable Media:

Council Member Owens asked what the anticipated cost would be.

Library Director Mogen reported that this agreement is a reworking of the previous agreement that Council had passed for services through Overdrive. The State Library has negotiated with Overdrive to extend the smaller consortium which was developed by a library district and have extended it to libraries throughout the State. Last year our costs were \$431.55 for the membership in the consortium and the Library was obligated to \$398.78 worth of purchases for the consortium, which was based on the City's population. The consortium is now larger so the prices should go down.

Mayor Pro Tem Crump asked about the termination of the agreement and stated that this seems to go on forever. He asked if we can we add a clause to revisit it in five years?

City Attorney Boutz responded that there is a termination clause included. If there is a problem you give a 90 day notice that you do not want to renew it for the following year.

Council Member Romney also supported the agreement.

There was a motion by Council Member Owens to move for passage of the Consortium Agreement for the License of Downloadable Media. Council Member Kaminskas seconded the motion. All Council members were in favor.

Amended Easement Agreement with the Liberty Lake Sewer and Water District:

City Attorney Boutz reported that this agreement is substantively not different than the previous agreement. The main issue was some miscommunication within the Liberty Lake Sewer and Water District over some cross agreements that were going back when we were drafting. It was brought back for the Council's review and understanding so we had the same agreement. The only difference is relating to Section E. but in essence it is the same agreement.

Mayor Pro Tem Crump moved to accept the Amended Easement Agreement with the Liberty Lake Sewer and Water District. Council Member Langford seconded the motion. All Council members were in favor.

UNFINISHED / NEW BUSINESS

Mayor Pro Tem Crump asked Chief Asmus and representatives from the Liberty Lake Sewer and Water District about the large aqueducts along the trail and safety issues associated within those culverts. He stated that it is not city domain but is patrolled by the Liberty Lake officers.

Chief Asmus reported there were some arson issues, a reported sexual assault, and graffiti issues occurring at the aqueducts. Chief Asmus stated that at a staff meeting they discussed approaching the Liberty Lake Sewer and Water District about installing a grating system to resolve some of the issues.

City Engineer Staples stated that he approached Liberty Lake Water and Sewer District staff a couple of months ago about installing grates over the ends. It was determined that they could not do this due to maintenance issues and safety problems.

Mayor Pro Tem Crump restated his concerns and requested that this issue be reexamined again in the future.

ADJOURNMENT

The meeting adjourned at 9:30 p.m.

These minutes are scheduled to be approved on September 21, 2010.

Wendy Van Orman, Mayor
City of Liberty Lake

Notes and Transcription by Michelle Griffin, Accounting Technician. This Council meeting was also audio taped. Anyone desiring to listen to the recording may contact the City Clerk.