

**CITY COUNCIL MEETING MINUTES
TUESDAY, MAY 6, 2008
CITY HALL COUNCIL CHAMBERS
22710 E. COUNTRY VISTA DRIVE
7:00 P.M.**

INVOCATION

Given by Mayor Van Orman

PLEDGE OF ALLEGIANCE

Led by Boy Scout Troop 407, Mayor Van Orman, City Council and Staff

CALL TO ORDER

Mayor Van Orman called the meeting to order at 7:07 p.m.

ROLL CALL

Council Member Jenkins
Mayor Pro Tem Sayrs
Council Member Owens (late)
Council Member Crump
Council Member Schuler (absent)
Council Member Olander
Council Member Langford

Doug Smith, Director, Community Dev.
Cindy Smith, City Clerk
Brian Asmus, Chief of Police
Sean Boutz, City Attorney

Council Member Crump moved to excuse Council Member Schuler and Council Member Owens who will be late, seconded by Council Member Langford. Mayor Van Orman called for the vote. Motion Approved. In Favor: Unanimous; Opposed: None

AGENDA APPROVAL

Council Member Crump moved to approve the Agenda, seconded by Mayor Pro Tem Sayrs. Mayor Van Orman called for the vote. Motion Approved. In Favor: Unanimous; Opposed: None

APPROVAL OF CITY COUNCIL MINUTES

Council Member Jenkins moved to accept the City Council Meeting Minutes from April 15, 2008, seconded by Council Member Crump. Mayor Van Orman called for the vote. Motion Accepted. In Favor: Unanimous; Opposed: None

CITIZEN COMMENTS

Dennis Scott, 1009 Tanglewood Lane, Liberty Lake, expressed his concern about the swale area being a large runoff area at the proposed arboretum site if it's not treated.

MAYOR AND CITY COUNCIL REPORTS

Mayor Van Orman reported that Spokane has been selected to host the 2010 Figure Skating Championships. She also discussed Creating Cooler Communities, an article on solar grids, the City's arboretum ground breaking on May 25th, and STCU's Grand Opening of its silver LEED-certified branch, with a ribbon cutting on Earth Day. The Mayor said that dignitaries were escorted to STCU's Grand Opening by their horse-drawn carriage, and that STCU will provide its horse-drawn carriage to the City for our holiday lighting festival this year. The Mayor also discussed the State of the City Address, which has been set for June 6th at 1:00 p.m., where she will share the successes of our beautiful City and inform the 260 local businesses about available resources. The event will be hosted by Itron.

Council Member Crump reported that Little League Baseball had a kick off dedication at Pavilion Park. He also said the Finance Committee had met and reviewed the vouchers, the upcoming budget for next year, concerns around the community (safety, traffic, environmental impacts), and the options of the Library and City Hall now that the current bond has been voted down.

Council Member Olander said the Community Development Committee had met and discussed the TIF Resolution, which is on the agenda.

Council Member Crump said he has been approached by citizens who are concerned about potentially moving jail house services to the area, and that he has been talking with the County Commissioners. The County Commissioners are aware of citizen concerns, and are being kept up to date.

Mayor Van Orman announced she had met with Ben Small, the new Central Valley District Superintendent.

STAFF AND AGENCY REPORTS

Municipal Library Report

Pamela Mogen, Library Director, gave a brief synopsis of the Library Report and asked if there were any questions. Pamela discussed the One Book Event, and reported that she received news yesterday that the library had received another One Book Grant this year. She said this year they will be starting with two existing book clubs.

City Report

Doug Smith, Director of Community Development, presented a summary report of City Hall activities. He took the time and to opportunity to introduce Andrew Staples formerly from Welch – Comer. Andrew Staples gave a brief history of his background.

Safety Report

Chief Asmus presented the Liberty Lake Police Department report. Items discussed were: the CIAW Motor Pool, Officer Lance conducting a safety seat check on May 17th at Albertsons in conjunction with the Bike Rodeo at 10:00 a.m., meetings with the fire department and garage sale committee tomorrow, and the law enforcement breakfast and Memorial Service that he had attended.

Council Member Crump inquired about the speed signs. Chief Asmus replied the concrete forms have been poured; the electrical is the next step, and with the signs being a couple of weeks out.

Fire Department

Assistant Fire Chief Larry Rider gave a brief report of the fire department. He said twelve (12) units responded to 36 calls which included 193 people. ALS calls totaled nineteen (19) for life support.

S.C.O.P.E Report

Tom Lundstrom gave a brief report on S.C.O.P.E. activities. Items discussed were: property crimes statistics, more citizens reporting crimes, Family ID Program on May 17th, and assisting with the Valley Church Fun Run on River Road May 24th. S.C.O.P.E will be participating in the Liberty Lake Community Yard Sale and all-day activities on July 4th.

Sewer and Water District

Commissioner Skipworth of the Liberty Lake Sewer and Water District gave a brief update on the Sewer and Water District's activities. Items discussed were: annexation of the River District, DNSP, clean-up with the City on May 31st, telemetering with Bitterroot, new sewer lift station at Hawkstone, BiJay Adams' submitted article on water conservation and fertilizer, completion of the 2007 state audit with no findings, water reuse (Saltese Flats), and signed contract with Cal Company for membrane project.

Council Member Owens arrived at 7:40 p.m.

PRESENTATION OF AWARD

Bill Quirk, President of Liberty Lake Kiwanis, presented Liberty Lake S.C.O.P.E. office members with an Every Day Hero's Award. Volunteers recognized were: Tom Lundstrum, Rob Hill, Sally Duenow, John Duenow, Bob Scheidmiller, and Mayor Van Orman.

PRESENTATION (STA – Molly Myers, Communications Manager)

Molly Myers, Communications Manager for STA, gave a brief presentation on the Spokane Transit Authority. Items discussed were: brief history of the 2004 vote passed with expectations, increased ridership by 25% from 2004 through 2008, promoted openness, transparency and engagement with community, practice fiscal responsibility, money comes from sales tax – operating revenue, federal previous maintenance, misc, state grant; accomplishments: EWU, WIFI, trip planning www.spokanetransit.com; foster community partnerships, staying true to the mission, and the Official Ballot Language.

Discussions centered on bicycles, student discounts, expanding services to Liberty Lake residents, and what if it doesn't pass. Molly Myers said it is up to the board to bring back a sunset clause or take the system down by 50%. She added STA has to anticipate what transportation choices people are going to make in the future.

Mayor Van Orman called a break at 8:07 p.m. Meeting reconvened at 8:15 p.m.

ACTION ITEMS

Council Member Crump moved to accept the vouchers totaling \$280,016.74, seconded by Council Member Langford.

Check sequences were: 9503 through 9594
Payroll check sequences were: 4520 through 4589

Acceptance of Bid, Civic Center Project – Doug Smith explained the public bidding process and the bid documents that were before the Council. He stated that Bacon Concrete was the low bidder for the Civic Center project. Council Member Crump moved to accept the bid from Bacon Concrete, seconded by Mayor Pro Tem Sayrs.

After a great deal of discussion on what direction to take now that the bond had failed, Council Member Langford stated that not postponing indefinitely, the need to form another committee to find different avenues, or find a better way to communicate to constituents; the City doesn't need to spend the money now. We did exactly what we needed to do. Mayor Van Orman stated economics were the main concern that she heard when she had visited with the Meals on Wheels group at City Hall. Council Member Jenkins called the question whether or not to accept the bid. Mayor Van Orman called the vote. In Favor; Council Member Olander, Council Member Jenkins, Council Member Owens; Opposed: Mayor Pro Tem Sayrs, Council Member Crump, and Council Member Langford.

Council Member Crump stressed the Council needs to vote and not table. Doug Smith, Director of Community Development, suggested that if the City Council was going to have it be continued for consideration, the City would be looking at a maximum time of the next Council Meeting on May 20th. Mayor Van Orman

called for the vote. Motion Failed. In Favor: Mayor Pro Tem Sayrs Opposed: Council Member Olander, Council Member Jenkins, Council Member Owens, Council Member Crump, and Council Member Langford.

RESOLUTIONS

Resolution 08-119 – A Resolution of the City of Liberty Lake Establishing Priorities for the Use of Community Revitalization Funding for Planning and Projects within the River District Tax Increment Financing (TIF) Region.

Council Member Crump moved to approve Resolution 08-110, seconded by Council Member Langford.

Council Member Crump asked about if the dollars used in Item 4 (\$400,000) were an upper limit or an approximate limit. City Attorney Sean Boutz directed Council Member Crump to Provision (c) in regard to the relative value. He said there wasn't any binding effect to the dollar values, that it was the position of the Community Development Committee, as well as Doug, as to what they believed the values were, but not a binding effect by putting the dollar figures in there.

Council Member Jenkins reiterated that the entire purpose of this Resolution is intent, not necessarily to guarantee reimbursement, but to answer the question, "Is this the direction the Council Members want to go?" The response of the City Council, coming from the Community Development Committee, was our intent to support these types of projects and this type of priority. As we put in dollar figures, this is roughly the amount the City projects reimburse for. All we are attempting to do is script intent.

Council Member Owens said it was her understanding that the City Council was trying to communicate our priorities. That it is was no way binding on us or the developer. It is saying this is what we want. Council Member Owens said the word "intent" really bothers her.

Jim Frank, of Greenstone, said there were numerous discussions with Council and Doug Smith regarding this and Greenstone is grateful that it has come to a resolution. Mr. Frank submitted four (4) modifications and explained each point: 1) delete b and c from paragraph a)2; 2) modifications to paragraph 4 to read..."Public park and recreation facilities, including a sports complex that would cover approximately 20 acres"; and the 3rd is to delete paragraph e. Mr. Frank said the City is hurting itself with the obligation to pay for right-of-way acquisitions when it has the opportunity to pay for it with TIF funds; why pay burden yourself with that? It is also there for the freeway interchange – if you do the freeway interchange there may be right-of-way acquisition that is necessary not only on the north side but also on the south side. He stressed it is not that they are looking for any reimbursement for right-of-way from process developers but there is this issue that there may be the need to acquire right-of-way. It is on a case-by-case basis. Mr. Frank added the 4th one is language that had been clarified with

Roy Keogen, Spokane County bond counsel, as legal clarification in paragraph f. Substituting the with the following "...The City and Spokane County maintain the option to use TIF funds for the local match required to obtain State excise tax revenues under LIFT in the River District Revenue Development Area. The use of TIF funds for local match under LIFT will be a higher priority than any other TIF funded public improvement."

Council Member Owens said the noted changes make sense. Mayor Pro Tem Sayrs made the motion to adopt the changes. Mayor Van Orman asked if City Council would like to table for a couple of weeks until they had further time to review. Council Member Jenkins stated if the question was asked, he would remove this discussion entirely and move forward with the Resolution. Mayor Pro Tem Sayrs moved to accept the recommended modifications to Resolution 08-119 as presented, seconded by Council Member Owens.

Council Member Crump stated he agreed with statement 1, 2, and 4. Council Member Crump asked Doug Smith, Director of Community Development on #3 land acquisition and road acquisition. Doug Smith replied it was envisioned as a Greenfield acquisition of public right-of-way, in other words new development and there would be no compensation or reimbursement for that type of right-of-way. He added with the additional driveway or areas that have pre-existing considerations the City would have to go back in and acquire in order to make the necessary improvements, there is language to look at preexisting conditions. Mayor Pro Tem Sayrs said if a proposal would come forward for the City to purchase Greenfield right-of-way, the City Council would have the right to not approve. If the City Council does not adopt #3, then we are sending a different signal.

After further detailed conversations over the modifications, Council Member Owens stated when the City talks about parks this clearly states "public park and recreation facilities, including a sports complex which would cover approximately 20 acres. I don't think we are going to lose anything by changing this, I don't think we are going to change the course of this entire course of this entire project by being so specific because we can't be so specific upfront. The City is going to get parks, and quite frankly, a 20 acre sports complex isn't going to create a lot of tax revenue, and this is what this is all about."

City Attorney Sean Boutz stated he has no issue with the proposed language in #1 and #2, the difference is a policy decision of the City Council. "If you want that particular language as proposed in the modifications, that is strictly a decision of the Council, and I do not see any problems in it from a legal prospective. Similarly, with the third paragraph that is a decision of Council whether or not they want to have that. I think there are some merits to the commits that are made there on the land acquisitions. With regards to paragraph f, the only change I would suggest is delete the language in the first sentence, at the end of the first sentence, where it says "...in the River District Revenue Development Area" to keep it consistent with the Resolution". Mayor Pro Tem Sayrs made a friendly

amendment, accepted by Council Member Owens. Mayor Pro Tem Sayrs withdrew his original motion, seconded by Council Member Owens.

Council Member Crump made a motion to accept modification as stated in #1 with the language "...Include in priority projects arterial roads both north and south of Mission," Council Member Olander made as a friendly amendment. Mayor Pro Tem Sayrs moved to strike items b and c to the language that has been suggested by Council Member Owens, seconded by Council Member Owens. After further discussions regarding mixed use areas, Mayor Van Orman called for the vote. Motion Failed. In Favor: Mayor Pro Tem Sayrs and Council Member Owens; Opposed: Council Member Olander, Council Member Jenkins, Council Member Crump and Council Member Langford.

Council Member Crump moved to clarify the language in paragraph f to the language set forth by the City Attorney, seconded by Mayor Pro Tem Sayrs. Hearing no discussion, Mayor Van Orman called for the vote. Motion Passed. In Favor: Unanimous; Opposed: None

Mayor Pro Tem Sayrs moved to modify paragraph #4 to read..."Park facilities and recreational areas including a sports complex that would cover approximately twenty (20) acres," seconded by Council Member Owens. Motion Failed. After discussions about being more specific regarding parks and the costs involved, Mayor Van Orman called for the vote. In Favor: Mayor Pro Tem Sayrs, and Council Member Owens; Opposed: Council Member Olander, Council Member Jenkins, Council Member Crump, and Council Member Langford.

Council Member Crump moved to delete 3e, seconded by Council Member Owens. After discussions on public roads going forward, Council Member Olander proposed a compromise that paragraph b) should say "...are located south of Mission Avenue or Mission Avenue itself; and..." Jim Frank clarified there are examples where Greenstone would not donate land or land exchange such as providing access to the HUB. He reiterated "Greenstone is not looking for the City to compensate us for right-of-way for projects that we are developing for our own benefit. There is one in the works right now. However, we are not going to do it if there is not some cooperation with the City. We are trying to be partners." Hearing no more conversations, Mayor Van Orman called for the vote. Motion Passed. In Favor: Mayor Pro Tem Sayrs, Council Member Owens, Council Member Crump, and Mayor Van Orman; Opposed: Council Member Olander, Council Member Jenkins, and Council Member Langford.

At 10:03 p.m., Council Member Owens moved to extend the meeting until 10:38 p.m., seconded by Council Member Olander. Mayor Van Orman called for the vote. Motion Passed. In Favor: Unanimous; Opposed: None

Mayor Van Orman called for the vote on Resolution No. 08-119 with the changes. Motion Passed. In Favor: Council Member Olander, Council Member Jenkins, Council Member Crump, and Council Member Langford; Opposed: Mayor Pro Tem Sayrs and Council Member Owens.

Resolution No. 08-120 – A Resolution of the City of Liberty Lake, Washington, Declaring Liberty Lake a “No Idle Zone” and Other Matters Properly Related Thereto.

Council Member Owens moved to approve Resolution No. 08-120, seconded by Mayor Pro Tem Sayrs.

Council Member Jenkins stated overall this was a great idea but when it comes to logistics it can't be done – the City fleet alone cannot comply with this resolution. Council Member Owens said it is not a law; it is just a responsible suggestion. Mayor Pro Tem Sayrs stated this resolution ultimately authorizes a public information campaign in an attempt to remind people that they don't need to be idling unnecessarily.

Tom Brattebo, PO Box 57, Liberty Lake, Washington, stated he was the “No Idle Zone” coordinator. Mr. Brattebo gave a brief description of the education program.

After no further discussions, Mayor Van Orman called for the vote. Motion Failed. In Favor: Council Member Crump, and Council Member Owens; Opposed: Council Member Olander, Council Member Jenkins, Mayor Pro Tem Sayrs, and Council Member Langford.

Mayor Pro Tem Sayrs moved to reconsider his vote on Resolution No. 08-120, seconded by Council Member Owens. After discussions on Roberts Rules of Order and Parliamentary Procedure, Mayor Van Orman called for the vote. In Favor: Mayor Pro Tem Sayrs, Council Member Owens, Council Member Crump and Mayor Van Orman; Opposed: Council Member Jenkins, Council Member Olander, and Council Member Langford.

Mayor Van Orman called for the vote on Resolution 08-120. Council Member Crump stated that he supported this because we have to start somewhere, and this is nothing more than a statement of a direction for time that he will not live to see. It is not law; it is education. Motion Passed. In Favor: Mayor Pro Tem Sayrs, Council Member Owens, Council Member Crump, and Mayor Van Orman; Opposed: Council Member Olander, Council Member Jenkins, and Council Member Langford.

WORKSHOP DISCUSSIONS

WRI Memorandum of Understanding

Mary Wren – Wilson explained the Water Shed Plan goals were to gather information, address water issues and make recommendations with the highest priority, provide local management with local with water resources (inaudible), and coordinate and consolidate water (inaudible). She stated it was adopted January 31, 2006. Mayor Van Orman asked about the time and education of the

public. Mary Wren Wilson responded according to the timeline the short term time line is 2008 and into 2009.

Council Member Crump said it is a statement of understanding not a memorandum of obligation. It does not obligate us to do anything other than participate.

Commissioner Skipworth, Liberty Lake Sewer and Water District, replied you are correct, you are right in that it does not obligate you – by signing this, you are going to be part of the group to work with (inaudible), supporting what is in the plan. Doug Smith said no action will be necessary at this time, and that staff will bring back for consideration. Mary Wren-Wilson advised that there is a good website for more information at www.watershed.

Mayor Van Orman advised that this will be before the City Council on May 20th.

UNFINISHED / NEW BUSINESS

Mayor Van Orman mentioned the artwork before the Council Members was from a home show she attended, and was from a gentleman from Medical Lake who takes photographs and makes 3-dimensional art in cement. Ideas she expressed were Lud Kramer, Steven Liberty, and other individuals who had made significant impact to the community.

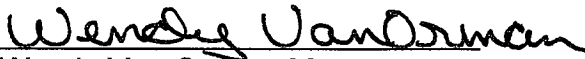
CITIZEN COMMENTS

None

ADJOURNMENT

Upon motion, the Meeting adjourned at 10:33 p.m.

These Minutes are approved this 20th day of May, 2008.


Wendy Van Orman, Mayor
City of Liberty Lake



Notes and Transcription by Cindy Smith, City Clerk. This Council Meeting was audio taped. Anyone desiring to listen to the recording may contact the City Clerk.