



**CITY COUNCIL MEETING  
TUESDAY, FEBRUARY 3, 2009  
CITY HALL  
22710 E. COUNTRY VISTA DRIVE  
7:00 P.M.**

**INVOCATION**

Given by Mayor Van Orman

**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	Doug Smith, Director of Community Dev.
Mayor Pro Tem Sayrs (absent)	Ann Swenson, Executive Assistant
Council Members Owens	Brian Asmus, Chief of Police
Council Member Crump	Sean Boutz, City Attorney
Council Member Schuler	Jessica Platt, Admin Svcs Manager
Council Member Olander	
Council Member Langford	

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

**AGENDA APPROVAL**

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

**APPROVAL OF CITY COUNCIL MINUTES**

Council Member Crump moved to accept the City Council Minutes from January 20, 2009, seconded by Council Member Owens. Motion passed unanimously.

**CITIZEN COMMENTS**

None.

## **STREET UTILITY FUNDING SOURCE PRESENTATION**

Mayor Van Orman introduced City of Spokane Councilman Al French, who conducted a presentation about Street Utility Funding, an initiative that Spokane has been working on since 2002. Councilman French said a bill will be moving through the legislature this year. The presentation included topics regarding the Street Funding Committee, maintenance and operation costs, determination of fees, and a breakdown of fee allocations for residential and non-residential trips. Councilman French also discussed the legal and legislative challenges, the steps needed to educate stakeholders about the program, as well as key benefits of the program.

## **MAYOR AND CITY COUNCIL REPORTS**

Council Member Schuler reported that she attended the third annual fireman's ball. She said awards were given to fire men and women and citizens who were recognized for their contributions, and she encouraged other council members to attend next year.

Council Member Owens reported on recently traveling with Mayor Van Orman and Director Doug Smith to Olympia. She said they met with very impressive legislative bodies, including Governor Gregoire, and chairpersons from the majority of the committees who are involved with City funding. She said, although it is going to be a tough year this year financially, the meeting was a productive learning experience. Mayor Van Orman added that an impressive 85 representatives from the greater Spokane area attended the Joint Chambers Olympia trip.

Council Member Crump gave a Finance Committee report. He welcomed Councilman Jenkins as the newest member of the Committee. He said discussions were held which included quarterly and year-end financial reports, planning and review fees, vouchers, community correspondence, and RFP for IT services.

Mayor Van Orman talked about Pterra moving out of its incubation space. She said she and Director Smith met with Susan Winchell from Spokane County and a collaborative planning consultant. They discussed essential services in county government, including reassessment of unincorporated areas, establishment of rural contract services and regional services, and the need to determine the county's role in the future. The Mayor said she will keep the City Council informed of any updates. She also said the Council of Governments met on January 23<sup>rd</sup>, where detention facility updates were reviewed and public health funding and upcoming legislative issues were discussed.

## **STAFF AND AGENCY REPORTS**

### MUNICIPAL LIBRARY REPORT

Pamela Mogen, Director of Library Services, provided reports for 2008 and January, 2009, then spoke briefly about the new building. She said it has been very well designed, very well put together, and the community will be pleased. Mayor Van Orman stated it is time to set up a walk-through for the City Council members and offered to make scheduling arrangements for the walk-through of the building. Director Mogen then reviewed some of the highlights from 2008 and said this year's theme is the arts.

Upon closing, Councilman Jenkins asked Ms. Mogen to bring back information to the Council to determine if our library collection is representative of the needs of our community. Mayor Van Orman asked when the downloadable books will be available, and Ms. Mogen reported that she anticipates by the end of February.

### CITY STAFF

Doug Smith, Director of Community Development, talked about the new facilities building. He indicated there is a clamoring of desire by the media to begin to take pictures of the new library/public safety building, and encouraged the Council Members to see the space by attending a walk-through of the facility before seeing it in the local media. Mr. Smith reported that construction continues to be under budget. Library staff has been moving various pieces to the new space, and are obligated to be out of their existing space by end of the month. The bulk of the work has been done on the Public Safety side, however, there are still some outstanding communication issues and lines are being worked through.

Director Smith relayed that staff is tracking some of the regional legislative bills, including the transit bill, REET funding issues, GMA population allocation adjustments, and the repackaging of LIFT to provide flexibility to local jurisdictions for financing infrastructure.

Mr. Smith also reported that staff is beginning to get their maintenance plans in place, and are working on conducting a comprehensive review of all fee structures to ensure the City is offering the best services to the citizens and recuperating some costs associated with the services.

### PLANNING COMMISSION

Mr. Smith then provided a brief Planning Commission update. He said the Planning Commission continues to move forward on the SAP in the River District and he anticipates a recommendation will be coming before the City Council soon.

### PUBLIC SAFETY

Police Chief Brian Asmus, reported the firearms training has been rescheduled for February 19<sup>th</sup> and will be held in the parking lot of City Hall. He encouraged any interested council members to participate. Chief Asmus said the police have made three arrests regarding the vandalism incident which occurred at Half Moon Park back in November. He also shared a recent article in the *Valley Voice*, featuring two Liberty Lake officers who participate in a regional special response team, and thanked Nina Culver the nice write up. Chief Asmus elaborated on a couple items in the Police Report and also talked briefly about the new building.

### S.C.O.P.E.

S.C.O.P.E. President Tom Lundstrom said the four new volunteers have been very active. Mr. Lundstrom said child ID's were conducted at the Children's Academy today. He talked about the growing community service list, and noted the McGruff Safe House

program will be moving from Liberty Lake to the new precinct at the Spokane Valley Mall. He said S.C.O.P.E. members are happy to have Crime Check back. He said the County stopped providing property crime information to S.C.O.P.E., but the information can be found in the Spokane County Sheriff's Office quarterly newsletter. Council Member Owens commended the efforts of the S.C.O.P.E volunteers and thanked them for their service.

### FIRE DEPARTMENT

Deputy Chief, Larry Rider, of the Spokane Valley Fire Department said the Department will open up bids for a new fire engine on February 17<sup>th</sup>. He spoke about the recent fire on Green Ridge Drive and said almost every fire truck came through the City, with 10 units and 27 personnel members dispersed. He said resources were readjusted so Station 3 was staffed the entire time. Deputy Chief Rider said the State has the disaster declaration information now and the Department will ask for relief monies. He reported six facilities and five roofs were damaged during the recent snowstorms. He spoke briefly about trying to get new heart monitors, and mentioned that RFPs will be sent out in approximately a month for ambulance contract services.

### SEWER AND WATER DISTRICT

Liberty Lake Sewer and Water District Commissioner Tom Agnew talked about the Liberty Lake restoration study. He noted 150 people were registered to attend the upcoming Eastern Washington Lakes Conference. He said he had an opportunity to meet with Mr. Jay Manning, Washington State Director of Ecology, who expressed admiration of our community's collaborative efforts, especially being faced with the most challenging TMDL in the state. He said that even though the study continues and collaboration is underway, it will land in a way that will be expensive. He also talked about a study conducted by the DOE regarding PCBs in the atmosphere, and working with the DOT to drill under the freeway to install reclaimed water pipes.

Commissioner Steve Skipworth, representing both the Liberty Lake Sewer and Water District and Vera Water and Power, then approached the City Council to talk about water rights and some concerns by Water Systems. Commissioner Skipworth also sits on the Spokane Aquifer Joint Board Water Rights Committee and provided some background on the Committee. He defined community domestic, irrigation, perfected and inchoate water rights, and stressed the inchoate portion of water rights are of concern. He talked about the Aquifer and Spokane River comingling with each other and said the Aquifer is great, but it gives more water to the river than it takes from it, which is a problem. He said studies will continue to research the declining river flow. He said another concern regarding inchoate water rights revolves around the Municipal Water Law as it currently stands. He provided some background of law and said new legislation is needed.

At 9:03 p.m., Mayor Van Orman called for a brief recess. The meeting reconvened at 9:09 p.m.

### **ACTION ITEMS**

Councilman Crump moved to accept the Consent Agenda, which included vouchers totaling \$235,203.52, seconded by Councilman Jenkins.

Check number sequences were: 10703 through 10740  
Paycheck sequences were: 5168 through 5226

Motion passed unanimously.

Councilman Crump then moved to accept the STA Pass Services Agreement, seconded by Council Member Schuler.

Subsequent discussions took place regarding the City of Liberty Lake becoming a Pass Outlet to sell Spokane Transit Authority passes, providing this service to our patrons who use STA, the resources involved to provide the service, language contained in the Agreement, the Valley Transfer Station as the nearest current outlet, impact on staff's time to fulfill the commitment of the Agreement, and purchasing passes online.

City Attorney, Sean Boutz, proposed a language change to the fourth "Whereas", on the first page of the Agreement. He recommended changing "personnel at" to "citizens in", noting the intent of the Agreement is to market those passes to the citizens of Liberty Lake and not directed at the personnel of Liberty Lake.

Councilman Jenkins expressed concern about the City's involvement, and Councilman Langford expressed concern about some wording in the Accountability section of the Agreement regarding lost passes. Councilwoman Owens said she will vote in favor of Liberty Lake becoming a "Pass Outlet", but requested a detailed quarterly report to see if it is in fact being used to its advantage, an estimate of the time investment to provide the service, and whether any passes get lost.

After no further discussion, Mayor Van Orman called for the vote. Council Member Jenkins made a friendly amendment to the original motion to accept the STA Pass Services Agreement, to adopt the language change as suggested by the City Attorney outlined above. Council Member Crump accepted the friendly amendment. Motion passed 4-2, with Council Members Olander, Schuler, Crump, and Owens voting in favor of the motion and Council Members Langford and Jenkins voting against it.

## **ORDINANCES – SECOND READING**

Ann Swenson, Executive Assistant, read Ordinance No.171-A 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".

Council Member Crump moved to adopt Ordinance No. 171-A, seconded by Council Member Langford.

Community Development Director, Doug Smith, explained that this Ordinance specifically eliminates the Executive Assistant position and reassigns that position to the

Deputy City Clerk position; it also includes minor accounting clarification to the ending fund balance, which represents the amendment to the 2009 budget.

Council Member Jenkins clarified that this eliminates the Executive Assistant position and queried whether this will come back up in the next 2-4 months. Director Smith reiterated there is no money to fund an Executive Assistant position and it has been removed from the budget.

Mayor Van Orman then opened the floor to receive public comment. No comments were received. She then called for the vote. Motion passed 5-1, with Council Members Olander, Schuler, Owens, Crump and Langford voting in favor of the motion, and Council Member Jenkins voting against it.

Ms. Swenson then read Ordinance No. 174 into the record, repealing Ordinance No. 111 and Ordinance No. 28 of the Liberty Lake Municipal Code, entitled "Animal Control Regulations and Adopting by Reference Chapters 5.04 and 5.12 of the Spokane County Code as the Animal Control Regulations for the City of Liberty Lake."

Council Member Crump moved to adopt Ordinance 174, with the exception that the grammatical errors on page one be rectified, seconded by Council Member Jenkins.

Police Chief Brian Asmus said this Ordinance repeals two of the City's prior Animal Control Ordinances and adopts Spokane County's Animal Control Ordinance as the City's animal control, turning over the service to SCRAPS.

Council Member Owens expressed her unhappiness that the costs of pet licensing has now tripled in the her household. Chief Asmus outlined the price difference, which ranges between \$13.00 to \$50.00. He said \$4.00 of the county's licensing fee goes toward its spayed and neuter program. The private kennel fee will remain the same at \$100. He said animal control is still a need of the City, but stated the Liberty Lake Police Department is not trained in animal control enforcement whereas SCRAPS has a lot more training/services available.

Mayor Van Orman then opened the floor to receive public comment. No comments were received. She then called for the vote, which passed unanimously.

## **WORKSHOP/DISCUSSIONS**

None.

## **UNFINISHED BUSINESS**

None.


## **CITIZEN COMMENTS**


None.

## **ADJOURNMENT**

The meeting adjourned at 9:33 p.m.

These minutes are approved on February 17, 2009.

  
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Wendy Van Orman, Mayor  
City of Liberty Lake

  
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*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*