

January 13, 2025

THE CITY COUNCIL OF THE CITY OF LEWISTON, IDAHO, met in a Regular Meeting in the Lewiston Library Second Floor Activity Room at 411 D Street. Mayor Johnson called the meeting to order at 6:00 PM.

I. CALL TO ORDER

COUNCILORS PRESENT: Mayor Johnson; Council President Kleeburg; Councilor Forsmann; Councilor Klein; Councilor Schroeder; Councilor Spickelmire; Councilor Wright.

II. PLEDGE OF ALLEGIANCE

Mayor Johnson led the Pledge of Allegiance.

III. ADMINISTRATION OF THE OATH OF OFFICE TO THE NEWLY APPOINTED COUNCILOR

City Clerk Brocke administered the oath of office to newly appointed Councilor Matthew Wright.

IV. COUNCIL LIAISON APPOINTMENTS

Mayor Johnson moved to appoint Councilor Wright as the Council liaison to the Development Impact Fee Advisory Committee, the Disability Advisory Commission, and the Nez Perce County - City of Lewiston Emergency Communications Joint Powers (E911) Board. Councilor Forsmann seconded and the motion passed 6-0.

V. CITIZENS COMMENTS

None.

VI. PRESENTATIONS

A. FIRE DEPARTMENT BADGE PINNING CEREMONY:

Deputy Fire Chief Lucas conducted a badge pinning ceremony for Full-Time Firefighter Logan Hersey, as well as Reserve Firefighters Noah Acord, Mackenzie Gray, Billy Hobbs, Scott Hoffman, Jake O'Shaughnessy, Dusty Patterson, and Carter Razey. Following the badge pinning, Deputy Chief Lucas administered the oath of office to the newly pinned firefighters.

VII. PUBLIC HEARINGS AND RELATED ACTION ITEMS

- A. PUBLIC HEARING FOR ZA-03-2024:** Accepting testimony on Zoning Code Amendment ZA-03-24, which proposes changes to lot size in the Medium Density Residential (R-3) Zone, outdoor recreation requirements for multifamily dwellings, permitted uses in the Higher Density Residential (R-4) and North Lewiston mixed use development (MCD-NL) Zones and the Bryden Avenue Special Planning Area A, the conditional uses permitted in the R-4 and Regional Commercial (C-6) Zones, the purpose statement of the R-4 Zone, and building height in the R-4 Zone (City Planner Plaskon)

Mayor Johnson announced the subject of the public hearing, explained the process, opened the public hearing, and asked for the staff report.

City Planner Plaskon explained that the proposed Zoning Code amendments were developed based on recommendations from the Comprehensive Plan Work Plan Development Committee. These amendments aim to reduce the minimum required lot area and width in the R-3 Zone, require outdoor recreation areas for multi-family developments in residential and mixed-use zones, increase flexibility for permitted uses in the R-4 Zone, reduce the maximum allowable building height in the R-4 Zone, and add multi-family residential as a conditional use in the C-6 Zone. Concluding his report, City Planner Plaskon noted that the Planning and Zoning Commission, following a public hearing on December 11, 2024, recommended City Council approval of the amendments.

Mayor Johnson asked for public testimony. There being none, he asked for Councilor questions.

Following questions from the Council regarding outdoor recreation requirements, Mayor Johnson closed the public hearing. However, the hearing was reopened to allow Lewiston resident Dan Yonge to testify. Mr. Yonge questioned the origin and purpose of the proposed ordinance. The public hearing was then officially closed.

- B. FIRST READING OF ORDINANCE 4936:** Considering amending Lewiston City Code Section 37-45 relating to lot size in the R-3 Zone; amending the purpose statement of Section 37-50(a); amending Section 37-51 relating to uses permitted outright in an R-4 Zone; amending Section 37-52 relating to conditional uses permitted in an R-4 Zone; amending Section 37-56 relating to the permitted building height in an R-4 Zone; amending Sections 37-57.2(23) and 37-93.2(a)(3) to establish regulation of multi-family residences under Section 37-124.1; amending Section 37-82(7) to permit multi-family residential uses not on the ground floor; and amending Section 37-124.1(3) to establish standards for outdoor recreation areas for multi-family developments greater

than 10 dwelling units - Action Item (City Planner Plaskon)

Councilors Klein and Schroeder moved and seconded, respectively, to approve the first reading of Ordinance 4936.

Councilor Klein then moved to make an amendment to remove the sections related to establishing standards for outdoor recreation areas. City Attorney Tengono recommended a short recess to review the proposed amendment and its potential changes. Mayor Johnson called a recess at 6:32 p.m.

Mayor Johnson reconvened the meeting at 6:38 p.m. and Councilor Klein restated her motion to remove the amendments to Section 37-124.1(3) to establish standards for outdoor recreation. Councilor Wright seconded the motion. The motion to amend passed 4-2 with Council President Kleeburg and Councilor Schroeder opposed.

The original motion, as amended, passed 5-1 with Council President Kleeburg opposed.

ORDINANCE 4936: AN ORDINANCE OF THE CITY OF LEWISTON AMENDING LEWISTON CITY CODE SECTION 37-45 RELATING TO LOT SIZE IN THE R-3 ZONE; AMENDING THE PURPOSE STATEMENT OF LEWISTON CITY CODE SECTION 37-50(A); AMENDING LEWISTON CITY CODE SECTION 37-51 RELATING TO USES PERMITTED OUTRIGHT IN AN R-4 ZONE; AMENDING LEWISTON CITY CODE SECTION 37-52 RELATING TO THE CONDITIONAL USES PERMITTED IN AN R-4 ZONE; AMENDING LEWISTON CITY CODE SECTION 37-56 RELATING TO THE PERMITTED BUILDING HEIGHT IN AN R-4 ZONE; AMENDING LEWISTON CITY CODE SECTIONS 37-57.2(23) AND 37-93.2(A)(3) TO ESTABLISH REGULATION OF MULTIFAMILY RESIDENCES UNDER SECTION 37-124.1; AMENDING LEWISTON CITY CODE SECTION 37-82 TO PERMIT MULTIFAMILY RESIDENTIAL USES NOT ON THE GROUND FLOOR; AND PROVIDING AN EFFECTIVE DATE.

VIII. CONSENT AGENDA

Mayor Johnson explained that all items on the Consent Agenda are considered routine by the Council and will be enacted by one motion. There will be no separate discussion on these issues unless a Councilor so requests, in which case the item will be removed from the Consent Agenda and considered on the Active Agenda under "Items Moved from the Consent Agenda".

Councilors Schroeder and Spickelmire moved and seconded, respectively, approval of the Consent Agenda. **ROLL CALL VOTE: VOTING AYE: Kleeburg; Schroeder; Klein; Spickelmire; Wright; Forsmann.**

- A. **CITY COUNCIL MINUTES:** Considering approval of the 12/23/2024 Regular Meeting minutes - Action Item
- B. **ADVISORY BOARD AND COMMISSION MINUTES:** Accepting the minutes of the 10/16/2024 Public Works Advisory Commission; 9/19/2024 and 11/20/2024 Library Board of Trustees; 8/3/2023 and 1/4/2024 Code Board of Appeals; and 11/13/2024 Planning and Zoning Commission meetings - Action Item
- C. **VOUCHER'S PAYABLE:** Considering approval of the Voucher's Payable dated 12/13/2024 - 12/27/2024 in the amount of \$1,395,728.23 - Action Item

IX. ACTIVE AGENDA

- A. **ALCOHOL LICENSES:** Considering approval of the following renewal licenses – Action Item (Community Development Office Supervisor Ortiz):

Retail Liquor, Retail Wine by the Drink and Bottle, Retail Beer On and Off Premises:

- Alibi / Sports Edition, 1702 Main St
- Applebee's, 2235 Thain Gr
- Bojacks Broiler / 311 Main St
- Brocks / Bravas, 504 Main St
- Bryden Canyon Public Golf Course, 445 O'Connor Rd
- Canter's Inn, 416 Thain Rd
- Corner Villa, 2110 14th Ave
- Downtown Bourbon, 111 Main St
- Eagles Lodge, 1304 Main St
- El Sombrero, 405 Thain Rd
- Ernies Steakhouse, 2305 Nez Perce Dr
- Hells Canyon Grand Hotel, 621 21st St
- Hops & Vine, 527 Main St, Ste 2
- Jollymore's, 1516 Main St
- Lewiston Golf & Country Club, 3985 Country Club Dr
- Mandarin Pine, 833 21st St
- Pals, 301 Main St Ste L1
- Strike & Spare Bar and Grill, 244 Thain Rd
- The Zoo, 2138 13th Ave
- Wrangler, 750 21st St
- Zany's, 2004 19th Ave

Recommend approval on the below subject to submittal of required paperwork:

- Boomer's – Zone 208 / 0301 2nd St
- Boomtown / 516 Main St
- Elk Lodge, 3444 Country Club DR
- Shooters, 1618 Main St

Councilors Schroeder and Forsmann moved and seconded, respectively, to approve the renewal licenses for retail wine by the drink and bottle, and retail beer on and off premise for the 21 businesses listed on the agenda. The motion passed 6-0.

Councilors Schroeder and Forsmann then moved and seconded, respectively, to approve the renewal licenses for retail liquor, retail wine by the drink and bottle, and retail beer on and off premise, as applicable for the four businesses listed below on the agenda, subject to submittal of the required paperwork. The motion passed 6-0.

- B. SOURCEWELL CONTRACT #101221-VTR - VACTOR JET/VAC TRUCK PURCHASE:** Considering accepting the price proposal submitted by Owen Equipment Company, per the Sourcewell Contract #101221-VTR, in the total amount of \$622,172, and authorize staff to move forward with the purchase of the Vactor jet/vac combination sewer truck - Action Item (Public Works Director Johnson)

Councilor Schroeder and Council President Kleeburg moved and seconded, respectively, to approve the purchase of the Vactor jet/vac combination sewer truck per Sourcewell contract #101221-VTR from Owen Equipment Company in the amount of \$622,172, and authorizing City staff to proceed with the purchase of the sewer truck. **ROLL CALL VOTE: VOTING AYE: Kleeburg; Schroeder; Klein; Spickelmire; Wright; Forsmann.**

- C. ITD LOCAL PROFESSIONAL SERVICES AGREEMENT RELATED TO STATE/LOCAL AGREEMENT FOR FEDERAL AID HIGHWAY PROJECT NO. A024(379) - BURRELL AVE SIDEWALK INFILL PROJECT (TR070):** Considering approval of the Idaho Transportation Department's Local Professional Services Agreement, Agreement # 97100 for Federal Aid Highway Project No. A024(379) Burrell Ave Sidewalk Infill, Thain Rd to 14th St (TR070), between the City of Lewiston and HHM, LLC, in the amount of \$102,221 and authorizing the Mayor to execute the agreement - Action Item (Public Works Director Johnson)

Council President Kleeburg and Councilor Wright moved and seconded, respectively, to approve the ITD Local Professional Services Agreement #97100 for Federal Aid Highway Project No. A024(379) between the City of Lewiston

and HMH, LLC in the amount of \$102,221 and authorize the Mayor to sign the agreement. **ROLL CALL VOTE: VOTING AYE: Kleeburg; Schroeder; Klein; Spickelmire; Wright; Forsmann.**

D. ORDINANCES

1. SECOND/THIRD READINGS

- a. **ORDINANCE 4934:** Considering enacting Article V to Chapter 36 of the Lewiston City Code which establishes regulations governing discharge to the City's stormwater drainage system in compliance with the requirements of the National Pollutant Discharge Elimination System Phase II Municipal Separate Storm Sewer System permit - Action Item (Public Works Director Johnson)

Councilors Schroeder and Forsmann moved and seconded, respectively, to combine the second and third readings and waive the third reading in full of Ordinance 4934. The motion passed 6-0.

Councilors Schroeder and Forsmann then moved and seconded, respectively, to approve the second and third readings of Ordinance 4934. The motion passed 6-0.

ORDINANCE 4934: AN ORDINANCE OF THE CITY OF LEWISTON ENACTING ARTICLE V TO CHAPTER 36 OF THE LEWISTON CITY CODE, WHICH ARTICLE ESTABLISHES REGULATIONS GOVERNING DISCHARGE TO THE CITY'S STORMWATER DRAINAGE SYSTEM AND PROHIBITING ILLICIT CONNECTIONS AND DISCHARGES TO THE STORMWATER DRAINAGE SYSTEM; AUTHORIZING ACCESS TO REGULATED FACILITIES; REQUIRING NOTIFICATION OF SPILLS; PROVIDING THAT VIOLATIONS OF THE ILLICIT DISCHARGE AND STORMWATER DRAINAGE SYSTEM ORDINANCE ARE MISDEMEANORS PUNISHABLE BY A FINE OF NOT MORE THAN \$1,000 DOLLARS OR BY IMPRISONMENT NOT TO EXCEED 180 DAYS OR BOTH; AND PROVIDING AN EFFECTIVE DATE.

2. ADOPTION AND APPROVAL OF ORDINANCE SUMMARIES

- a. **ORDINANCE 4934:** Action Item

Councilor Schroeder and Council President Kleeburg moved and seconded, respectively, to adopt Ordinance 4934 and approve the related ordinance summary. **ROLL CALL VOTE: VOTING AYE: Kleeburg; Schroeder; Klein; Spickelmire; Wright; Forsmann.**

X. ITEMS MOVED FROM THE CONSENT AGENDA - Action Item

XI. UNFINISHED AND NEW BUSINESS

- A. CITY COUNCILOR COMMENTS:** Comments shall not be related to an item currently before the City Council or an item that may come before the City Council in the foreseeable future, and shall be limited to comments, not discussion.

Councilor Forsmann expressed gratitude to the newly pinned reserve firefighters and their families for their support

Councilor Schroeder thanked City Clerk Brocke for providing information about the City Charter from 1861.

B. CITY BOARDS AND COMMISSIONS LIAISON UPDATES

Councilor Schroeder noted that both Public Works Advisory Commission and the LC Valley Metropolitan Planning Organization meetings were cancelled.

Council President Kleeburg noted there would be an Urban Renewal Agency meeting on Tuesday, January 14th.

C. MAYOR COMMENTS

Mayor Johnson thanked the trainees who were promoted to reserve firefighters and expressed appreciation for their service.

D. ADVISORY BOARD AND COMMISSION APPOINTMENTS: Action Item

- 1. PARKS & RECREATION COMMISSION:** Considering appointing Kaitlyn Hinkley to a three (3) year term - Action Item

Mayor Johnson moved to approve the appointment of Kaitlyn Hinkley to a three-year term on the Parks & Recreation Commission. Councilor Forsmann seconded and the motion passed 6-0.

- 2. HISTORIC PRESERVATION COMMISSION:** Considering the reappointment of Lisa Hasenoehrl to an additional three (3) year term - Action Item

Mayor Johnson moved to approve the reappointment of Lisa Hasenoehrl to a three-year term on the Historic Preservation Commission. Council President Kleeburg seconded and the motion passed 6-0.

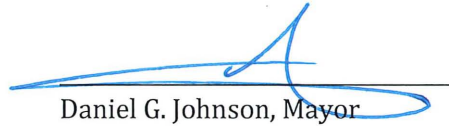
E. AGENDA TOPICS: Action Item

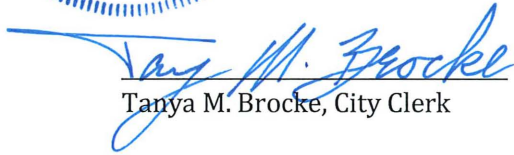
Councilor Wright moved to add a review of the City Code that requires recreational area on the little/tiny homes and the manufactured homes to a Council agenda in the next few months. Councilor Forsmann seconded and the motion passed 5-1 with Councilor Spickelmire opposed.

XII. ADJOURNMENT - Action Item

There being no further business to come before the Lewiston City Council, Council President Kleeburg and Councilor Forsmann moved and seconded, respectively, to adjourn the January 13, 2025 Regular Meeting. The motion carried 6-0 and the meeting adjourned at 7:19 p.m.




Daniel G. Johnson, Mayor


Tanya M. Brocke, City Clerk

