



Lewiston City Council
AMENDED 4/10/23
REGULAR MEETING AGENDA
April 10, 2023 - 6:00 PM
Lewiston City Library – Second Floor Event Space – 411 D Street
Lewiston, Idaho 83501

Seating will be available on a first-come, first-served basis. All others who wish to observe this meeting may watch and listen to the livestream on their own device(s) by visiting the City of Lewiston's Facebook page or the City's website at cityoflewiston.org.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. CITIZENS COMMENTS

This is an opportunity for citizens to address the Council on agenda items or other items they wish to bring to the attention of the Council. Citizens are encouraged to discuss operational issues in advance with the Mayor. In consideration of others wishing to speak, please limit your remarks to three minutes.

IV. MOTION TO AMEND AGENDA

- A. **Considering a motion to amend the agenda to include the potential appointment of Justin Merwin to the Compensation Review Committee under Item X.D.(2) - Action Item**

V. PRESENTATIONS

- A. **VALLEY BOYS & GIRLS CLUB** : Presentation by Jon Evans regarding the activities financed with City funds
- B. **CIVIC THEATER** : Presentation by Nancy McIntosh describing the activities financed with City funds

VI. PUBLIC HEARINGS AND RELATED ACTION ITEMS

- A. **PUBLIC HEARING: ANX23-000001, CPA23-000001, ZNC23-000001 - SKYVIEW ESTATES PHASE III**: Accepting testimony on a request to annex the undeveloped 14.27 acres known as Skyview Estates Phase III plat, as filed with Nez Perce County, and located generally south of Powers Avenue and east of 22nd Street, to assign a Comprehensive Plan Land Use Designation of Low Density Residential and placed in the Suburban Residential, R-1, Zoning District, and amending the Lewiston Area of City Impact Map accordingly
- B. **ORDINANCE 4877 - FIRST READING**: Implementing the City Council's decision in ANX23-000001 to annex land into the Lewiston City limits - Action Item (Katie Hollingshead)
- C. **ORDINANCE 4878 - FIRST READING**: Implementing the City Council's decision in ZNC23-

000001, declaring that certain newly-annexed real property be included in the City of Lewiston Suburban Residential (R-1) Zone; amending the official zoning map of the City of Lewiston - Action Item (Katie Hollingshead)

- D. **ORDINANCE 4879 - FIRST READING**: Amending Section 39-1 of the Lewiston City Code to update the City of Lewiston Area of City Impact Boundary Map - Action Item (Katie Hollingshead)

VII. CONSENT AGENDA

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”.

- A. **CITY COUNCIL MINUTES**: 02/27/23 Regular; 03/13/23 Regular; 03/27/23 Regular - Action Item
- B. **ADVISORY BOARD & COMMISSION MINUTES**: 03/08/23 Planning & Zoning Commission - Action Item
- C. **VOUCHER'S PAYABLE**: 03/10/23 through 03/23/23 in the amount of \$3,113,265.21 - Action Item

VIII. ACTIVE AGENDA

- A. **RESOLUTION 2023-21**: Considering declaring various items of City of Lewiston property to be surplus - Action Item (Aimee Gordon)
- B. **ORDINANCES**
1. **FIRST READING**
- a. **ORDINANCE 4873**: Amending Section 8-22 of the Lewiston City Code to amend, add, and delete definitions related to dogs; amending Section 8-31 to add an aggressive dog at large provision and the associated penalty; amending Section 8-43 to remove the penalty for dogs at large; amending Section 8-45 related to vicious dogs - Action Item (Brienne Drury)

IX. ITEMS MOVED FROM THE CONSENT AGENDA - Action Item

X. 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
- B. **CITY BOARDS AND COMMISSIONS LIAISON UPDATES**
- C. **MAYOR COMMENTS**
- D. **ADVISORY BOARD AND COMMISSION APPOINTMENTS** - Action Item

1. **E-911 BOARD**: Considering the appointment of Deputy Fire Chief Rightmier to the E911 Board as the City of Lewiston representative - Action Item
2. **COMPENSATION REVIEW COMMITTEE**: Considering the appointments of Bob Blakey, Emily Christianson, Matt Hosking, and Darlene Lambert for terms through December 2023 pursuant to City Code Section 2-42 (2). - Action Item

E. AGENDA TOPICS - Action Item

XI. ADJOURNMENT - Action Item

The City of Lewiston is committed to providing access and reasonable accommodation in its services, programs, and activities and encourages qualified persons with disabilities to participate. If you anticipate needing any type of accommodation or have questions about the physical access provided at this meeting, please contact City Clerk Kari Ravencroft at least forty-eight (48) hours in advance of the meeting at 208-746-3671, ext. 6203.

City of Lewiston

APPLICATION FOR ADVISORY COMMISSION/BOARD

Date: 04/05/2023

Commissions/Boards applying for: Compensation Review Committee

Name: Jardes Kevin M.
Last First MI

Telephone (Home): 785-813-9447

Work Telephone: 509-200-0378

E-Mail Address: kjard95@outlook.com

Address 3326 7th Street, Apartment 307, Lewiston ID, 83501.
Number Street City State Zip

If residing in Lewiston, for how long? 3 Years

Employer: United States Army

Occupation: Career Counselor

Do you have any activities, commitments, or responsibilities that may prevent you from meeting commission or board attendance requirements? No

Comments: _____

Please note any paid or volunteer work, hobbies, special interests, or offices held that may relate to the position(s) for which you have applied (use extra paper if needed).

See attached page.

What strengths do you feel you could bring to the boards/commissions for which you are applying?

See attached page.

Please list below the names and telephone numbers of two persons who can serve as a personal reference for you:

<u>Kyle Mallett</u>	<u>208-874-3878</u>
Name	Telephone
<u>Trisha Decker</u>	<u>208-553-7237</u>
Name	Telephone

Send completed application to the attention of Kari Ravencroft, City Clerk, City of Lewiston, City Hall, 1134 "F" Street, P. O. Box 617, Lewiston, ID 83501. For more information, please call 746-3671, Ext. 6203. Thank you for your interest!

Please note any paid or volunteer work, hobbies, special interests, or offices held that may relate to the position(s) for which you have applied.

As a leader in my career for the past six years, I have honed my advanced problem-solving and critical thinking skills, particularly in high-pressure situations. I have also supported my subordinates in achieving their career goals and advancing within the organization. This has required me to understand equitable compensation and the value of fair compensation for hard work.

I have also been used as a reference for many government professionals in their application process, which has given me a broader understanding of the compensation and benefits landscape in public service.

Additionally, I have a strong interest in local government and regularly stream city council and commission meetings to stay informed on the issues and challenges that our elected officials face in making decisions on behalf of our community.

Given my experience and interest in equitable compensation, I believe serving on the City of Lewiston Compensation Review Committee would be an excellent fit for me. As a committee member, I would be able to bring my critical thinking skills and understanding of compensation and benefits to the decision-making process.

What strengths do you feel you could bring to the boards/commissions for which you are applying?

One of my key strengths is my ability to remain objective and impartial when making decisions, even in situations where there may be strong opinions or biases at play. I believe that this is an essential quality for a member of the City of Lewiston Compensation Review Committee, as our role is to make recommendations based on the interests of our community rather than personal opinions or biases.

In addition to this, I have a strong interest in ensuring that our community leaders are fairly compensated for the important work that they do. I believe that fair compensation is critical for attracting and retaining talented leaders who can help our city thrive. As a member of the Compensation Review Committee, I would bring this perspective and my commitment to fairness to the decision-making process.



CITY COUNCIL MEETING AGENDA ITEM HISTORY/COMMENTARY

ITEM TITLE PUBLIC HEARING: ANX23-000001, CPA23-000001, ZNC23-000001 - SKYVIEW ESTATES PHASE III	AGENDA NO. AGENDA DATE: April 10, 2023
ITEM HISTORY (PREVIOUS COUNCIL REVIEWS, ACTION RELATED TO THIS ITEM, OTHER PERTINENT HISTORY) The City of Lewiston entered into an Irrevocable Consent to Annexation and Utility Service Agreement with Greco Land Development, LLC on March 15, 2022, consenting to annex Phase III of Skyview Estates into the City limits when (a) the Board of Nez Perce County Commissioners approves a final plat for the Property or any portion thereof, or (b) one (1) year from the Effective Date of the Agreement, whichever occurs first. The Board of Nez Perce County Commissioners approved the final plat for Phase III of Skyview Estates on February 3, 2023.	
ITEM COMMENTARY (BACKGROUND, DISCUSSION, KEY POINTS, RECOMMENDATIONS, ETC.) Please identify any or all impacts this proposed action would have on the City budget and/or personnel resources. Skyview Estates Phase III proposes to Annex 14.27 acres of land into the city limits to create 36 building lots. The Comprehensive Land Use Map designation would be Low Density Residential. The proposed zoning is Suburban Residential, R1, Zone. The 36 proposed lots meet the minimum lot size and dimensional standards set forth in the Suburban Residential, R1, Zone. The proposal includes an extension of City sewer from Powers Avenue and the installation of a Lewiston Orchards Irrigation District water booster station. The Planning and Zoning Commission held public hearings on February 8, 2023 and March 22, 2023 and after receiving public testimony, unanimously recommended approval to City Council.	
BUDGET IMPACT	
ACTION PROPOSED The Planning and Zoning Commission recommends that the Council approve ANX23-000001 via Ordinance 4877, ZNC23-000001 via Ordinance 4878, Area of City Impact Boundary Map Change via Ordinance 4879 and Comprehensive Land Use Map designation via Resolution 2023-14.	

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Lewiston City Council will conduct a public hearing at which you may provide testimony on Monday April 10, 2023. The meeting will begin at 6:00 p.m.

**LEWISTON CITY LIBRARY
2ND FLOOR MEETING ROOM
411 D STREET
LEWISTON, ID 83501**

Seating will be available on a first-come, first-served basis. All others who wish to observe this meeting may watch and listen to the livestream on their own device(s) by visiting the City of Lewiston's Facebook page or the City's website at cityoflewiston.org.

Testimony for public hearings may be made: in-person at the meeting, by emailing Kari Ravencroft at kravencroft@cityoflewiston.org, or by calling (208) 746-3671 ext 6203.

This public hearing will be to determine approval or denial of the following request:

LAND USE ACTIONS ANX23-000001, CPA23-000001, ZNC23-000001 BY GRECO LAND DEVELOPMENT, LLC: It is proposed that the undeveloped 14.27 acres known as Skyview Estates Phase III plat, as filed with Nez Perce County, and located generally south of Powers Avenue and east of 22nd Street, as depicted on the attached map, be removed from the Lewiston Area of City Impact and annexed into Lewiston city limits and that it be assigned a Comprehensive Land Use Designation of Low Density Residential and placed in the Suburban Residential, R1, Zoning District and amending the Lewiston Area of City Impact Map accordingly. Subject property owners are Greco Land Development, LLC (14.19 acres) and Lewiston Orchards Irrigation District (.077 acres). The Planning and Zoning Commission recommended that the City Council approve this proposal after their public hearing conducted on March 22, 2023.

FOR FURTHER INFORMATION AND TO SUBMIT TESTIMONY, contact the City Clerk at (208) 746-3671, ext. 6203.

Hearing notice publication date: Sunday March 26, 2023.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Lewiston Planning and Zoning Commission will conduct a public hearing at which you may provide testimony. This public hearing will be held at a meeting which may have additional public hearings on the agenda.

WEDNESDAY MARCH 22, 2023 at 5:30 P.M.
COMMUNITY DEVELOPMENT DEPARTMENT BUILDING
2ND FLOOR MEETING ROOM,
215 D STREET LEWISTON, ID 83501

Seating will be available on a first-come, first-served basis. All others who wish to observe this meeting may watch and listen to the livestream on their own device(s) by visiting the City of Lewiston's Facebook page or the City's website at cityoflewiston.org.

Testimony for public hearings may be made: in-person at the meeting, by emailing Dawn Ortiz at dortiz@cityoflewiston.org, or by calling (208) 798-2570 and leaving a message.

This public hearing will be to determine approval or denial of the following request:

LAND USE ACTIONS ANX23-000001, CPA23-000001, ZNC23-000001 BY GRECO LAND DEVELOPMENT, LLC: It is proposed that the undeveloped 14.27 acres known as Skyview Estates Phase III plat, as filed with Nez Perce County, and located generally south of Powers Avenue and east of 22nd Street, as depicted on the attached map, be removed from the Lewiston Area of City Impact and annexed into Lewiston city limits and that it be assigned a Comprehensive Plan Land Use Designation of Low Density Residential and placed in the Suburban Residential, R1, Zoning District and amending the Lewiston Area of City Impact Map accordingly. Subject Property owners are Greco Land Development, LLC (14.19 acres) and Lewiston Orchards Irrigation District (.077 acres). **A previous public hearing on these land use actions was held on February 8, 2023. This is an additional public hearing on the same actions to include the Lewiston Orchards Irrigation District as a property owner.**

Any person (or persons) aggrieved, may support or oppose the Applicant's request. Persons receiving this notice are encouraged to provide testimony/comment.

For further information on the above zoning action, the public hearing process, or appeal process, please contact the Community Development Department at (208) 746-1318, ext. 7261 or khollingshead@cityoflewiston.org. Our offices are located at 215 'D' Street, Lewiston. Business hours are Monday through Friday, 8:00 a.m. to 5:00 p.m.

Notice of this public hearing was mailed on March 13, 2023 and 16 persons were noticed.

The City of Lewiston is committed to providing access and reasonable accommodation in its services, programs, and activities and encourages qualified persons with disabilities to participate. If you anticipate needing any type of accommodation or have questions about the physical access provided at this meeting, please contact the meeting coordinator at least forty-eight (48) hours in advance of the meeting at (208) 746-1318, ext. 7202.

ANX23-000001

Properties within 330' Boundary

OWNER1	OWNER2	MAIL_ADD1	MAIL_CITY	MAIL_ST	MAIL_ZIP
BLEWETT, BRETT &	BLEWETT, ANGELA	3707 23RD ST	LEWISTON	ID	83501
BRAUCHER, RUSSELL &	BRAUCHER, THERESA	3729 21ST STREET E	LEWISTON	ID	83501
CLARK, MICHAEL		2204 POWERS AVE	LEWISTON	ID	83501
CURTIS, SHAUN &	CURTIS, BRIANNE	2208 POWERS AVE	LEWISTON	ID	83501
ENSLEY, TAMARA		2211 POWERS AVE	LEWISTON	ID	83501
FISHER, RONALD &	FISHER, VIVIAN	503 S PEPPERHILL DR	NIXA	MO	65714
GROEFSEMA, JOHN &	GROEFSEMA, PEARL	2230 POWERS AVE	LEWISTON	ID	83501
HECKLER, CODY &	HECKLER, LINDE	3705 22ND ST	LEWISTON	ID	83501
HEIMGARTNER, DARICK &	HEIMGARTNER, LAURA	12175 HWY 129	ASOTIN	WA	99402
HOLLENBAUGH, DONALD &	HOLLENBAUGH, LORI	3722 22ND ST	LEWISTON	ID	83501
JEFFERS, JOHN		1715 RIPON AVE	LEWISTON	ID	83501
RASH, WAYNE &	RASH, CHERIE	3731 21ST ST E	LEWISTON	ID	83501
TIPPETT, DANNIEL &	RICHE, LYNANN	2233 POWERS AVE	LEWISTON	ID	83501
WEBB, TIMOTHY &	WEBB, PAULA	2215 POWERS AVE	LEWISTON	ID	83501
WINKLE, LINDSAY &	HUDSON, RYAN	2135 RIPON AVE	LEWISTON	ID	83501

City of Lewiston



CONSENT TO ANNEXATION

1. Lewiston Orchards Irrigation District ("Owner"), owns the real property described in Exhibit A, attached hereto and incorporated herein (hereinafter "Property").

2. Said Property is subject to an Irrevocable Consent to Annexation And Utility Service Agreement (hereinafter "Agreement") duly executed between the City of Lewiston, an Idaho Municipal Corporation, and Greco Land Development, LLC, an Idaho limited liability company, and Owner's predecessor-in-interest, (hereafter "Greco"), recorded on March 15, 2022, Instrument No. 898172, records of Nez Perce County, Idaho as an encumbrance on the Property. Said Agreement is attached hereto and incorporated herein as Exhibit B.

3. Pursuant to Section 10 of the Agreement and Idaho Code § 50-222 the Agreement "shall be binding upon subsequent purchasers, heirs, successors, and assigns of the Property. Nothing herein shall in any way prevent sale or alienation of the Property or portions thereof, except that any sale or alienation shall be subject to the provisions of this Agreement, and any successor owner or owners shall be both benefitted and bound by the conditions and restrictions herein expressed."

4. Subject to Section 4 of the Agreement, Greco irrevocably consented to annexation of the property subject to the Agreement, including Owner's Property, at the City's sole discretion in accordance with Idaho Code §§ 50-22 and 50-223, at such a time when either (a) the Board of Nez Perce County Commissioners approved a final plat for the property or any portion thereof, or (b) one (1) year from the Effective Date of the Agreement, whichever occurred first.

5. That on or about February 3, 2023, the Nez Perce Board of County Commissioners approved the Skyview Estates Phase III plat, which included the property subject to the Agreement but excluded the Owner's Property, and was recorded on February 3, 2023 as Instrument No. 905487, records of Nez Perce County, Idaho.

IRREVOCABLE CONSENT TO ANNEXATION

Page 1 of 2

6. That on or about January 11, 2023, Greco submitted an Application for Voluntary Annexation and Application for Comprehensive Plan Amendment, which requested that property still owned by Greco subject to the Agreement, known as Skyview Estates Phase III be removed from the Lewiston Area of City Impact and annexed into Lewiston city limits and that it be assigned a Comprehensive Plan Land Use Designation of Low Density Residential and placed in the Suburban Residential, R-1, Zoning District, and amend the Lewiston Area of City Impact Map Accordingly.

7. Pursuant to the terms of the Agreement and this Consent to Annexation, Owner agrees to the annexation of the Property at the same time as the remainder of Greco's property is annexed.

8. Owner agrees that if any additional documents are necessary for annexation of the Property, Owner will execute such documents to accomplish the purpose of the Agreement and this "Consent to Annexation."

9. Owner warrants that the signatory to this "Consent to Annexation" has the authority to fully bind Owner.

DATED this 16 day of March 2023.

Lewiston Orchards Irrigation District

Eugene B. Metz
By: Eugene Barney Metz
Its: General Manager

STATE OF Idaho)
County of Nez Perce) ss.



On this 16th day of March 2023, before me, a Notary Public, personally appeared Eugene Metz, known or identified to me as the General Manager, and stated he/she has the authority to execute this instrument on behalf of the Lewiston Orchards Irrigation District, and did execute this instrument on behalf of the same.

Michelle Gilbertson
Notary Public for the State of Idaho
Commission Expires 02/25/24

EXHIBIT A
LEGAL DESCRIPTION

A parcel of land located in the Northwest Quarter of Section 24, Township 35 North, Range 5 West, Boise Meridian, Nez Perce County, Idaho, described as follows:

Commencing at the northwest corner of Section 24, Thence along the north line of the Northwest Quarter of the Northwest Quarter of Section 24 and along the centerline of Powers Avenue, S88°30'03"E, 1319.94 feet to the centerline of 23rd Street;

Thence leaving said north line and the centerline of Powers Avenue, along the centerline of 23rd Street, S01°29'57"W, 309.00 feet to a point on the south boundary of Skyview Estates, Phase I, Instrument #839025, Nez Perce County Records;

Thence leaving said centerline, along said south boundary, S88°30'03"E, 27.00 feet to a point on the east right-of-way line of 23rd Street and the **Point of Beginning**.

Thence continuing along said south boundary, S88°30'03"E, 60.00 feet;

Thence leaving said south boundary, S01°29'57"W, 56.00 feet;

Thence N88°30'03"W, 60.00 feet;

Thence N01°29'57"E, 56.00 feet to the **Point of Beginning**.

EXHIBIT B
IRREVOCABLE CONSENT TO ANNEXATION
AND UTILITY SERVICE AGREEMENT
INSTRUMENT NO. 898172
RECORDED ON MARCH 15, 2022

Instrument # 898172

NEZ PERCE COUNTY

3-16-2022 03:51:12 PM No. of Pages: 12

Recorded for : CITY OF LEWISTON

PATTY WEEKS

Fee: 0.00

Ex-Officio Recorder Deputy

Index to: AGREEMENT/MISC

R. Lewis

(Above space for Recorder's use)

**IRREVOCABLE CONSENT TO ANNEXATION
AND UTILITY SERVICE AGREEMENT**

THIS AGREEMENT ("Agreement") is entered into by and between the City of Lewiston, an Idaho municipal corporation ("City"), and Greco Land Development, LLC, an Idaho limited liability company, its successors and assigns ("Developer"). City and Developer may also individually be referred to as "Party" or collectively as "Parties."

WHEREAS, Developer owns land located outside City limits and within City's area of city impact, which Developer desires to connect to City's wastewater utility;

WHEREAS, pursuant to Lewiston City Code § 36-2, City agrees to provide wastewater services to Developer for such real property, provided that Developer consents to annexation into the City of Lewiston of the real property connected to City's wastewater utility.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, it is hereby agreed that the forgoing are true and a part of this Agreement, and it is further agreed as follows:

1. Subject to the terms of this Agreement, City agrees to provide wastewater services to the real property owned by Developer described in Exhibit A, attached hereto and incorporated herein ("Property"). An illustration of the Property is attached hereto and incorporated herein as Exhibit B.

2. Developer shall have the right to connect the Property to City's wastewater system upon: (a) payment to City of all applicable charges and fees; and (b) Developer's full compliance

with the terms of this Agreement. Developer or its successors in interest shall bear all costs and expenses related to connecting the Property to City's wastewater system.

3. Prior to annexation of the Property, Developer or its successors in interest shall pay City one-and-one-half times (150%) City's adopted wastewater service fee, equity buy-in fees, and connection and inspection fees. Subsequent to annexation of the Property, Developer or its successors in interest shall pay City the then-currently adopted wastewater service fees and shall no longer be obligated to pay the increased fees recited herein.

4. Developer hereby irrevocably consents to annexation of the Property into the City of Lewiston. City may annex the Property in City's sole discretion in accordance with Idaho Code §§ 50-222 and 50-223; provided, however, City shall not take action to finalize such annexation until: (a) the Board of Nez Perce County Commissioners approves a final plat for the Property or any portion thereof, or (b) one (1) year from the Effective Date of this Agreement, whichever occurs first.

5. Prior to connecting the Property to City's wastewater system, Developer shall pay City the then-currently adopted City fees for annexation, comprehensive plan map amendments, and zone changes. Additionally, other lawful charges may be charged to Developer or its successors in interest, including, but not limited to, per-lot equity buy-in fees for sewer at the time of connection, and right-of-way permit fees.

6. In the event that Developer subdivides the Property, Developer shall install public improvements on the Property: (a) in accordance with the standards set by City and the Idaho Department of Environmental Quality, and (b) in compliance with detailed construction plans and specifications approved by the City Engineer or his or her designee. Such public improvements may include streets, curbs, sidewalks, pedestrian and bicycle ways, storm drainage, sanitary sewage disposal facilities, water lines, monuments, lot corners, electric utility lines, and street lights.

Additionally, such public improvements shall be subject to inspection and approval in the same manner as if the Property were located within the City's limits. If Developer does not develop the Property to City development standards, then City shall have no obligation to provide sewer service to the Property; provided, however, upon City's approval and acceptance of all such public improvements, City shall provide sewer service to the Property.

7. In the event that Developer subdivides the Property, Developer shall provide City with a certification signed by Developer's engineer, who shall be licensed in Idaho, verifying that the public improvements installed on the Property were constructed in accordance with the detailed construction plans and specifications approved by the City Engineer or his or her designee. Such certification shall be in substantially the form set forth in Exhibit C to this Agreement, attached hereto and incorporated herein. Such certification shall include a cover letter with the engineer's professional stamp and copies of all inspection records, test results, and construction quality control data.

8. In the event that Developer subdivides the Property, Developer shall cause a traffic impact study to be conducted to evaluate the cumulative impacts of all phases (developed and future) of the Skyview Estates subdivision on traffic patterns and infrastructure within the City of Lewiston. Developer shall be responsible for the installation of the on-site and off-site improvements recommended in said study.

Alternatively, Developer may pay to have the existing "Lewiston East Orchards Master Traffic Impact Study" updated to include cumulative impacts from all phases (developed and future) of the Skyview Estates subdivision. Developer shall be responsible for the installation of the on-site improvements recommended by such updated study. Additionally, at the time of application for a building permit, Developer or its successors in interest shall pay City the fee(s) determined to be appropriate through the updated study for installation of the off-site improvements.

9. Developer or its successors in interest shall not apply for a building permit for any structure to be constructed on any portion of the Property until: (a) the Property is annexed into the City of Lewiston, or (b) three (3) months from the date the Board of Nez Perce County Commissioners approves a final plat for the Property or any portion thereof, whichever occurs first.

10. This Agreement shall be binding upon and inure to the benefit of the Parties' respective heirs, successors, assigns, and personal representatives. Nothing herein shall in any way prevent sale or alienation of the Property or portions thereof, except that any sale or alienation shall be subject to the provisions of this Agreement, and any successor owner or owners shall be both benefitted and bound by the conditions and restrictions herein expressed.

11. Developer shall include the following language in all deeds transferring the Property, any portion thereof, or any interest therein:

By acceptance of this deed, Grantee and Grantee's heirs, successors, and assigns acknowledge that said property is subject to an **IRREVOCABLE CONSENT TO ANNEXATION**, whereby: (a) said property may be annexed into the City of Lewiston, Idaho; and (b) no building permit may be issued for any structure to be constructed on said property until said property is annexed into the City of Lewiston or three (3) months from the date the Board of Nez Perce County Commissioners approves a final plat for Skyview Estates Phase III, whichever occurs first. Said Irrevocable Consent to Annexation is a covenant that runs with the land.

Said Irrevocable Consent to Annexation Agreement was recorded on the _____ day of _____, 20____ as Instrument No. _____ in the official records of the Nez Perce County Recorder, Nez Perce County, Idaho.

12. This Agreement shall be recorded in the office of the Nez Perce County Recorder, Lewiston, Idaho.

13. The Parties agree that if any additional documents are necessary for annexation of the Property, the Parties shall execute such documents to accomplish the purpose of this Agreement.

14. The Parties warrant that those signatory to this Agreement have the authority to enter into and be obligated to perform the duties set forth herein.

15. This Agreement shall be governed by and interpreted in accordance with the laws of the State of Idaho, with venue for any action brought pursuant to this Agreement to be in the Second Judicial District, State of Idaho.

16. In the event that any provision of this Agreement is found for any reason to be unenforceable, the remainder of this Agreement shall remain in full force and effect and shall be binding upon the Parties.

17. This Agreement may be modified or amended only by a writing duly executed by both Parties.

18. In the event a controversy, claim, or action arises between the Parties to this Agreement regarding the enforcement of its terms and conditions, or the breach of any of its provisions, the prevailing Party shall be entitled to recover from the other Party all costs and expenses incurred by the prevailing Party, including reasonable attorney fees.

19. All covenants, conditions, indemnifications, and other elements in this Agreement shall survive any and all subsequent conveyances.

20. This writing embodies the whole agreement of the Parties. There are no promises, terms, conditions, or obligations other than those contained in this Agreement. All previous and contemporaneous communications, representations, or agreements, either verbal or written, between the Parties are superseded by this Agreement.

Intentionally left blank - Signature page to follow

IN WITNESS WHEREOF, the Parties have executed this Agreement on the last day and year written below ("Effective Date").

DATED this 14th day of March 2022.



CITY OF LEWISTON

By:

[Signature]
Daniel G. Johnson, Mayor

ATTEST:

[Signature]
Kari J. Ravencroft, City Clerk

DATED this 14th day of February 2022.

GRECO LAND DEVELOPMENT, LLC

[Signature]
Joseph C. Greco, Member

[Signature]
Traci Greco, Member

STATE OF IDAHO)
) ss.
 County of Nez Perce)

On this 14th day of March 2022, before me, a Notary Public, personally appeared Daniel G. Johnson and Kari J. Ravencroft, known or identified to me as the Mayor and City Clerk, respectively, of the City of Lewiston, and stated that they have the authority to execute this instrument on behalf of the City of Lewiston, and did execute this instrument on behalf of the City of Lewiston.



Tanya M. Brocke
 Notary Public for the State of Idaho

Commission Expires 3/11/2027

Arizona
 STATE OF ~~IDAHO~~)
) ss.
 County of ~~Nez Perce~~)
Maricopa

On this 14th day of February 2022, before me, a Notary Public, personally appeared Joseph C. Greco, known or identified to me as a Member of Greco Land Development, LLC, and stated he has the authority to execute this instrument on behalf of Greco Land Development, LLC, and did execute this instrument on behalf of Greco Land Development, LLC.



Kristen M. Taylor
 Notary Public for the State of ~~Idaho~~ Arizona

Commission Expires 03/15/2024

STATE OF IDAHO)
) ss.
 County of Nez Perce)

On this 18th day of February 2022, before me, a Notary Public, personally appeared Traci Greco, known or identified to me as a Member of Greco Land Development, LLC, and stated she has the authority to execute this instrument on behalf of Greco Land Development, LLC, and did execute this instrument on behalf of Greco Land Development, LLC.



Paula Thomas
 Notary Public for the State of Idaho

Commission Expires 11/10/2022

EXHIBIT A

**LEGAL DESCRIPTION
OF PROPERTY**

1-20-2022

**Legal Description by Hodge & Associates
For Skyview Estates, Phase III**

A parcel of land located in the Northwest Quarter of Section 24, Township 35 North, Range 5 West, Boise Meridian, Nez Perce County, Idaho, described as follows:

Commencing at the northwest corner of Section 24, Thence along the north line of the Northwest Quarter of the Northwest Quarter of Section 24 and along the centerline of Powers Avenue, S88°30'03"E, 1319.94 feet to the centerline of 23rd Street; Thence leaving said north line and the centerline of Powers Avenue, along the centerline of 23rd Street, S01°29'57"W, 309.00 feet to a point on the south boundary of Skyview Estates, Phase I, Instrument #839025, Nez Perce County Records, and the Point of Beginning.

Thence leaving said centerline, along said south boundary, S88°30'03"E, 188.31 feet to the southeast corner of Skyview Estates, Phase I;
Thence leaving said south boundary, S01°29'57"W, 331.00 feet;
Thence N88°30'03"W, 938.46 feet;
Thence S00°41'12"W, 499.38 feet to the northeast corner of Skyview Estates, Phase II, Instrument #880645, Nez Perce County Records;
Thence along the north line thereof, N89°18'48"W, 372.27 feet to the northwest corner of Skyview Estates, Phase II and to a point on the east boundary of Skyview Estates Phase I;
Thence along said east boundary, N00°41'12"E, 835.69 feet to the southwest corner of Lot 9, Block 2 of Skyview Estates Phase I;
Thence along the south line of Skyview Estates Phase I, S88°30'03"E, 1127.15 feet to the Point of Beginning.

Parcel contains 14.27 Acres, more or less.



EXHIBIT B

ILLUSTRATION OF PROPERTY

City of Lewiston

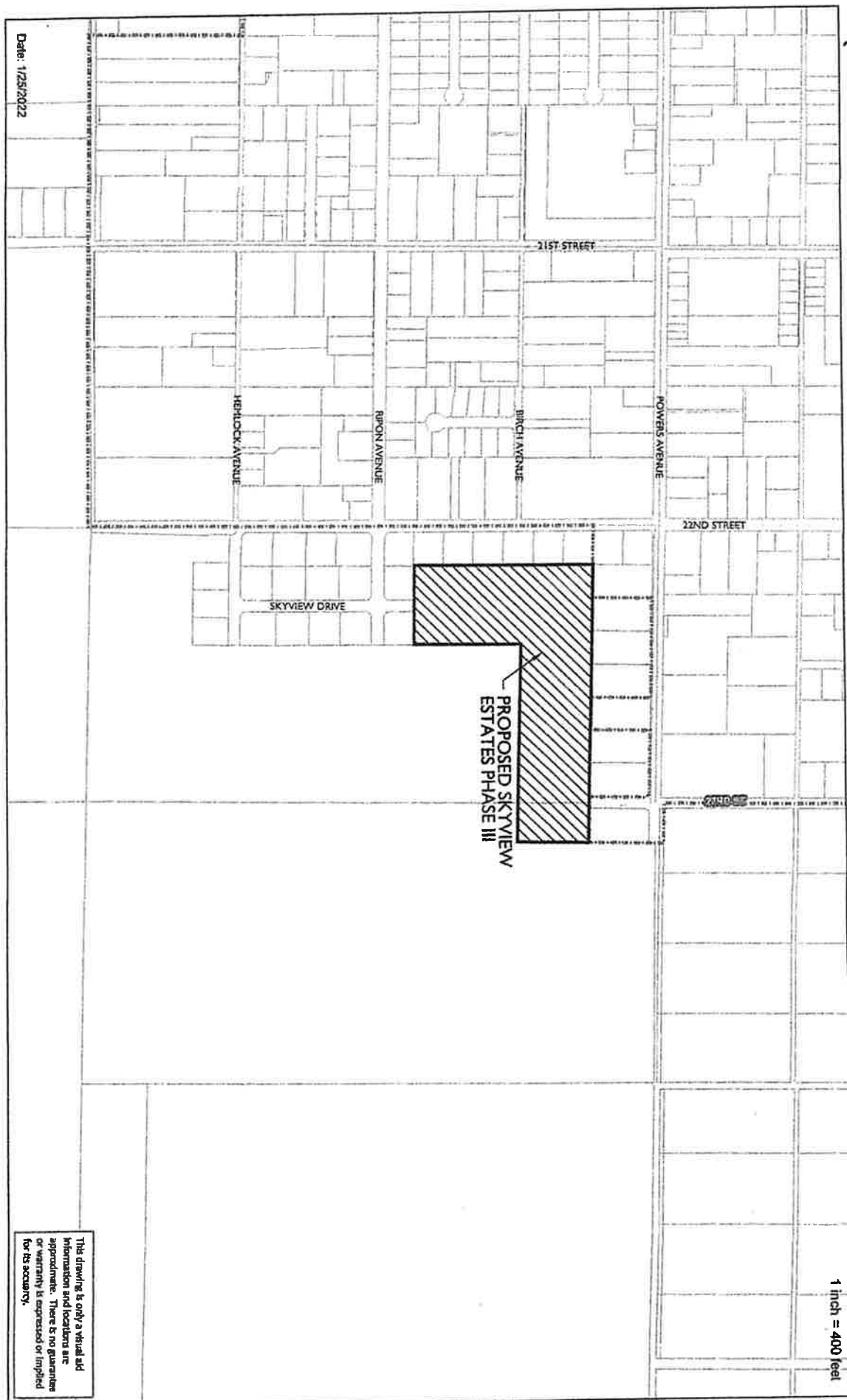


EXHIBIT C

ENGINEER CERTIFICATION

ENGINEER CERTIFICATION STATEMENT

I, _____, certify that construction observation and quality control for [project, plans with approval date] was performed under my responsible charge. It is my professional opinion that the public improvements for this project were constructed in accordance with the detailed construction plans and specifications approved by the City Engineer for the City of Lewiston or his or her designee. The submittal of as-built drawings and the attached documentation within the certification packet provide evidence to support a recommendation of acceptance of the public improvements associated with the referenced project plans and specifications.

(Engineer's Seal)

Engineer's signature

Date

12/12



CITY COUNCIL MEETING AGENDA ITEM HISTORY/COMMENTARY

ITEM TITLE Greco Annexation Agreement		AGENDA NO. _____ AGENDA DATE <u>3/14/22</u> CONSENT: ☐ ACTIVE: ☐	1ST READING _____ 2ND READING _____ 3RD/ADOPTION _____
ORIGINATING SOURCE Community Development Director <i>MM</i> Date: <u>March 14, 2022</u>		FUNDING CERTIFICATION (IF APPLICABLE) Date: _____	
DIVISION MANAGER REVIEW (If applicable) Date: _____		DEPARTMENT MANAGER REVIEW (If applicable) Date: _____	
RECOMMENDED FOR COUNCIL ACTION	CITY MANAGER Date: _____		
ITEM HISTORY (PREVIOUS COUNCIL REVIEWS, ACTION RELATED TO THIS ITEM, OTHER PERTINENT HISTORY) Greco Land Development, LLC purchased 160 acres located at the southeast corner of Powers Avenue and 22nd Street. Over the years, the City expressed interest in annexing the two parcels, and concern over water quality impacts caused by septic systems on 1/2 acre lots. 2016- The owner expressed interest in annexing the properties and contributing to the cost of extending municipal sewer. Sewer would allow for more lots and development. 2017- Staff requested that the City Attorney draft an annexation agreement. 2017- The City Council adopted Resolution 2017-20 authorizing the preparation of an urban renewal plan to address unsanitary conditions caused by septic systems in the East Orchards. 2017- The URA closed on a 1.98 million dollar bond to construct two miles of sewer trunk main and service laterals from the east end of Clearview Pointe Drive to Powers Avenue and 23rd Street. 2017-2021 Staff and Mr. Greco and/or Mr. Greco's attorney negotiated the terms of the agreement going through a few dozen drafts. 2018- Construction of the sewer trunk main began.			



April, 2018– Phase I Skyview Estates was recorded creating 9 lots of one acre and 8 lots of approximately ½ acre in unincorporated Nez Perce County. The plat was recorded with a note as follows: *At such time as the Lewiston sanitary sewer mainline is installed in a public street adjacent to any lot, that lot owner shall be required at its own expense to (i) connect its home to the city sanitary sewage mainline and pay all applicable fees and costs including any equity buy-in or latecomer fees charged by the city, (ii) decommission its septic tank and (iii) consent to annex to the city of Lewiston.*

In early 2019, city staff called a community meeting with the Phase I property owners. They indicated they were not told they were obligated to connect to the sewer when it became available. Further, County staff did not enforce a second note on the plat that required: *The outlet of sewer lines originating at each home shall be configured horizontally and vertically so as to accommodate future connection of each lot with any future mainline sanitary sewer installed within the public street adjacent to that lot.* Septic tanks were installed in backyards to maintain a large separation from an open drainage ditch along Powers Avenue. Connection to sewer after the fact would be very disruptive and would likely impact landscaping and other surface features. The city chose to annex those properties fronting on Powers Avenue that were vacant or otherwise did not contain an approved septic system.

September, 2020- Skyview Estates Phase II was recorded creating 16 ½ acre lots in unincorporated Nez Perce County intended to be served by septic systems.

April 5, 2021–Councilman Bradbury requested that the Greco development and sewer line project be placed on an upcoming work session.

April 21, 2021- The city council discussed the matter with Mr. Greco, representatives of the County Commission and staff. At that meeting Mr. Greco indicated he would sign an agreement on Phase III only and would not contribute to the cost of the sewer mainline construction.

February 25, 2022- A signed agreement was delivered to the City Attorney.

ITEM COMMENTARY (BACKGROUND, DISCUSSION, KEY POINTS, RECOMMENDATIONS, ETC.) Please identify any or all impacts this proposed action would have on the City budget and/or personnel resources.

Approval of this agreement will allow Mr. Greco to proceed with Phase III creating 35 lots of various sizes from 10,000 square feet to 17,000 square feet. Annexation will occur after the Board of County Commission approves the final plat or one year from the Mayor's signature on this agreement, whichever comes first. Approval of the plat would follow construction and acceptance of all public improvements (roads, water, sewer, power, storm drainage, fiber etc). Exhibit C of the agreement provides for an engineer to certify that



the public improvements comply with the construction drawings approved by the City Engineer. Extension of the sewer line into Skyview Estates is at the developer's expense.

As part of the annexation process, the Planning and Zoning Commission will recommend a comprehensive plan land use designation and city zoning district for the property. These matters will be finalized by the City Council following a noticed public hearing.

ACTION PROPOSED: Approve the Irrevocable Consent to Annexation and Utility Service Agreement between Greco Land Development LLC and the City of Lewiston, and authorize the Mayor to sign.

City of Lewiston

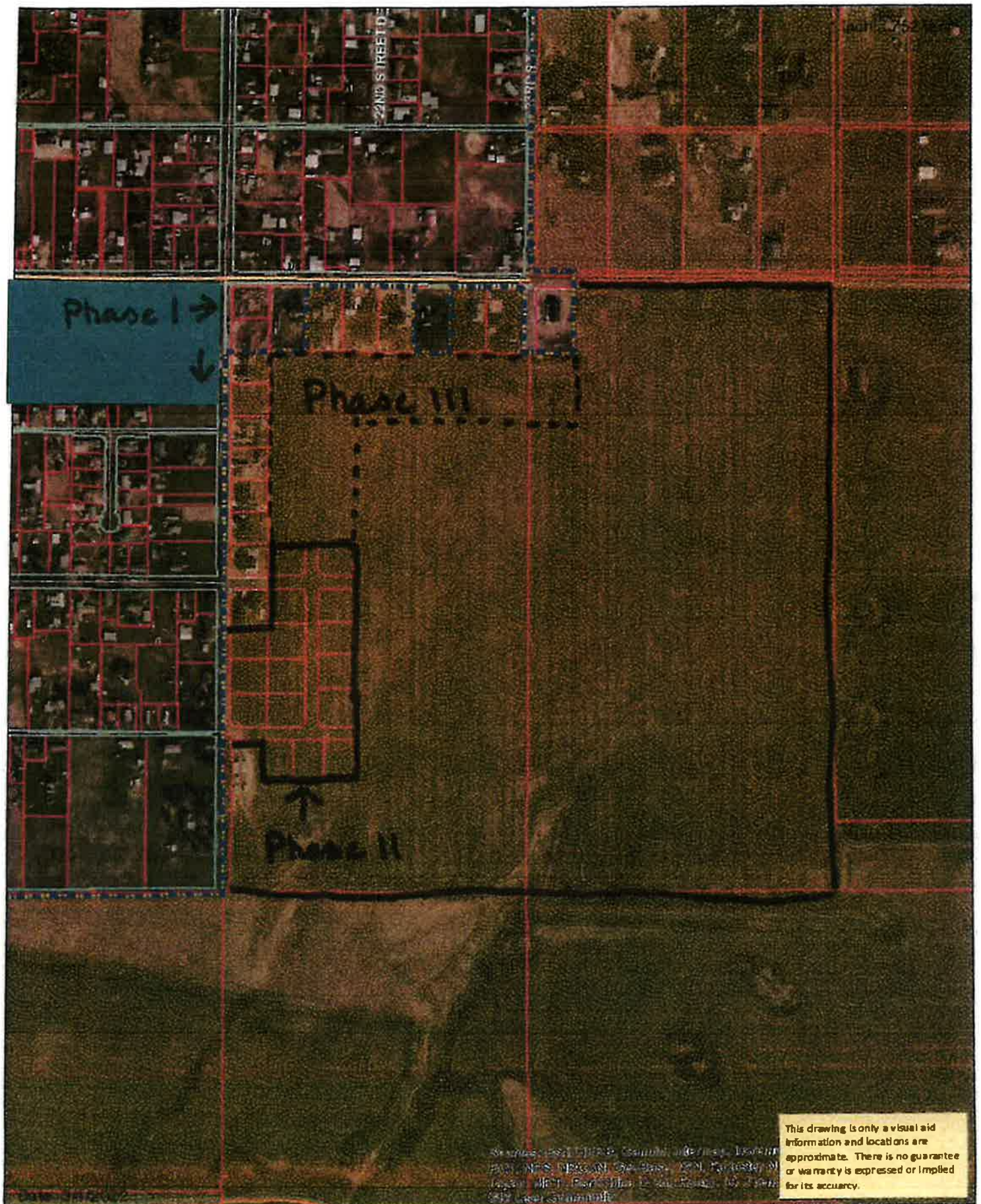


Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, AeroGRID, IGN, SIA, USFWS, NASA, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri China (Hong Kong), Swisstopo, Mapbox, Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

This drawing is only a visual aid. Information and locations are approximate. There is no guarantee or warranty is expressed or implied for its accuracy.

Date: 3/1/2022

City of Lewiston

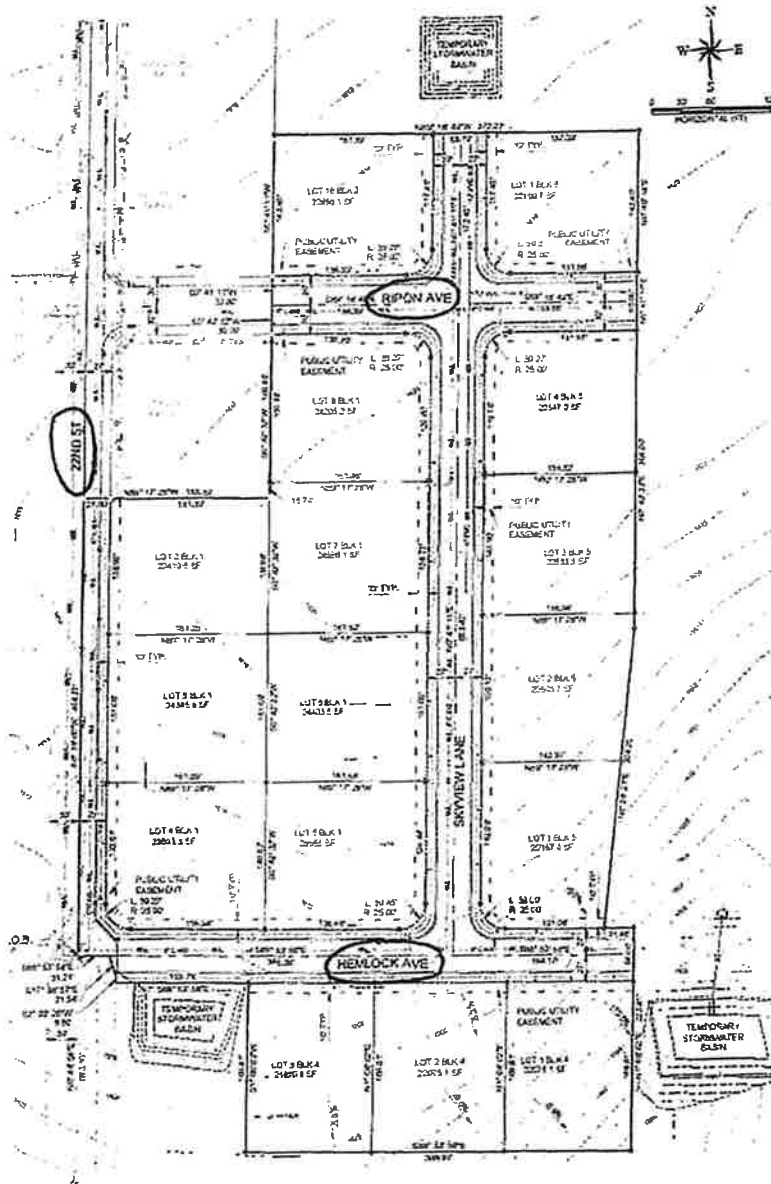


Skyview Estates Phase II

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Nez Perce County Planning and Zoning Commission will hold a public hearing on Tuesday, June 27, 2017, at 6:00 p.m. in the Brammer Building Conference Room, 1225 Idaho Street, Lewiston, Idaho concerning the following:

SUB2017-2 Skyview Estates Phase II – A subdivision creating 16 half-acre lots. All lots will be served by Lewiston Orchards Irrigation District domestic water, with wastewater treatment by private septic systems. Developer will construct 2500 feet of public roadway with curb, gutter, and sidewalk constructed to City of Lewiston standards. ~~Developer will construct underground power, phone, TV, and gas to each lot.~~ Tax Parcel RP35N05W243001. Greco Land Development, LLC, Property Owner.



The action above is part of a quasi-judicial process. As such, with the exception of the public hearing at which this matter will be heard, discussing an application with any member of the Nez Perce County Planning and Zoning Commission may create a conflict of interest for the member, rendering him/her ineligible to vote on the issue.

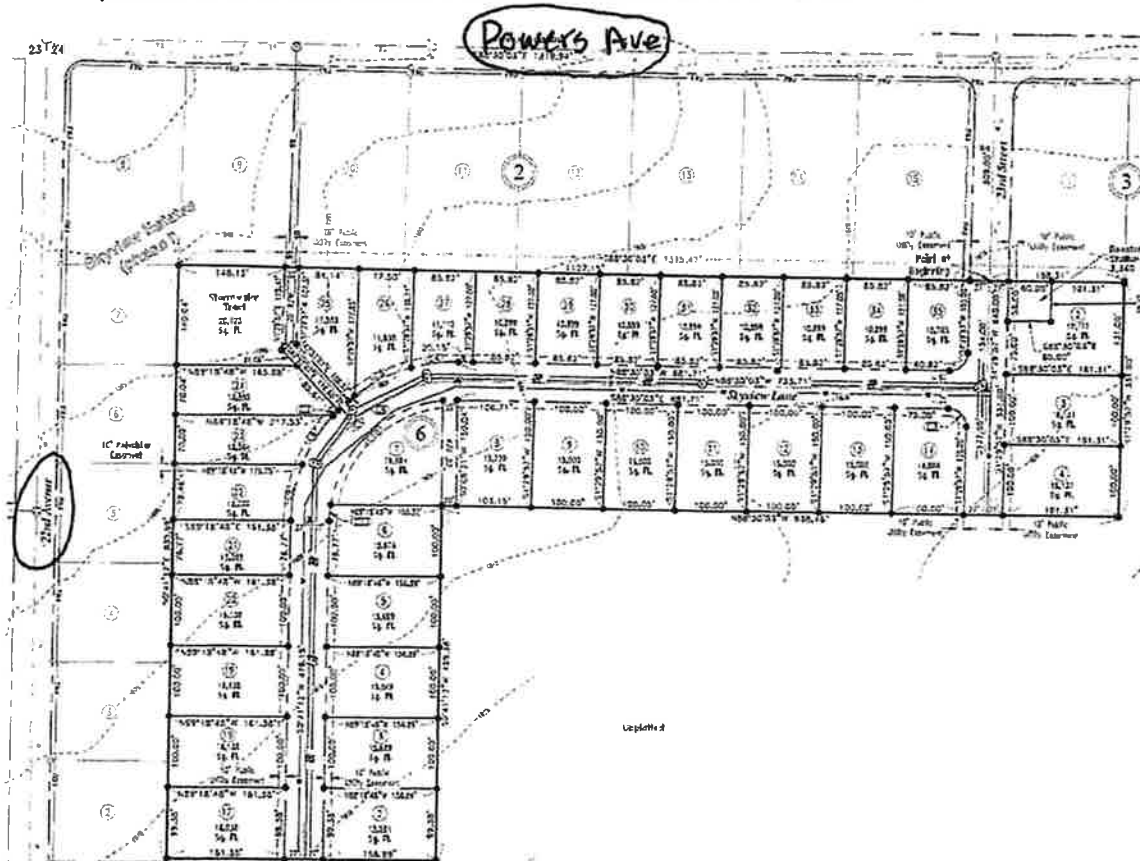
Any person or persons wishing to testify at said hearing shall appear at the date and time mentioned above. For further information, please contact Planning and Building Services at (208) 799-3197, PO Box 896, 1225 Idaho Street, Lewiston, Idaho 83501-0896.

Skyview Estates Phase III

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Nez Perce County Planning and Zoning Commission will hold a public hearing on Monday, December 17, 2018, at 3:00 p.m. in the Brammer Building Conference Room, 1225 Idaho Street, Lewiston, Idaho concerning the following:

SUB2018-2 Skyview Estates Phase III – A subdivision proposal for 35 residential lots with sewer, water, and public streets, located off of Powers Avenue, Lewiston; tax parcels RP35N05W243001 & RP35N05W242402. Joe Greco, Applicant.



The action above is part of a quasi-judicial process. As such, with the exception of the public hearing at which this matter will be heard, discussing an application with any member of the Nez Perce County Planning and Zoning Commission may create a conflict of interest for the member, rendering him/her ineligible to vote on the issue.

Any person or persons wishing to testify at said hearing shall appear at the date and time mentioned above. For further information, please contact Planning and Building Services at (208) 799-3197, PO Box 896, 1225 Idaho Street, Lewiston, Idaho 83501-0896.

February 08, 2023

The LEWISTON PLANNING AND ZONING COMMISSION met in the Community Development Department Second Floor Conference Room at 215 "D" Street. Chair Busch called the meeting to order at 5:30 p.m.

Planning & Zoning meetings are recorded live. To view the full video, go to <https://livestream.com/accounts/11220190> and select Planning & Zoning.

I. CALL TO ORDER

COMMISSIONERS PRESENT: Michael Busch, Chair; Gabriel Iacoboni, Vice Chair; Kevin Kelly; Cynthia Ball

COMMISSIONERS EXCUSED: Kathy Branson;

STAFF MEMBERS PRESENT: Katie Hollingshead, Assistant Planner; Dawn Ortiz, Community Development Specialist; Aaron Butler, IT; Kayla Herman, City Attorney; Brianne Drury, Assistant City Attorney; Jennifer Tengono, Assistant City Attorney

II. CITIZEN COMMENTS

None

III. APPROVAL OF JANUARY 25, 2023 MEETING MINUTES (ACTION ITEM)

Commissioners Kelly and Iacoboni moved and seconded, respectively, approval of the January 25, 2023 meeting minutes. The motion carried 4-0.

IV. APPROVAL OF THE REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS FOR CONDITIONAL USE PERMIT APPLICATION CUP23-000001; AN APPLICATION BY FRANK NUDING TO INSTALL A BILLBOARD SIGN AT 2231 2ND AVE NORTH (ACTION ITEM):

Commissioners Iacoboni and Kelly moved and seconded, respectively, approval of reasoned statement CUP23-000001. Motion passed 4-0.

*V.

PUBLIC HEARING AND SUBSEQUENT DELIBERATION AND DIRECTION TO STAFF REGARDING THE REASONED STATEMENT FOR APPLICATIONS ANX23-000001, CPA23-000001, ZNC23-000001 BY GRECO LAND DEVELOPMENT, LLC (ACTION ITEM):

Chair Busch explained the public hearing process, opened the public hearing and asked for a staff presentation.

Assistant Planner Katie Hollingshead provided a verbal summary of the staff report with maps and photos so the commission can get geographically familiar with the area.

PLANNING AND ZONING COMMISSION MINUTES

February 08, 2023

Page 1

Commissioner Iacoboni asked how many houses are projected to be built for this project.

Staff Hollingshead stated the proposal provides 36 lots, but that only includes the lots within the City limits.

Commissioner Kelly asked if all lots will be hooked up to the sewer.

Staff Hollingshead stated only phase III and the previous annexed lots from other phases will be hooked up to the sewer.

The applicant did not provide any testimony.

Wayne Groefsema at 2230 Powers Ave, Lewiston, Id, asked if this annexation is approved, what impact will it have on the rest of the properties on Powers Ave. There was previous talk about the other phases being forced annexed into the City of Lewiston: will this happen?

Commissioner Ball asked if that annexation was to allow them to connect to the City sewer.

Mr. Groefsema stated he was denied a septic tank permit and had to annex into the City so they could connect to the City sewer and acquire their occupancy certification.

Commissioner Ball asked if all homeowners from Phase I were under the understanding they would be forced to annex into the City at a later date.

Mr. Groefsema said they were informed at a December 2018 meeting that they would be forced into annexation.

Larry Brisbin at 2224 Powers Ave, Lewiston, Id, Mr. Brisbin is still on a septic tank and does not want to connect to the City sewer system until possibly later down the road.

Staff Hollingshead address that forced annexation is not part of this current annexation.

Commissioner Ball stated that the homes not currently annexed were forced into annexation. These homes could still utilize their existing septic tank until there is a failure with the septic tank, then they would need to connect to the City sewer system. Commissioner Ball asked what is the cost for connecting to the sewer system.

Staff Hollingshead stated yes they could still use the septic systems and she does not know what the cost is as that is a Public Works fee.

There being no more public comment, Chair Busch closed the public hearing.

Commissioners Kelly and Ball moved and seconded, respectively, to recommend approval of ANX23-000001 to City Council. Motion passed 4-0.

Commissioners Iacoboni and Ball moved and seconded, respectively, to recommend approval of CPA23-000001 to City Council. Motion passed 4-0

After deliberation and discussion of relevant criteria, commissioners Ball and Kelly moved and seconded, respectively, to direct staff to draft a Reasoned Statement recommending approval of ZNC23-0000001 to City Council. Motion passed 4-0

Commissioners Kelly and Iacoboni moved and seconded, respectively, to recommend approval of the associated Area of City Impact map amendment to City Council. Motion passed 4-0.

VI. STAFF-COMMISSION COMMUNICATIONS:

A. Query of Commissioners for February 22, 2023 meeting.

Staff Hollingshead stated there will be a new Commissioner joining the Commission at the next meeting. The remaining open seat is being advertised on the City sites, but not receiving much interest. There will be a public hearing at the 2/22/2023 meeting.

All current commissioners will be in attendance at the next meeting.

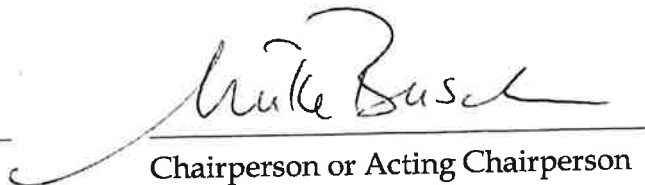
VII. ADJOURN

There being no further business, Commissioners Iacoboni and Ball moved and seconded, respectively, to adjourn. The motion carried 4-0 and the Planning and Zoning Commission adjourned at approximately 6:12 p.m.

RESPECTFULLY SUBMITTED,



Dawn Ortiz,
Recording Secretary



Chairperson or Acting Chairperson
Planning and Zoning Commission

Approved this 22 day of February, 2023.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Lewiston Planning and Zoning Commission will conduct a public hearing at which you may provide testimony. This public hearing will be held at a meeting which may have additional public hearings on the agenda.

WEDNESDAY FEBRUARY 08, 2023 at 5:30 P.M.
COMMUNITY DEVELOPMENT DEPARTMENT BUILDING
2ND FLOOR MEETING ROOM,
215 D STREET LEWISTON, ID 83501

Seating will be available on a first-come, first-served basis. All others who wish to observe this meeting may watch and listen to the livestream on their own device(s) by visiting the City of Lewiston's Facebook page or the City's website at cityoflewiston.org.

Testimony for public hearings may be made: in-person at the meeting, by emailing Dawn Ortiz at dortiz@cityoflewiston.org, or by calling (208) 798-2570 and leaving a message.

This public hearing will be to determine approval or denial of the following request:

APPLICATIONS ANX23-000001, CPA23-000001, ZNC23-000001 BY GRECO LAND DEVELOPMENT, LLC: The applicant requests that the undeveloped 14.27 acres known as Skyview Estates Phase III plat, as filed with Nez Perce County, and located generally south of Powers Avenue and east of 22nd Street, as depicted on the attached map, be removed from the Lewiston Area of City Impact and annexed into Lewiston city limits and that it be assigned a Comprehensive Plan Land Use Designation of Low Density Residential and placed in the Suburban Residential, R1, Zoning District and amending the Lewiston Area of City Impact Map accordingly.

Any person (or persons) aggrieved, may support or oppose the Applicant's request. Persons receiving this notice are encouraged to provide testimony/comment.

For further information on the above zoning action, the public hearing process, or appeal process, please contact the Community Development Department at (208) 746-1318, ext. 7261 or khollingshead@cityoflewiston.org. Our offices are located at 215 'D' Street, Lewiston. Business hours are Monday through Friday, 8:00 a.m. to 5:00 p.m.

Notice of this public hearing was mailed on XXX, 2023 and XX persons were noticed.

The City of Lewiston is committed to providing access and reasonable accommodation in its services, programs, and activities and encourages qualified persons with disabilities to participate. If you anticipate needing any type of accommodation or have questions about the physical access provided at this meeting, please contact the meeting coordinator at least forty-eight (48) hours in advance of the meeting at (208) 746-1318, ext. 7202.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Lewiston Planning and Zoning Commission will conduct a public hearing at which you may provide testimony on

Wednesday February 8, 2023 at 5:30 pm.

**COMMUNITY DEVELOPMENT DEPARTMENT BUILDING
2ND FLOOR MEETING ROOM,
215 D STREET LEWISTON, ID 83501**

Seating will be available on a first-come, first-served basis. All others who wish to observe this meeting may watch and listen to the livestream on their own device(s) by visiting the City of Lewiston's Facebook page or the City's website at cityoflewiston.org.

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FOR FURTHER INFORMATION AND TO SUBMIT TESTIMONY, contact the Community Development Department at (208) 746-1318, ext. 7261.

Hearing notice publication date: January 22, 2023.

City of Lewiston

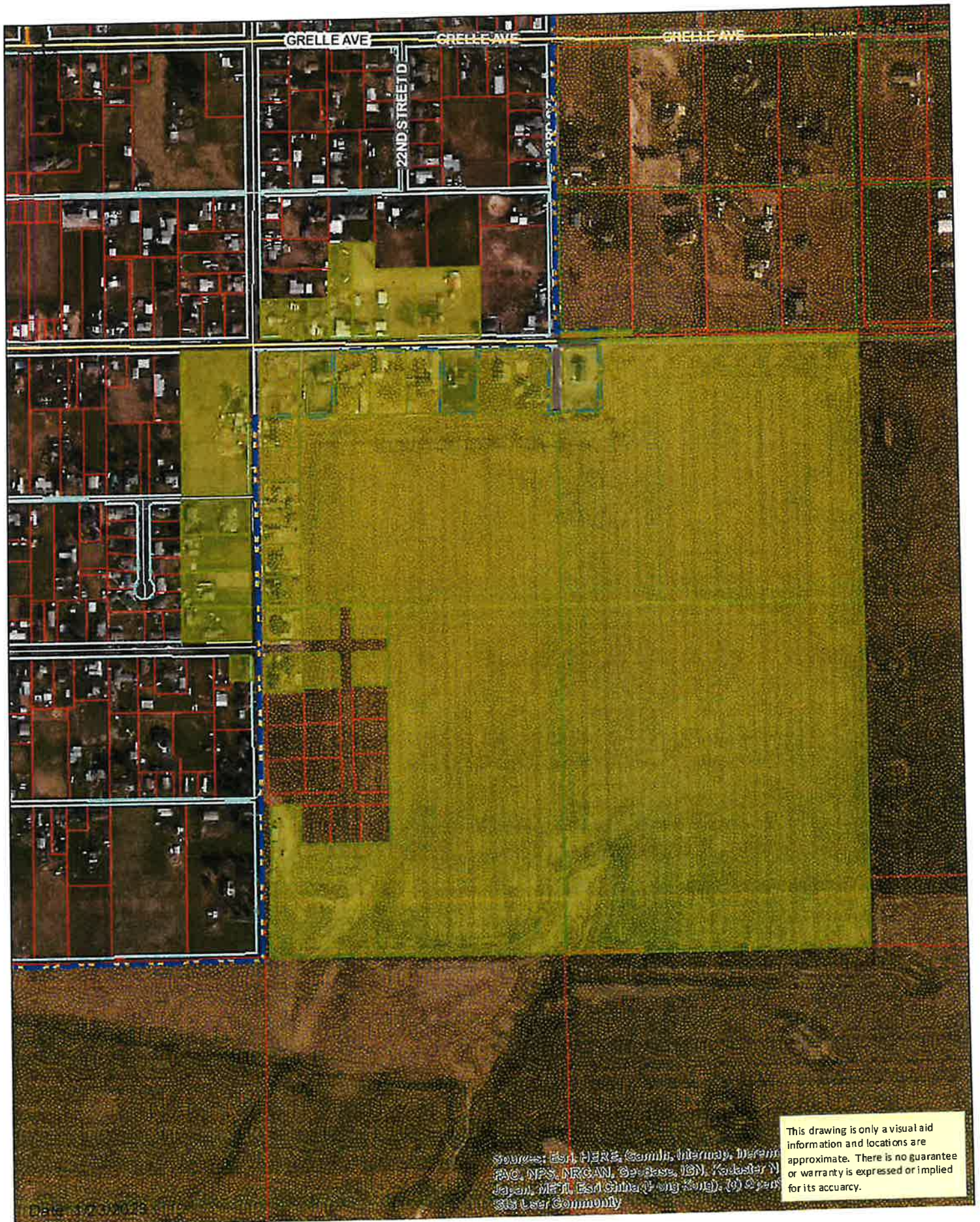


ANX23-000001

Properties within 330' Boundary

OWNER1	OWNER2	MAIL_ADD1	MAIL_CITY	MAIL_ST	MAIL_ZIP
BLEWETT, BRETT &	BLEWETT, ANGELA	3707 23RD ST	LEWISTON	ID	83501
BRAUCHER, RUSSELL &	BRAUCHER, THERESA	3729 21ST STREET E	LEWISTON	ID	83501
CLARK, MICHAEL		2204 POWERS AVE	LEWISTON	ID	83501
CURTIS, SHAUN &	CURTIS, BRIANNE	2208 POWERS AVE	LEWISTON	ID	83501
ENSLEY, TAMARA		2211 POWERS AVE	LEWISTON	ID	83501
FISHER, RONALD &	FISHER, VIVIAN	503 S PEPPERHILL DR	NIXA	MO	65714
GROEFSEMA, JOHN &	GROEFSEMA, PEARL	2230 POWERS AVE	LEWISTON	ID	83501
HECKLER, CODY &	HECKLER, LINDE	3705 22ND ST	LEWISTON	ID	83501
HEIMGARTNER, DARICK &	HEIMGARTNER, LAURA	12175 HWY 129	ASOTIN	WA	99402
HOLLENBAUGH, DONALD &	HOLLENBAUGH, LORI	3722 22ND ST	LEWISTON	ID	83501
JEFFERS, JOHN		1715 RIPON AVE	LEWISTON	ID	83501
RASH, WAYNE &	RASH, CHERIE	3731 21ST ST E	LEWISTON	ID	83501
TIPPETT, DANNIEL &	RICHIE, LYNANN	2233 POWERS AVE	LEWISTON	ID	83501
WEBB, TIMOTHY &	WEBB, PAULA	2215 POWERS AVE	LEWISTON	ID	83501
WINKLE, LINDSAY &	HUDSON, RYAN	2135 RIPON AVE	LEWISTON	ID	83501

City of Lewiston





ANX23-000001
#4 NANA
CPA23-000001
ZNC23-000001

STAFF USE ONLY

Case Number: _____

Hearing Date: _____

APPLICATION FOR VOLUNTARY ANNEXATION

By submitting this application to the City of Lewiston, you are entering a quasi-judicial process. As such, you must not discuss the application with any member of the Lewiston Planning and Zoning Commission, or the Lewiston City Council, before or outside of the public hearing at which this matter will be heard.

PROPERTY OWNER/APPLICANT INFORMATION

Property

Owner

Name:

Greco, Joe Greco Land Development
Last First M.I.

Address:

2206 Hemlock Ave

Street Address

Lewiston

City

ID

State

83501

ZIP Code

Phone:

208-750-1056

Email:

joe@greco-construction.com

***IF ADDITIONAL PROPERTY OWNERS, THEN PROVIDE THEIR INFORMATION ON THE
ADDITIONAL PROPERTY OWNER INFORMATION PAGE (PAGE 3)***

PROPERTY INFORMATION

Tax Parcel

Number(s):

Subdivision Name:

(if applicable)

Skyview Estates Phase III

Block:

Lot:

OR attach a metes and bounds description if the subject property cannot be completely described by Lot and Block of a subdivision.

Property Acreage: 14.19 Acres more or less.

NATURE OF YOUR REQUEST

The current Comprehensive Plan Designation of this property is:

Area of City Impact

The **proposed** Comprehensive Plan Designation of this property is:

Low density residential

The current zoning of this property is:

R-1A-Suburban Residential AC1

The **proposed** zoning of this property is:

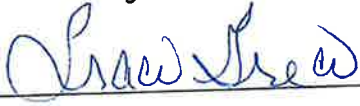
R1, Suburban Residential

Annexation is requested in order to/because (describe the reason/purpose):

per annexation agreement

PROPERTY OWNER CERTIFICATION AND CONSENT TO VOLUNTARY ANNEXATION

The property owner(s) hereby certifies that the information contained in this application is true and correct to the best of my/our knowledge and agrees to enter into an "Irrevocable Consent to Annexation Agreement" (separate document to be produced by the City for the applicant to sign) for the annexation of the subject property to the City of Lewiston, whereby such annexation shall be binding upon subsequent purchasers, heirs, or assigns of lands addressed in this consent, to wit:

Property owner(s): 1) Joe Greco  1-11-2023
Printed Name Signature Date
2) Traci Greco  1-11-2023
Printed Name Signature Date
3) _____
Printed Name Signature Date
4) _____
Printed Name Signature Date

ADDITIONAL PROPERTY OWNER INFORMATION

Provide Information of Any Owner of the Subject Property to be Annexed Not Already Listed on Page 1.

Property
Owner
Name:

none

Last First M.I.

Address:

Street Address

City State ZIP Code

Phone:

Email: _____

Property
Owner
Name:

Last First M.I.

Address:

Street Address

City State ZIP Code

Phone:

Email: _____

Property
Owner
Name:

Last First M.I.

Address:

Street Address

City State ZIP Code

Phone:

Email: _____

APPLICATION SUBMITTAL CHECKLIST

- | | | |
|--------------------------|--------------------------|--|
| YES | NO | 1) Two copies of the completed, signed paper application form each with the following attachments: |
| ☐ | ☐ | |
| YES | NO | A) A correct legal description of the property to be annexed, including its acreage; |
| ☐ | ☐ | |
| YES | NO | B) A vicinity map identifying the subject property in relation to the existing city limit line and streets within one quarter mile (1,320 feet) of the subject property; |
| ☐ | ☐ | |
| YES | NO | C) A detailed map identifying the subject parcel(s) requested for annexation, including property line dimensions, adjoining streets and the existing city limit line; |
| ☐ | ☐ | |
| YES | NO | D) Supplemental property owner information sheet, if applicable |
| ☐ | ☐ | |
| YES | NO | 2) Filing Fee payable to CITY OF LEWISTON. This fee will also pay for comprehensive plan land use designation and zoning associated with and necessary for annexation. |
| ☐ | ☐ | |

ANNEXATION AUTHORITY:
STATE OF IDAHO CODE AND LEWISTON ANNEXATION POLICY

Idaho Code Section 50-222 et seq. gives cities the authority to "annex lands which are reasonably necessary to assure the orderly development of Idaho's cities." It also states "annexation of lands into a city shall follow the procedures applicable to the category of lands as established by this section."

A private landowner may petition for annexation under Idaho Code Section 50-222(3)(a) entitled "Category A: Annexations wherein:

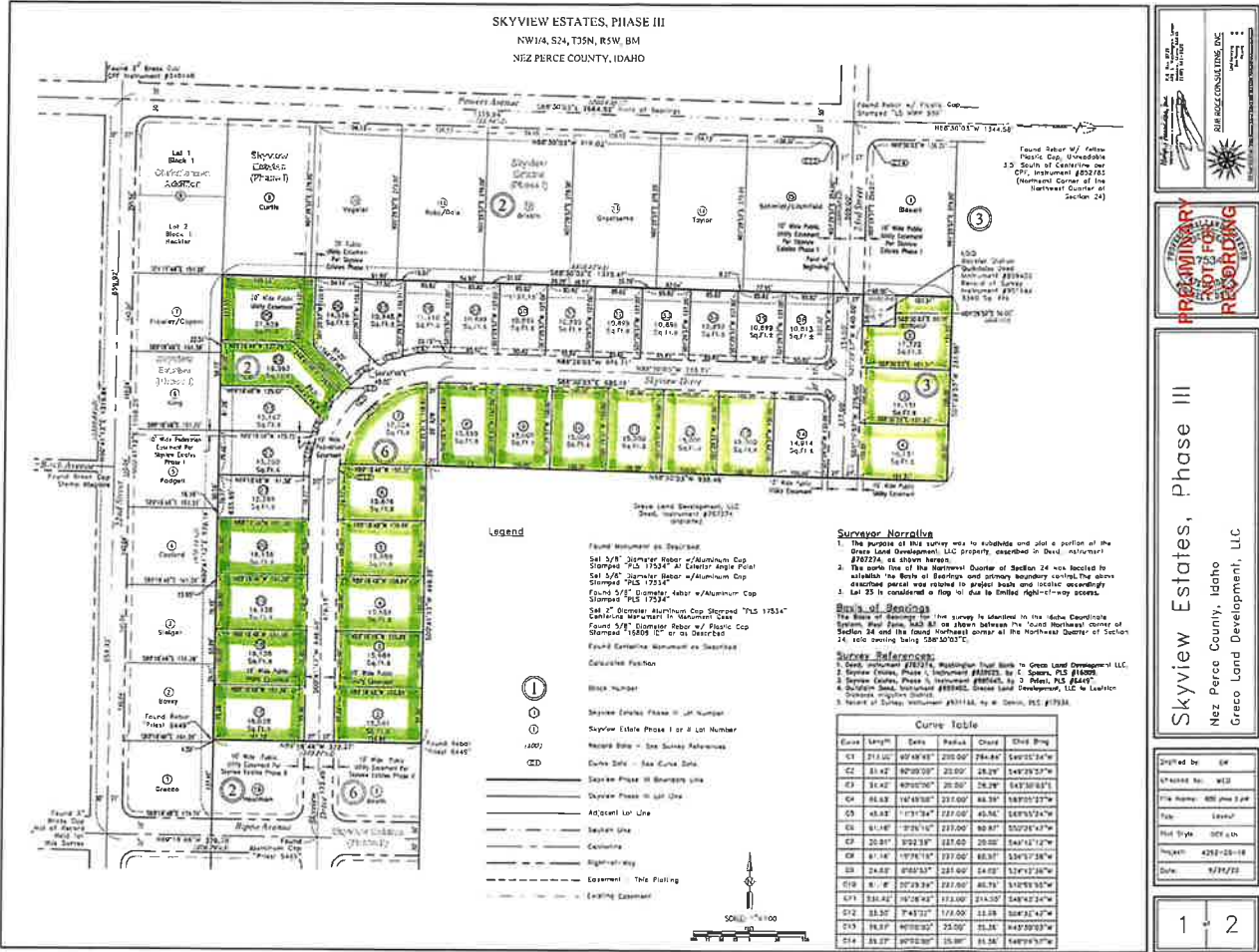
- (i) All private landowners have consented to annexation. Annexation where all landowners have consented may extend beyond the city area of impact provided that the land is contiguous to the city and that the comprehensive plan includes the area of annexation;
- (ii) Any residential enclaved lands of less than one hundred (100) privately-owned parcels, irrespective of surface area, which are surrounded on all sides by land within a city or which are bounded on all sides by lands within a city and by the boundary of the city's area of impact; or
- (iii) The lands are those for which owner approval must be given pursuant to subsection (5)(b)(v) of this section."

Idaho Code Section 50-222(5)(a): "Procedures for Category A Annexations: Lands lying contiguous or adjacent to any city in the state of Idaho may be annexed by the city if the proposed annexation meets the requirements of category A. Upon determining that a proposed annexation meets such requirements, a city may initiate the planning and zoning procedures set forth in Chapter 65, Title 67, Idaho Code, to establish the comprehensive planning policies, where necessary, and zoning classification of the lands to be annexed."

ANNEXATION APPLICATION PROCESS

1. Pre-application meeting to determine feasibility and desirability of annexation, as well as related comprehensive plan, zoning, public infrastructure, emergency service, and property development issues.
2. The applicant submits a completed application on the form provided to the Community Development Department requesting the annexation to the City of Lewiston. **All material included in the application must be provided at this time.** The representative of the Department reviews the application for completeness prior to further processing.
3. The Community Development Department sets the public hearing date for the application according to the public hearing schedule. The Planning and Zoning Commission holds public hearings on the second and fourth Wednesdays of each month. Completed applications must be submitted at least twenty (20) working days prior to the public hearing date. You will be notified of the hearing date when you submit your application.
4. The Community Development Department notifies by mail all residents within 300 feet of the property for which you are requesting annexation. This notifies them of the nature of your application, the date of the public hearing, and solicits comments from them.
5. The Community Development Department solicits comments from public agencies and City Departments so a recommendation can be made.
6. The Community Development Department reviews the request for compliance with Idaho Code and prepares a recommendation for the Planning and Zoning Commission. The applicant will receive a copy of this report and recommendation in advance of the meeting.
7. A public hearing date is set before the Planning and Zoning Commission and a public hearing notice is published in the newspaper. Neighboring property owners are sent notice of the public hearing and the property is posted with a public hearing notice.

8. The Planning and Zoning Commission holds a public hearing on the request. The applicant is invited to speak as well as others who wish to provide testimony whether in support or opposition to the request. **It is strongly recommended that the applicant be in attendance at this meeting.**
9. The Planning and Zoning Commission will make a recommendation to the City Council.
10. The City Council holds a public hearing on the request subject to the same notice requirements as done at the Planning and Zoning Commission level. **It is strongly recommended that the applicant be in attendance at this meeting.**
11. If the City Council approves the annexation request, the City Attorney prepares an ordinance for annexation, a resolution for comprehensive plan land use designation, and an ordinance for zoning for the Council.
12. At subsequent public meetings, the City Council holds the first, second, and third readings of the ordinances and approves the resolution. Following the third reading and adoption of the ordinances, the ordinances are published in the newspaper after which the decisions become final.





STAFF USE ONLY

Case Number: _____

Hearing Date: _____

APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT

BY SUBMITTING THIS APPLICATION TO THE CITY OF LEWISTON, YOU ARE ENTERING A QUASI-JUDICIAL PROCESS. AS SUCH, YOU MUST NOT DISCUSS THE APPLICATION WITH ANY MEMBER OF THE LEWISTON PLANNING AND ZONING COMMISSION, OR THE LEWISTON CITY COUNCIL, OUTSIDE OF THE PUBLIC HEARING AT WHICH THIS MATTER WILL BE HEARD.

****NOTE: INCOMPLETE APPLICATIONS CANNOT BE ACCEPTED****

APPLICANT INFORMATION

Full Name: Greco Land Development Date: 1.13.23
Last First M.I.

Address: 2206 Hemlock Ave
Street Address
Lewiston ID 83501
City State ZIP Code

Phone: 208 413 2898 Email: wendy@greco-constry

Property Owner Name: Joe Greco Phone: 208 790-1056

Mailing Address: Same as above

PROPERTY INFORMATION

Street Address of Subject Property: _____

Subdivision Name: Skyview Estates Phase III Block: _____ Lot: _____

OR attach a metes and bounds description if not part of a subdivision.

NATURE OF YOUR REQUEST

The current Comprehensive Plan Designation of this property is: Area of City Impact

The **proposed** Comprehensive Plan Designation of this property is: Low Density Residential

Please provide a statement fully describing your request for a Comprehensive Plan Amendment. What conditions have changed in the area to cause the need to amend the Comprehensive Plan? How will the requested amendment address those changes?

see annexation agreement

APPLICANT'S CHECKLIST

In order to properly process your request for a Comprehensive Plan Amendment, please be sure to include the following material with your completed application:

- ☐ Completed and signed application, including supporting documents;
- ☐ Site Plan (11 x 17) or 8 1/2 x 11) to scale;
- ☐ A correct legal description of the property;
- ☐ Filing fee payable to the City of Lewiston

APPLICANT'S CERTIFICATION

The applicant(s) hereby certifies that the information contained in this application is true and correct to the best of my/our knowledge.

Signature of Applicant: _____

W. Max Lupelet

Date: _____

1.13.23

The Property Owner hereby authorizes this application:

Signature of Owner: _____

[Signature]

Date: _____

1.13.23

4. Describe how the effects of the proposed rezone are not anticipated to place undue burden upon delivery of services provided by any political subdivision (i.e. taxing entity) within the planning jurisdiction, including school districts.

5. Describe how the size, type, intensity and density of development expected to occur on the subject property as a result of this rezoning is suitable for the area and will not unduly burden the neighborhood, public infrastructure or environmental resources.

6. If the subject property is located within a designated historic district, describe how the requested zone change will not be in conflict with the intents and purposes of Lewiston City Code Chapter 19.5, Historic Districts (A Certificate of Appropriateness from the Lewiston HPC is required).

APPLICANT'S CERTIFICATION

The applicant(s) hereby certifies that the information contained in this application is true and correct to the best of my/our knowledge.

Signature:  Date: 1.13.2023

The Property Owner hereby authorizes this application:

Signature:  Date: 1.13.23

**** INCOMPLETE APPLICATIONS CANNOT BE ACCEPTED****

QUESTIONS? Contact City Planner Joel Plaskon at 208-746-1318 x 7202

COMPREHENSIVE PLAN AMENDMENT APPLICATION PROCESS

1. The applicant submits the completed application form to the Community Development Department requesting the amendment to the Comprehensive Plan. **All materials included in the application must be provided at this time.** The representative of the Department reviews the application for completeness prior to further processing.
BY SUBMITTING THIS APPLICATION TO THE CITY OF LEWISTON, YOU ARE ENTERING A QUASI-JUDICIAL PROCESS. AS SUCH, YOU MUST NOT DISCUSS THE APPLICATION WITH ANY MEMBER OF THE LEWISTON PLANNING AND ZONING COMMISSION, OR THE LEWISTON CITY COUNCIL, OUTSIDE OF THE PUBLIC HEARING AT WHICH THIS MATTER WILL BE HEARD.
2. The Community Development Department sets the public hearing date for the application according to the public hearing schedule. The Planning and Zoning Commission holds public hearings on the second and fourth Wednesdays of each month. Completed applications must be submitted approximately four (4) weeks prior to the public hearing date. You will be notified of the hearing date when you submit your application. Because the State of Idaho limits the number of times each year a municipality may amend the comprehensive plan, your hearing dates may be delayed.
3. The Community Development Department notifies all residents, by mail, within 300 feet of the property for which you are requesting the Comprehensive Plan Amendment. This notifies them of the nature of your application, the date of the public hearing, and solicits comments from them.
4. The Community Development Department solicits comments from public agencies and City Departments so a recommendation can be made.
5. After comments have been received, the Community Development Department prepares a staff report and recommendation for the Planning and Zoning Commission. You will receive a copy of this report and recommendation in advance of the meeting.
6. The Planning and Zoning Commission holds a public hearing on the request. You are invited to speak as well as others who wish to provide testimony whether in support or opposition of the request. **It is strongly recommended that you be in attendance at this meeting.**
7. The Planning and Zoning Commission will make a recommendation to the City Council. This recommendation is forwarded to the City Mayor for submittal to the City Council.
8. The City Council sets a public hearing date, generally several weeks away to allow sufficient time for legal notice. The property owners who received notice for the Planning and Zoning public hearing will again receive notice of the City Council public hearing.
9. The City Council holds a public hearing on the request.
10. If the City Council approves the Comprehensive Plan Amendment request, the City Attorney prepares an Ordinance for the Council.

APPLICATION PROCESS

1. The applicant submits the completed application to the Community Development Department requesting the Zone change. The representative of the Department reviews the application for completeness prior to further processing.
ALL MATERIALS INCLUDED IN THE APPLICATION MUST BE PROVIDED AT THIS TIME. INCOMPLETE APPLICATIONS CANNOT BE ACCEPTED.
PLEASE NOTE: By submitting this application to the City of Lewiston, you are entering a quasi-judicial process. As such, you must not discuss the application with any member of the Lewiston Planning and Zoning Commission and/or the Lewiston City Council outside of the public hearing at which this matter will be heard.
2. The Community Development Department sets the public hearing date for the application according to the public hearing schedule. The Planning and Zoning Commission holds public hearings on the second and fourth Wednesday of each month. The Commission will make a recommendation on a zone change application to the City Council, who will also conduct a public hearing on the matter and render the decision. The City Council holds public hearings on the second and fourth Monday of each month. **Completed applications must be submitted at least four weeks prior to the public hearing date.** You will be notified of the hearing date when you submit your application.
3. The Community Development Department notifies all residents within 300 feet of the property for which you are requesting the Zone Change. This notifies them of the nature of your application, the date of the public hearing, and solicits comments from them.
4. The Community Development Department solicits comments from public agencies and City Departments so a recommendation can be made.
5. After all comments have been received, the Community Development Department prepares a staff report and recommendation for the Planning and Zoning Commission. You will receive a copy of this report and recommendation in advance of the meeting.
6. The Planning and Zoning Commission holds a public hearing on the request. The applicant is invited to speak as well as others who wish to provide testimony, whether in support or in opposition, to the request. **IT IS STRONGLY RECOMMENDED THAT YOU BE IN ATTENDANCE AT THIS MEETING.**
7. The Planning and Zoning Commission will make a recommendation to the City Council. This recommendation is forwarded to the City Mayor for submittal to the City Council.
8. The City Council sets a public hearing date, generally several weeks away to allow sufficient time for legal notice. The property owners who received notice for the Planning and Zoning public hearing will again receive notice of the City Council public hearing.
9. The City Council holds a public hearing on the request. If the City Council approves the PUD Amendment request. The City Attorney prepares an ordinance for the Council.
10. At subsequent public meetings, the City Council holds the first, second, and third readings of the Ordinance. Following the third reading and adoption of the Ordinance, the Ordinance is published in the newspaper, after which the PUD Amendment becomes final.

APPLICANT'S CHECKLIST

- ☐ Completed and signed application with supporting documents;
- ☐ Filing fee payable to the City of Lewiston;
- ☐ A correct legal description of the property;
- ☐ A site plan (11" x 17" or 8 ½" x 11") to scale

11. At subsequent public meetings, the City Council holds the first, second, and third readings of the Ordinance. Following the third reading and adoption of the ordinance, the ordinance is published in the newspaper, after which the Comprehensive Plan Amendment becomes final.



STAFF USE ONLY

Case Number: _____

Hearing Date: _____

APPLICATION FOR ZONE CHANGE

By submitting this application to the City of Lewiston you are entering a quasi-judicial process. As such, you must not discuss the application with any member of the Lewiston Planning and Zoning Commission, or the Lewiston City Council, outside of the public hearing at which this matter will be heard.

APPLICANT INFORMATION

Full Name: Greco Land Development Date: 1.13.23
Last First M.I.

Address: 2206 Hemlock Ave
Street Address
Lewiston ID 83501
City State ZIP Code

Phone: 208 413 2898 Email: wendy@greco-construction.com

Property Owner: Joe Greco Phone: 208-790-1056

Property Owner Mailing Address: Same as above

DESCRIPTION OF PROPERTY

Street Address of Subject Property: _____

Subdivision Name: Skyview Estates Phase III

Block: _____ Lot: _____

OR, if not part of a subdivision, attach a metes and bounds description

NATURE OF REQUEST

Change **FROM** Zone District: R-1A Suburban Residential-A1 To Zone District: R1, Suburban Residential

The Planning and Zoning Commission shall evaluate a requested amendment to a zoning district to determine the nature and extent of the requested change. If it is in accord with the adopted comprehensive plan, the commission may recommend and the council may adopt or reject the requested change. The commission may request documentation of land use impacts, both existing and proposed, through studies, presentations, or other documents, and may require said documentation to be stamped and signed by professionals deemed qualified by the commission.

Please provide **WRITTEN** responses to the following questions:

1. What is the Comprehensive Plan Designation of the property and of the adjoining properties? Describe how the requested zoning classification conforms to the adopted Comprehensive Plan map and text.

See annexation agreement

2. Describe how the subject land is at least as well suited or is better suited for the proposed zoning district than the existing zoning district.

3. Describe how the proposed rezone does not present foreseen, immitigable impacts of incompatible uses or development being located in the same vicinity.

Instrument # 898172

NEZ PERCE COUNTY

3-15-2022 03:51:12 PM No. of Pages: 12

Recorded for : CITY OF LEWISTON

PATTY WEEKS

Fee: 0.00

Ex-Officio Recorder Deputy

Index to: AGREEMENT/MISC

R. Lewis

(Above space for Recorder's use)

**IRREVOCABLE CONSENT TO ANNEXATION
AND UTILITY SERVICE AGREEMENT**

THIS AGREEMENT ("Agreement") is entered into by and between the City of Lewiston, an Idaho municipal corporation ("City"), and Greco Land Development, LLC, an Idaho limited liability company, its successors and assigns ("Developer"). City and Developer may also individually be referred to as "Party" or collectively as "Parties."

WHEREAS, Developer owns land located outside City limits and within City's area of city impact, which Developer desires to connect to City's wastewater utility;

WHEREAS, pursuant to Lewiston City Code § 36-2, City agrees to provide wastewater services to Developer for such real property, provided that Developer consents to annexation into the City of Lewiston of the real property connected to City's wastewater utility.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, it is hereby agreed that the forgoing are true and a part of this Agreement, and it is further agreed as follows:

1. Subject to the terms of this Agreement, City agrees to provide wastewater services to the real property owned by Developer described in Exhibit A, attached hereto and incorporated herein ("Property"). An illustration of the Property is attached hereto and incorporated herein as Exhibit B.

2. Developer shall have the right to connect the Property to City's wastewater system upon: (a) payment to City of all applicable charges and fees; and (b) Developer's full compliance

with the terms of this Agreement. Developer or its successors in interest shall bear all costs and expenses related to connecting the Property to City's wastewater system.

3. Prior to annexation of the Property, Developer or its successors in interest shall pay City one-and-one-half times (150%) City's adopted wastewater service fee, equity buy-in fees, and connection and inspection fees. Subsequent to annexation of the Property, Developer or its successors in interest shall pay City the then-currently adopted wastewater service fees and shall no longer be obligated to pay the increased fees recited herein.

4. Developer hereby irrevocably consents to annexation of the Property into the City of Lewiston. City may annex the Property in City's sole discretion in accordance with Idaho Code §§ 50-222 and 50-223; provided, however, City shall not take action to finalize such annexation until: (a) the Board of Nez Perce County Commissioners approves a final plat for the Property or any portion thereof, or (b) one (1) year from the Effective Date of this Agreement, whichever occurs first.

5. Prior to connecting the Property to City's wastewater system, Developer shall pay City the then-currently adopted City fees for annexation, comprehensive plan map amendments, and zone changes. Additionally, other lawful charges may be charged to Developer or its successors in interest, including, but not limited to, per-lot equity buy-in fees for sewer at the time of connection, and right-of-way permit fees.

6. In the event that Developer subdivides the Property, Developer shall install public improvements on the Property: (a) in accordance with the standards set by City and the Idaho Department of Environmental Quality, and (b) in compliance with detailed construction plans and specifications approved by the City Engineer or his or her designee. Such public improvements may include streets, curbs, sidewalks, pedestrian and bicycle ways, storm drainage, sanitary sewage disposal facilities, water lines, monuments, lot corners, electric utility lines, and street lights.

Additionally, such public improvements shall be subject to inspection and approval in the same manner as if the Property were located within the City's limits. If Developer does not develop the Property to City development standards, then City shall have no obligation to provide sewer service to the Property; provided, however, upon City's approval and acceptance of all such public improvements, City shall provide sewer service to the Property.

7. In the event that Developer subdivides the Property, Developer shall provide City with a certification signed by Developer's engineer, who shall be licensed in Idaho, verifying that the public improvements installed on the Property were constructed in accordance with the detailed construction plans and specifications approved by the City Engineer or his or her designee. Such certification shall be in substantially the form set forth in Exhibit C to this Agreement, attached hereto and incorporated herein. Such certification shall include a cover letter with the engineer's professional stamp and copies of all inspection records, test results, and construction quality control data.

8. In the event that Developer subdivides the Property, Developer shall cause a traffic impact study to be conducted to evaluate the cumulative impacts of all phases (developed and future) of the Skyview Estates subdivision on traffic patterns and infrastructure within the City of Lewiston. Developer shall be responsible for the installation of the on-site and off-site improvements recommended in said study.

Alternatively, Developer may pay to have the existing "Lewiston East Orchards Master Traffic Impact Study" updated to include cumulative impacts from all phases (developed and future) of the Skyview Estates subdivision. Developer shall be responsible for the installation of the on-site improvements recommended by such updated study. Additionally, at the time of application for a building permit, Developer or its successors in interest shall pay City the fee(s) determined to be appropriate through the updated study for installation of the off-site improvements.

9. Developer or its successors in interest shall not apply for a building permit for any structure to be constructed on any portion of the Property until: (a) the Property is annexed into the City of Lewiston, or (b) three (3) months from the date the Board of Nez Perce County Commissioners approves a final plat for the Property or any portion thereof, whichever occurs first.

10. This Agreement shall be binding upon and inure to the benefit of the Parties' respective heirs, successors, assigns, and personal representatives. Nothing herein shall in any way prevent sale or alienation of the Property or portions thereof, except that any sale or alienation shall be subject to the provisions of this Agreement, and any successor owner or owners shall be both benefitted and bound by the conditions and restrictions herein expressed.

11. Developer shall include the following language in all deeds transferring the Property, any portion thereof, or any interest therein:

By acceptance of this deed, Grantee and Grantee's heirs, successors, and assigns acknowledge that said property is subject to an **IRREVOCABLE CONSENT TO ANNEXATION**, whereby: (a) said property may be annexed into the City of Lewiston, Idaho; and (b) no building permit may be issued for any structure to be constructed on said property until said property is annexed into the City of Lewiston or three (3) months from the date the Board of Nez Perce County Commissioners approves a final plat for Skyview Estates Phase III, whichever occurs first. Said Irrevocable Consent to Annexation is a covenant that runs with the land.

Said Irrevocable Consent to Annexation Agreement was recorded on the _____ day of _____, 20____ as Instrument No. _____ in the official records of the Nez Perce County Recorder, Nez Perce County, Idaho.

12. This Agreement shall be recorded in the office of the Nez Perce County Recorder, Lewiston, Idaho.

13. The Parties agree that if any additional documents are necessary for annexation of the Property, the Parties shall execute such documents to accomplish the purpose of this Agreement.

14. The Parties warrant that those signatory to this Agreement have the authority to enter into and be obligated to perform the duties set forth herein.

15. This Agreement shall be governed by and interpreted in accordance with the laws of the State of Idaho, with venue for any action brought pursuant to this Agreement to be in the Second Judicial District, State of Idaho.

16. In the event that any provision of this Agreement is found for any reason to be unenforceable, the remainder of this Agreement shall remain in full force and effect and shall be binding upon the Parties.

17. This Agreement may be modified or amended only by a writing duly executed by both Parties.

18. In the event a controversy, claim, or action arises between the Parties to this Agreement regarding the enforcement of its terms and conditions, or the breach of any of its provisions, the prevailing Party shall be entitled to recover from the other Party all costs and expenses incurred by the prevailing Party, including reasonable attorney fees.

19. All covenants, conditions, indemnifications, and other elements in this Agreement shall survive any and all subsequent conveyances.

20. This writing embodies the whole agreement of the Parties. There are no promises, terms, conditions, or obligations other than those contained in this Agreement. All previous and contemporaneous communications, representations, or agreements, either verbal or written, between the Parties are superseded by this Agreement.

Intentionally left blank - Signature page to follow

IN WITNESS WHEREOF, the Parties have executed this Agreement on the last day and year written below ("Effective Date").

DATED this 14th day of March 2022.



CITY OF LEWISTON

By:

[Signature]
Daniel G. Johnson, Mayor

ATTEST:

[Signature]
Kari J. Ravencroft, City Clerk

DATED this 14th day of February 2022.

GRECO LAND DEVELOPMENT, LLC

[Signature]
Joseph C. Greco, Member

[Signature]
Traci Greco, Member

STATE OF IDAHO)
) ss.
 County of Nez Perce)

On this 14th day of March 2022, before me, a Notary Public, personally appeared Daniel G. Johnson and Kari J. Ravencroft, known or identified to me as the Mayor and City Clerk, respectively, of the City of Lewiston, and stated that they have the authority to execute this instrument on behalf of the City of Lewiston, and did execute this instrument on behalf of the City of Lewiston.



Tanya M. Brocke
 Notary Public for the State of Idaho

Commission Expires 3/11/2027

Arizona
 STATE OF IDAHO)
) ss.
 County of Maricopa)
)
 County of Nez Perce)

On this 14th day of February 2022, before me, a Notary Public, personally appeared Joseph C. Greco, known or identified to me as a Member of Greco Land Development, LLC, and stated he has the authority to execute this instrument on behalf of Greco Land Development, LLC, and did execute this instrument on behalf of Greco Land Development, LLC.



Kristen M. Taylor
 Notary Public for the State of Idaho ARIZONA

Commission Expires 03/15/2024

STATE OF IDAHO)
) ss.
 County of Nez Perce)

On this 18th day of February 2022, before me, a Notary Public, personally appeared Traci Greco, known or identified to me as a Member of Greco Land Development, LLC, and stated she has the authority to execute this instrument on behalf of Greco Land Development, LLC, and did execute this instrument on behalf of Greco Land Development, LLC.



Paula Thomas
 Notary Public for the State of Idaho

Commission Expires 11/10/2022

EXHIBIT A

**LEGAL DESCRIPTION
OF PROPERTY**

1-20-2022

**Legal Description by Hodge & Associates
For Skyview Estates, Phase III**

A parcel of land located in the Northwest Quarter of Section 24, Township 35 North, Range 5 West, Boise Meridian, Nez Perce County, Idaho, described as follows:

Commencing at the northwest corner of Section 24, Thence along the north line of the Northwest Quarter of the Northwest Quarter of Section 24 and along the centerline of Powers Avenue, S88°30'03"E, 1319.94 feet to the centerline of 23rd Street; Thence leaving said north line and the centerline of Powers Avenue, along the centerline of 23rd Street, S01°29'57"W, 309.00 feet to a point on the south boundary of Skyview Estates, Phase I, Instrument #839025, Nez Perce County Records, and the Point of Beginning.

Thence leaving said centerline, along said south boundary, S88°30'03"E, 188.31 feet to the southeast corner of Skyview Estates, Phase I;
Thence leaving said south boundary, S01°29'57"W, 331.00 feet;
Thence N88°30'03"W, 938.46 feet;
Thence S00°41'12"W, 499.38 feet to the northeast corner of Skyview Estates, Phase II, Instrument #880645, Nez Perce County Records;
Thence along the north line thereof, N89°18'48"W, 372.27 feet to the northwest corner of Skyview Estates, Phase II and to a point on the east boundary of Skyview Estates Phase I;
Thence along said east boundary, N00°41'12"E, 835.69 feet to the southwest corner of Lot 9, Block 2 of Skyview Estates Phase I;
Thence along the south line of Skyview Estates Phase I, S88°30'03"E, 1127.15 feet to the Point of Beginning.

Parcel contains 14.27 Acres, more or less.



EXHIBIT B

ILLUSTRATION OF PROPERTY

City of Lewiston

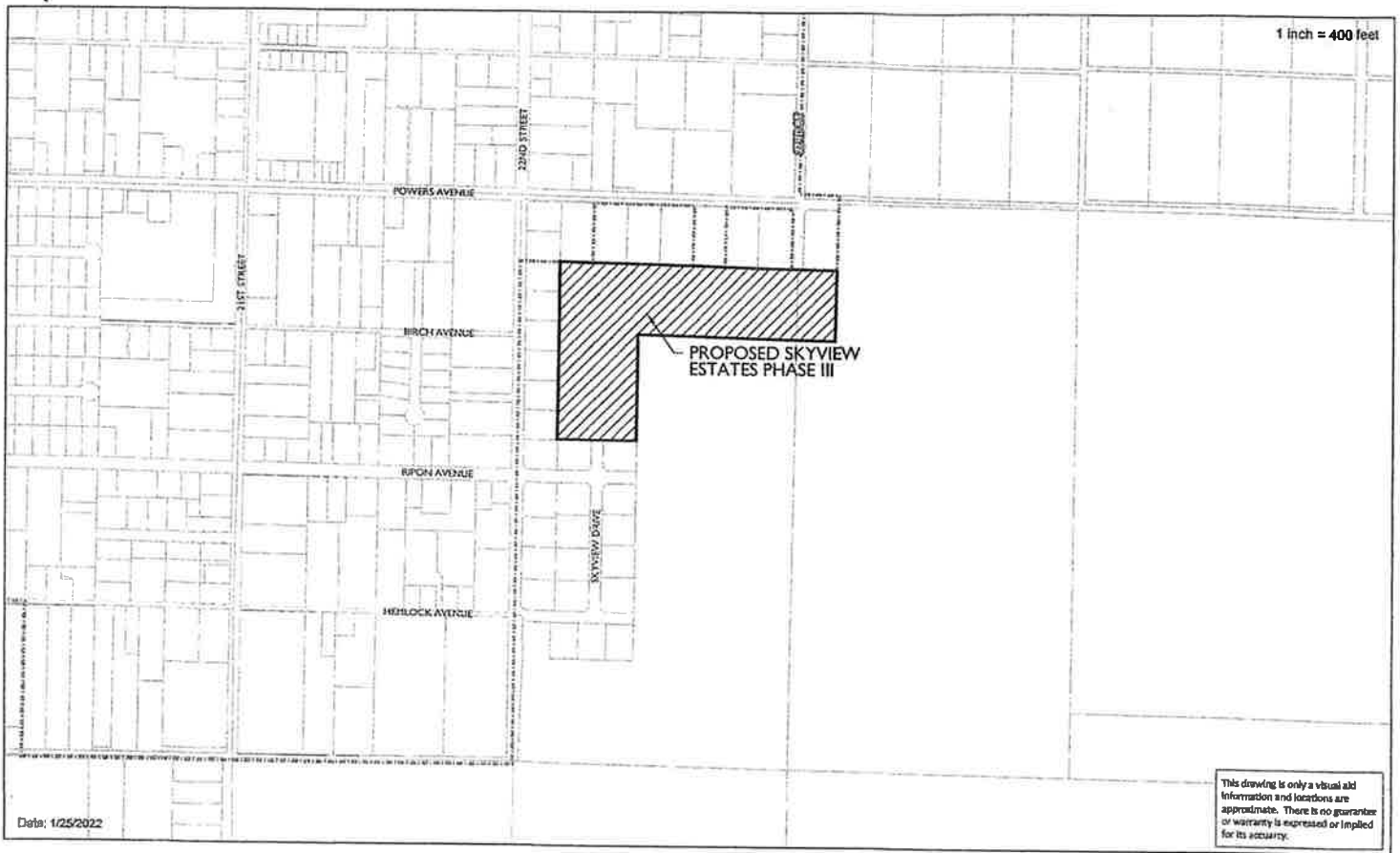


EXHIBIT C

ENGINEER CERTIFICATION

ENGINEER CERTIFICATION STATEMENT

I, _____, certify that construction observation and quality control for [project, plans with approval date] was performed under my responsible charge. It is my professional opinion that the public improvements for this project were constructed in accordance with the detailed construction plans and specifications approved by the City Engineer for the City of Lewiston or his or her designee. The submittal of as-built drawings and the attached documentation within the certification packet provide evidence to support a recommendation of acceptance of the public improvements associated with the referenced project plans and specifications.

(Engineer's Seal)

Engineer's signature

Date

12/12



CITY COUNCIL MEETING AGENDA ITEM HISTORY/COMMENTARY

ITEM TITLE Greco Annexation Agreement		AGENDA NO. _____ AGENDA DATE 3/14/22 CONSENT: ☐ ACTIVE: ☐	1ST READING _____ 2ND READING _____ 3RD/ADOPTION _____
ORIGINATING SOURCE Community Development Director <i>CM</i> March 14, 2022 Date: _____		FUNDING CERTIFICATION (IF APPLICABLE) Date: _____	
DIVISION MANAGER REVIEW (If applicable) Date: _____		DEPARTMENT MANAGER REVIEW (If applicable) Date: _____	
RECOMMENDED FOR COUNCIL ACTION	CITY MANAGER Date: _____		
ITEM HISTORY (PREVIOUS COUNCIL REVIEWS, ACTION RELATED TO THIS ITEM, OTHER PERTINENT HISTORY) Greco Land Development, LLC purchased 160 acres located at the southeast corner of Powers Avenue and 22nd Street. Over the years, the City expressed interest in annexing the two parcels, and concern over water quality impacts caused by septic systems on 1/2 acre lots. 2016- The owner expressed interest in annexing the properties and contributing to the cost of extending municipal sewer. Sewer would allow for more lots and development. 2017- Staff requested that the City Attorney draft an annexation agreement. 2017- The City Council adopted Resolution 2017-20 authorizing the preparation of an urban renewal plan to address unsanitary conditions caused by septic systems in the East Orchards. 2017- The URA closed on a 1.98 million dollar bond to construct two miles of sewer trunk main and service laterals from the east end of Clearview Pointe Drive to Powers Avenue and 23rd Street. 2017-2021 Staff and Mr. Greco and/or Mr. Greco's attorney negotiated the terms of the agreement going through a few dozen drafts. 2018- Construction of the sewer trunk main began.			



April, 2018– Phase I Skyview Estates was recorded creating 9 lots of one acre and 8 lots of approximately ½ acre in unincorporated Nez Perce County. The plat was recorded with a note as follows: *At such time as the Lewiston sanitary sewer mainline is installed in a public street adjacent to any lot, that lot owner shall be required at its own expense to (i) connect its home to the city sanitary sewage mainline and pay all applicable fees and costs including any equity buy-in or latecomer fees charged by the city, (ii) decommission its septic tank and (iii) consent to annex to the city of Lewiston.*

In early 2019, city staff called a community meeting with the Phase I property owners. They indicated they were not told they were obligated to connect to the sewer when it became available. Further, County staff did not enforce a second note on the plat that required: *The outlet of sewer lines originating at each home shall be configured horizontally and vertically so as to accommodate future connection of each lot with any future mainline sanitary sewer installed within the public street adjacent to that lot.* Septic tanks were installed in backyards to maintain a large separation from an open drainage ditch along Powers Avenue. Connection to sewer after the fact would be very disruptive and would likely impact landscaping and other surface features. The city chose to annex those properties fronting on Powers Avenue that were vacant or otherwise did not contain an approved septic system.

September, 2020- Skyview Estates Phase II was recorded creating 16 ½ acre lots in unincorporated Nez Perce County intended to be served by septic systems.

April 5, 2021–Councilman Bradbury requested that the Greco development and sewer line project be placed on an upcoming work session.

April 21, 2021- The city council discussed the matter with Mr. Greco, representatives of the County Commission and staff. At that meeting Mr. Greco indicated he would sign an agreement on Phase III only and would not contribute to the cost of the sewer mainline construction.

February 25, 2022- A signed agreement was delivered to the City Attorney.

ITEM COMMENTARY (BACKGROUND, DISCUSSION, KEY POINTS, RECOMMENDATIONS, ETC.) Please identify any or all impacts this proposed action would have on the City budget and/or personnel resources.

Approval of this agreement will allow Mr. Greco to proceed with Phase III creating 35 lots of various sizes from 10,000 square feet to 17,000 square feet. Annexation will occur after the Board of County Commission approves the final plat or one year from the Mayor's signature on this agreement, whichever comes first. Approval of the plat would follow construction and acceptance of all public improvements (roads, water, sewer, power, storm drainage, fiber etc). Exhibit C of the agreement provides for an engineer to certify that

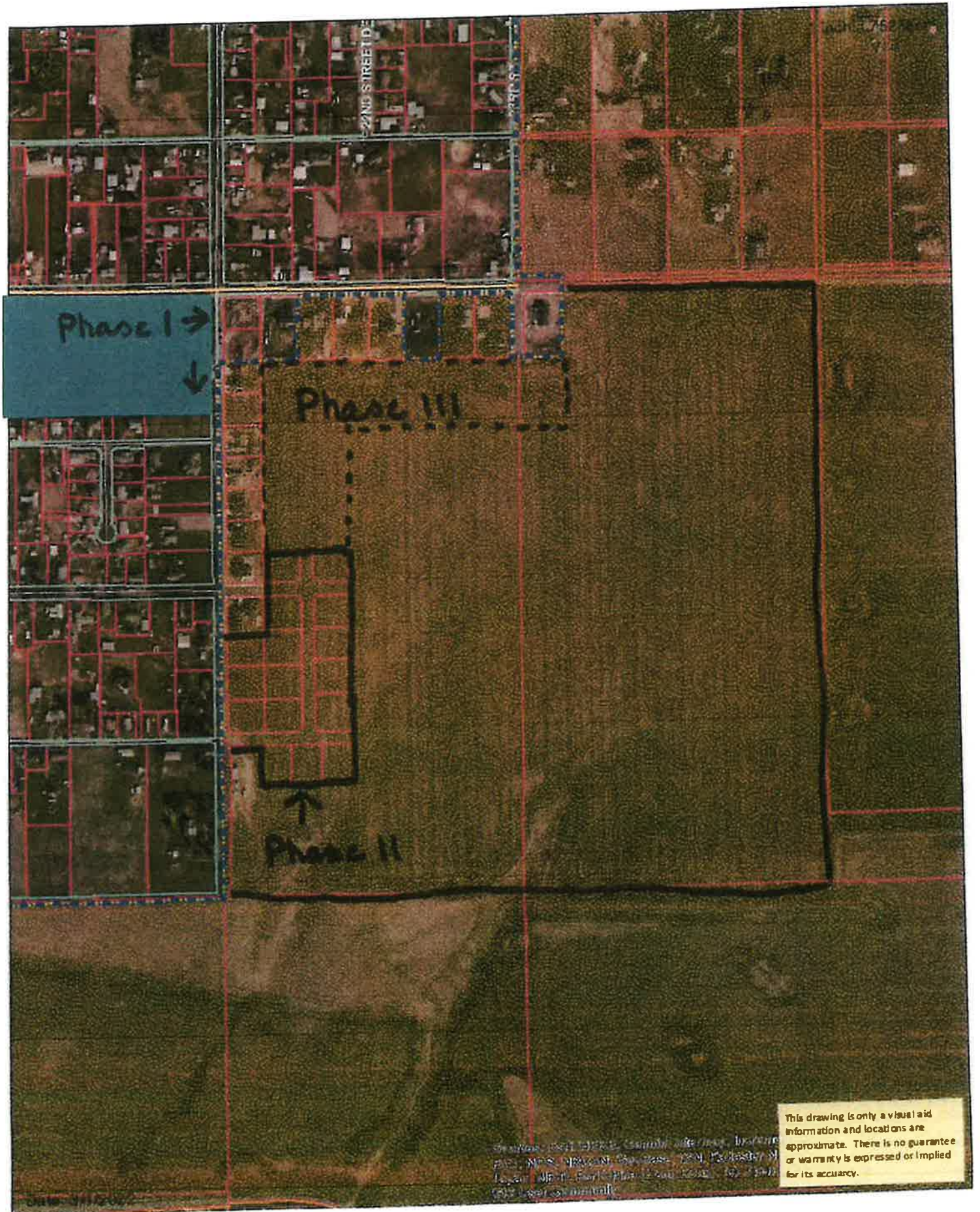


the public improvements comply with the construction drawings approved by the City Engineer. Extension of the sewer line into Skyview Estates is at the developer's expense.

As part of the annexation process, the Planning and Zoning Commission will recommend a comprehensive plan land use designation and city zoning district for the property. These matters will be finalized by the City Council following a noticed public hearing.

ACTION PROPOSED: Approve the Irrevocable Consent to Annexation and Utility Service Agreement between Greco Land Development LLC and the City of Lewiston, and authorize the Mayor to sign.

City of Lewiston



City of Lewiston



Date: 3/1/2022

Sources: Esri, HERE, Garmin, Intermap, increment
FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL
Japan, METI, Esri China (Hong Kong), (c) OpenS
GIS User Community

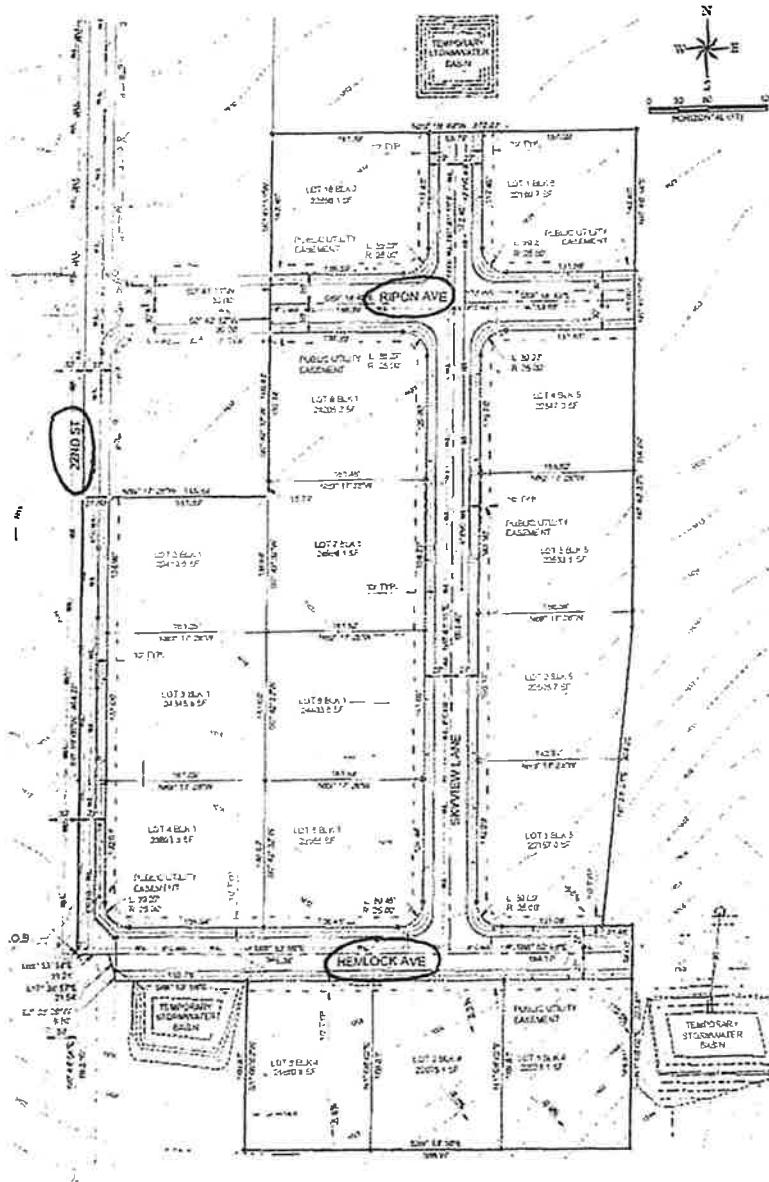
This drawing is only a visual aid information and locations are approximate. There is no guarantee or warranty is expressed or implied for its accuracy.

Skyview Estates Phase II

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Nez Perce County Planning and Zoning Commission will hold a public hearing on Tuesday, June 27, 2017, at 6:00 p.m. in the Brammer Building Conference Room, 1225 Idaho Street, Lewiston, Idaho concerning the following:

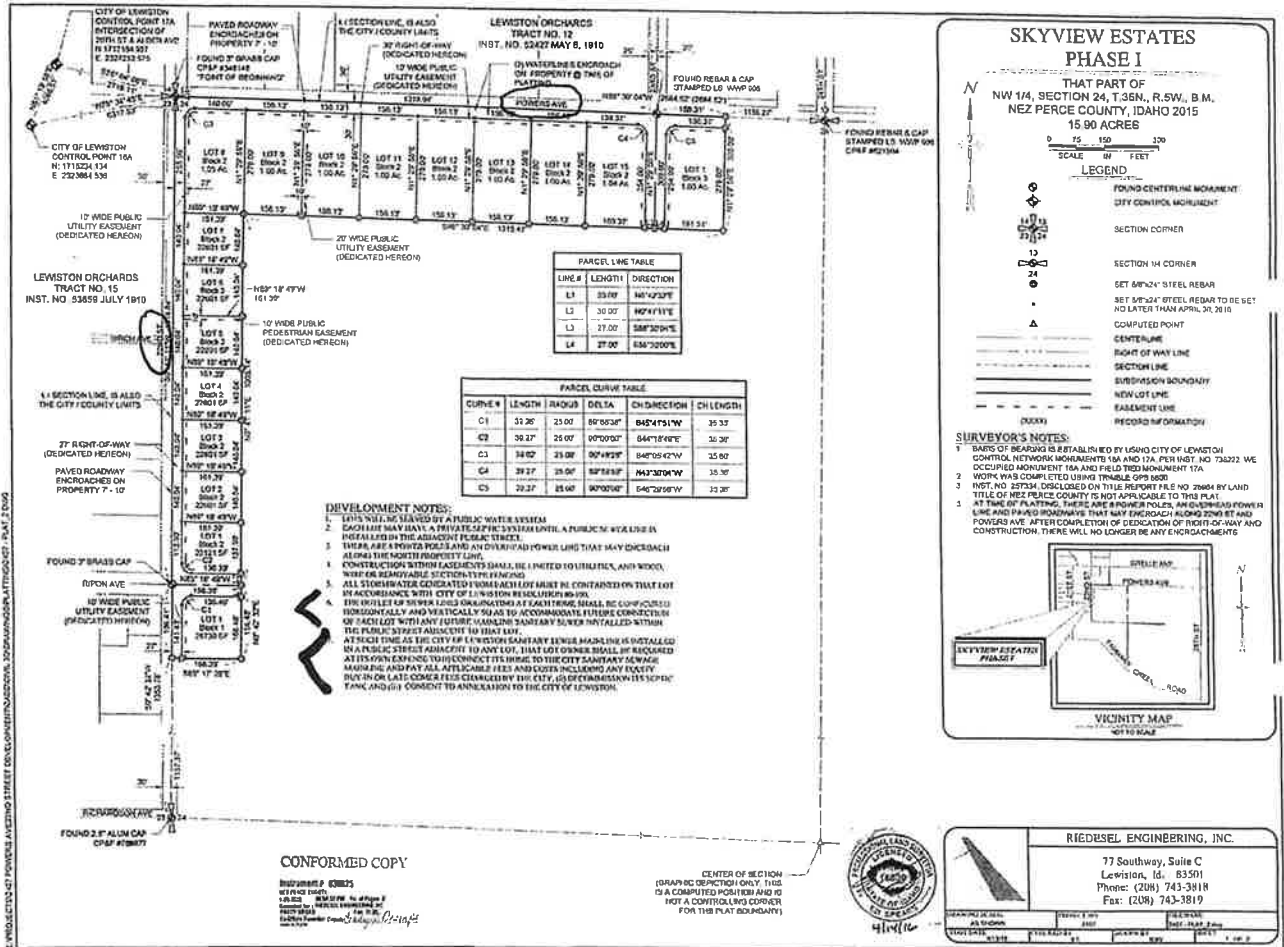
SUB2017-2 Skyview Estates Phase II – A subdivision creating 16 half-acre lots. All lots will be served by Lewiston Orchards Irrigation District domestic water, with wastewater treatment by private septic systems. Developer will construct 2500 feet of public roadway with curb, gutter, and sidewalk constructed to City of Lewiston standards. ~~Developer will construct underground power, phone, TV, and gas to each lot.~~ Tax Parcel RP35N05W243001. Greco Land Development, LLC, Property Owner.



The action above is part of a quasi-judicial process. As such, with the exception of the public hearing at which this matter will be heard, discussing an application with any member of the Nez Perce County Planning and Zoning Commission may create a conflict of interest for the member, rendering him/her ineligible to vote on the issue.

Any person or persons wishing to testify at said hearing shall appear at the date and time mentioned above. For further information, please contact Planning and Building Services at (208) 799-3197, PO Box 896, 1225 Idaho Street, Lewiston, Idaho 83501-0896.

Skyview Estates Phase I

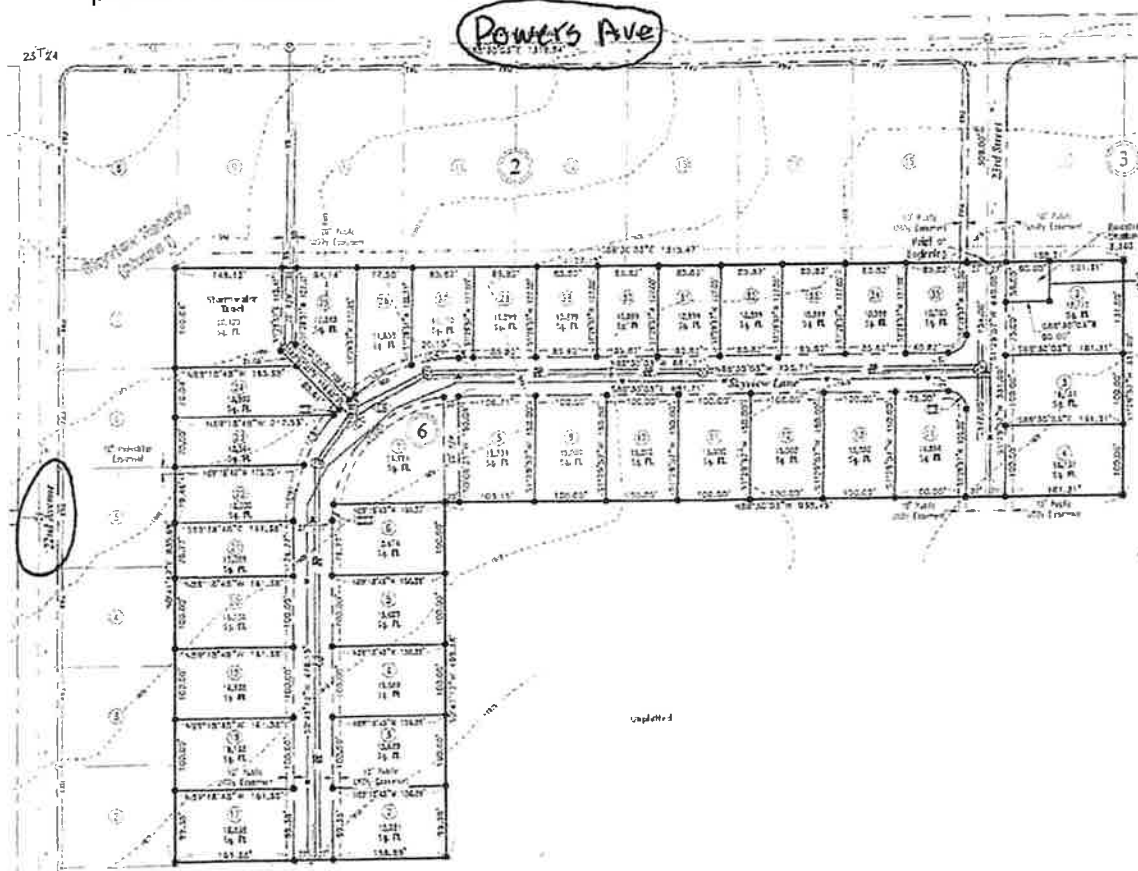


Skyview Estates Phase III

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Nez Perce County Planning and Zoning Commission will hold a public hearing on Monday, December 17, 2018, at 3:00 p.m. in the Brammer Building Conference Room, 1225 Idaho Street, Lewiston, Idaho concerning the following:

SUB2018-2 Skyview Estates Phase III – A subdivision proposal for 35 residential lots with sewer, water, and public streets, located off of Powers Avenue, Lewiston; tax parcels RP35N05W243001 & RP35N05W242402. Joe Greco, Applicant.



The action above is part of a quasi-judicial process. As such, with the exception of the public hearing at which this matter will be heard, discussing an application with any member of the Nez Perce County Planning and Zoning Commission may create a conflict of interest for the member, rendering him/her ineligible to vote on the issue.

Any person or persons wishing to testify at said hearing shall appear at the date and time mentioned above. For further information, please contact Planning and Building Services at (208) 799-3197, PO Box 896, 1225 Idaho Street, Lewiston, Idaho 83501-0896.



PLANNER'S STAFF REPORT **COMMUNITY DEVELOPMENT DEPARTMENT**

Date: 1/30/2023

Case File Number: ANX23-000001, CPA23-000001, ZNC23-000001Gre

Applicant:

Greco Land Development, LLC
2206 Hemlock Avenue
Lewiston, ID 83501

Property Owner:

Greco Land Development, LLC
2206 Hemlock Avenue
Lewiston, ID 83501

Site Location:

14.27 acres known as Skyview Estates Phase III plat, as filed with Nez Perce County, and located generally south of Powers Avenue and east of 22nd Street. Map is attached to this report.

Request/Proposal: The applicant requests that the undeveloped 14.27 acres known as Skyview Estates Phase III plat, as filed with Nez Perce County, and located generally south of Powers Avenue and east of 22nd Street, as depicted on the attached map, be removed from the Lewiston Area of City Impact and annexed into Lewiston city limits and that it be assigned a Comprehensive Plan Land Use Designation of Low Density Residential and placed in the Suburban Residential, R1, Zoning District and amending the Lewiston Area of City Impact Map accordingly.

Subject Property and Surrounding Land Uses: The subject property is 14.27 acres of vacant land that is proposed to be subdivided into 36 building lots.

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Properties to the north, west and south are also single family dwellings and property to the east is vacant land.

Related Or Other Pending Discretionary Actions:

None.

Flood Plain, Wetlands, EPA Regulated Site:

NA

Code References:

TITLE 50
MUNICIPAL CORPORATIONS
CHAPTER 2

GENERAL PROVISIONS — GOVERNMENT — TERRITORY

50-222. ANNEXATION BY CITIES. (1) Legislative intent. The legislature hereby declares and determines that it is the policy of the state of Idaho that cities of the state should be able to annex lands which are reasonably necessary to assure the orderly development of Idaho's cities in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services, to enable the orderly development of private lands which benefit from the cost-effective availability of municipal services in urbanizing areas and to equitably allocate the costs of public services in management of development on the urban fringe.

(2) General authority. Cities have the authority to annex land into a city upon compliance with the procedures required in this section. In any annexation proceeding, all portions of highways lying wholly or partially within an area to be annexed shall be included within the area annexed unless expressly agreed between the annexing city and the governing board of the highway agency providing road maintenance at the time of annexation. Provided further, that said city council shall not have the power to declare such land, lots or blocks a part of said city if they will be connected to such city only by a shoestring or strip of land which comprises a railroad or highway right-of-way.

(3) Annexation classifications. Annexations shall be classified and processed according to the standards for each respective category set forth herein. The three (3) categories of annexation are:

(a) Category A: Annexations wherein:

(i) All private landowners have consented to annexation. Annexation where all landowners have consented may extend beyond the city area of impact provided that the land is contiguous to the city and that the comprehensive plan includes the area of annexation;

(ii) Any residential enclaved lands of less than one hundred (100) privately owned parcels, irrespective of surface area, which are surrounded on all sides by land within a city or which are bounded on all sides by lands within a city and by the boundary of the city's area of impact; or

(iii) The lands are those for which owner approval must be given pursuant to subsection (5)(b)(v) of this section.

(5) Annexation procedures. Annexation of lands into a city shall follow the procedures applicable to the category of lands as established by this section. The implementation of any annexation proposal wherein the city council determines that

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annexation is appropriate shall be concluded with the passage of an ordinance of annexation.

(a) Procedures for category A annexations: Lands lying contiguous or adjacent to any city in the state of Idaho may be annexed by the city if the proposed annexation meets the requirements of category A. Upon determining that a proposed annexation meets such requirements, a city may initiate the planning and zoning procedures set forth in chapter 65, title 67, Idaho Code, to establish the comprehensive planning policies, where necessary, and zoning classification of the lands to be annexed.

TITLE 67

STATE GOVERNMENT AND STATE AFFAIRS

CHAPTER 65

LOCAL LAND USE PLANNING

67-6509. RECOMMENDATION AND ADOPTION, AMENDMENT, AND REPEAL OF THE PLAN. (a) The planning or planning and zoning commission, prior to recommending the plan, amendment, or repeal of the plan to the governing board, shall conduct at least one (1) public hearing in which interested persons shall have an opportunity to be heard. At least fifteen (15) days prior to the hearing, notice of the time and place and a summary of the plan to be discussed shall be published in the official newspaper or paper of general circulation within the jurisdiction. The commission shall also make available a notice to other papers, radio and television stations serving the jurisdiction for use as a public service announcement. Notice of intent to adopt, repeal or amend the plan shall be sent to all political subdivisions providing services within the planning jurisdiction, including school districts and the manager or person in charge of the local public airport, at least fifteen (15) days prior to the public hearing scheduled by the commission. Following the commission hearing, if the commission recommends a material change to the proposed amendment to the plan which was considered at the hearing, it shall give notice of its proposed recommendation and conduct another public hearing concerning the matter if the governing board will not conduct a subsequent public hearing concerning the proposed amendment. If the governing board will conduct a subsequent public hearing, notice of the planning and zoning commission recommendation shall be included in the notice of public hearing provided by the governing board. A record of the hearings, findings made, and actions taken by the commission shall be maintained by the city or county.

(b) The governing board, as provided by local ordinance, prior to adoption, amendment, or repeal of the plan, may conduct at least one (1) public hearing, in addition to the public hearing(s) conducted by the commission, using the same notice and hearing procedures as the commission. The governing board shall not hold a public hearing, give notice of a proposed hearing, nor take action upon the plan, amendments, or repeal until recommendations have been received from the commission. Following consideration by the governing board, if the governing board makes a material change in the recommendation or alternative options contained in the recommendation by the commission concerning adoption, amendment or repeal of a plan, further notice and hearing shall be provided before the governing board adopts, amends or repeals the plan.

(c) No plan shall be effective unless adopted by resolution by the governing board. A resolution enacting or amending a plan or part of a plan may be adopted, amended, or repealed by definitive reference to the specific plan document. A copy of the adopted or amended plan shall accompany each adopting resolution and shall be kept on file with the city clerk or county clerk.

(d) Any person may petition the commission or, in absence of a commission, the governing board, for a plan amendment at any time, unless the governing board

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has established by resolution a minimum interval between consideration of requests to amend, which interval shall not exceed six (6) months. The commission may recommend amendments to the comprehensive plan and to other ordinances authorized by this chapter to the governing board at any time.

History:

[67-6509, added 1975, ch. 188, sec. 2, p. 515; am. 1992, ch. 269, sec. 3, p. 832; am. 1999, ch. 396, sec. 5, p. 1103; am. 2010, ch. 253, sec. 1, p. 643; am. 2014, ch. 93, sec. 5, p. 256.]

TITLE 67
STATE GOVERNMENT AND STATE AFFAIRS
CHAPTER 65
LOCAL LAND USE PLANNING

67-6511. ZONING ORDINANCE. (1) Each governing board shall, by ordinance adopted, amended, or repealed in accordance with the notice and hearing procedures provided under section 67-6509, Idaho Code, establish within its jurisdiction one (1) or more zones or zoning districts where appropriate. The zoning districts shall be in accordance with the policies set forth in the adopted comprehensive plan.

(a) Within a zoning district, the governing board shall where appropriate establish standards to regulate and restrict the height, number of stories, size, construction, reconstruction, alteration, repair or use of buildings and structures; percentage of lot occupancy, size of courts, yards, and open spaces; density of population; and the location and use of buildings and structures. All standards shall be uniform for each class or kind of buildings throughout each district, but the standards in one (1) district may differ from those in another district.

(b) Within an overlay zoning district, the governing board shall establish clear and objective standards for the overlay zoning district while ensuring that application of such standards does not constitute a regulatory taking pursuant to Idaho or federal law.

(2) Ordinances establishing zoning districts shall be amended as follows:

(a) Requests for an amendment to the zoning ordinance shall be submitted to the zoning or planning and zoning commission which shall evaluate the request to determine the extent and nature of the amendment requested. Particular consideration shall be given to the effects of any proposed zone change upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction. An amendment of a zoning ordinance applicable to an owner's lands or approval of conditional rezoning or denial of a request for rezoning may be subject to the regulatory taking analysis provided for by section 67-8003, Idaho Code, consistent with the requirements established thereby.

(b) After considering the comprehensive plan and other evidence gathered through the public hearing process, the zoning or planning and zoning commission may recommend and the governing board may adopt or reject an ordinance amendment pursuant to the notice and hearing procedures provided in section 67-6509, Idaho Code, provided that in the case of a zoning district boundary change, and notwithstanding jurisdictional boundaries, additional notice shall be provided by mail to property owners or purchasers of record within the land being considered, and within three hundred (300) feet of the external boundaries of the land being considered, and any additional area that may be impacted by the proposed change as determined by the commission. Notice shall also be posted on the premises not less than one (1) week prior to the hearing. When notice is required to two hundred (200) or more property owners or purchasers of record, alternate forms of procedures which would provide adequate notice may be provided by local ordinance in lieu of

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posted or mailed notice. In the absence of a locally adopted alternative notice procedure, sufficient notice shall be deemed to have been provided if the city or county provides notice through a display advertisement at least four (4) inches by two (2) columns in size in the official newspaper of the city or county at least fifteen (15) days prior to the hearing date, in addition to site posting on all external boundaries of the site. Any property owner entitled to specific notice pursuant to the provisions of this subsection shall have a right to participate in public hearings before a planning commission, planning and zoning commission or governing board subject to applicable procedures.

(c) The governing board shall analyze proposed changes to zoning ordinances to ensure that they are not in conflict with the policies of the adopted comprehensive plan. If the request is found by the governing board to be in conflict with the adopted plan, or would result in demonstrable adverse impacts upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction, the governing board may require the request to be submitted to the planning or planning and zoning commission or, in absence of a commission, the governing board may consider an amendment to the comprehensive plan pursuant to the notice and hearing procedures provided in section 67-6509, Idaho Code. After the plan has been amended, the zoning ordinance may then be considered for amendment pursuant to paragraph (b) of this subsection.

(d) If a governing board adopts a zoning classification pursuant to a request by a property owner based upon a valid, existing comprehensive plan and zoning ordinance, the governing board shall not subsequently reverse its action or otherwise change the zoning classification of said property without the consent in writing of the current property owner for a period of four (4) years from the date the governing board adopted said individual property owner's request for a zoning classification change. If the governing body does reverse its action or otherwise change the zoning classification of said property during the above four (4) year period without the current property owner's consent in writing, the current property owner shall have standing in a court of competent jurisdiction to enforce the provisions of this section.

History:

[67-6511, added 1975, ch. 188, sec. 2, p. 515; am. 1983, ch. 121, sec. 1, p. 314; am. 1985, ch. 141, sec. 1, p. 384; am. 1987, ch. 329, sec. 1, p. 688; am. 1992, ch. 269, sec. 4, p. 833; am. 1999, ch. 396, sec. 8, p. 1105; am. 2003, ch. 142, sec. 1, p. 411; am. 2011, ch. 89, sec. 3, p. 194; am. 2013, ch. 216, sec. 1, p. 507.]

SUBURBAN RESIDENTIAL ZONE R-1

Sec. 37-18. R-1 Suburban Residential Zone. SHARE

(a) *Purpose:* To provide for agricultural or transitional area for suburban residential uses. (Ord. No. 4108, § 2, 8-15-94; Ord. No. 4249, § 6, 10-25-99)

Sec. 37-19. Uses permitted outright. SHARE

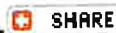
In an R-1 Zone, the following uses and their accessory uses are permitted outright, subject to the provisions of Article IV:

(1) Bed and breakfast facilities, subject to the special conditions of section [37-13.1\(1\)](#) of this code;

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- (2) Church, subject to the special conditions of section [37-20.1\(2\)](#) of this code;
- (3) Class A manufactured home;
- (4) Commercial uses legally established as of December 31, 2004, and which have maintained a valid business and occupation permit;
- (5) Family day care, subject to the special conditions of section [37-13.1\(2\)](#) of this code;
- (6) General farming, except feedlots;
- (7) Mortuary, subject to the special conditions of section [37-20.1\(1\)](#) of this code;
- (8) Park, subject to the special conditions of section [37-20.1\(4\)](#) of this code;
- (9) School, subject to the special conditions of section [37-20.1\(3\)](#) of this code;
- (10) Single-family dwelling;
- (11) Two-family dwelling. (Ord. No. 4108, § 2, 8-15-94; Ord. No. 4249, § 7, 10-25-99; Ord. No. 4385, § 1, 2-14-05; Ord. No. 4398, § 6, 1-9-06; Ord. No. 4531, § 2, 7-13-09; Ord. No. 4675, § 1, 11-28-16)

Sec. 37-20. Conditional uses permitted.



In an R-1 Zone the following uses and their accessory uses are permitted when authorized in accordance with the standards and requirements in Articles IV and IX:

- (1) *Repealed by Ord. No. 4742.*
- (2) Class B manufactured home;
- (3) Day care center, subject to the special conditions of section [37-20.1\(5\)](#) of this code;
- (4) Group day care, subject to the special conditions of section [37-13.1\(3\)](#) of this code;
- (5) Intensification, or expansion of commercial uses of ten (10) percent of the building area or more which were legally established and licensed for business and occupation;
- (6) Manufactured home park, subject to the requirements of Chapter [23](#) of this code, with a minimum area of two (2) acres and a maximum density of five and eight-tenths (5.8) units per acre;
- (7) Noncommercial kennel, subject to commercial kennel standards of section [37-163\(15\)](#) of this code;
- (8) Preschool, subject to the special conditions of section [37-20.1\(6\)](#) of this code;

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(9) Public use, or any use conducted by a private company or nonprofit organization that is substantially the same as or substantially similar to a use normally conducted by a public agency;

(10) Re-establishment of a commercial use which was legally established but where the business and occupation license has lapsed for a period not to exceed one (1) year;

(11) Replacement of a nonconforming commercial use located abutting a principal or minor arterial street, as identified in the Lewiston Comprehensive Transportation Plan, subject to standards of section [37-163](#)(17) of this code;

(12) Replacement of a nonconforming residential use not located abutting a principal or minor arterial street, as identified in the Lewiston Comprehensive Transportation Plan, subject to setback and yard requirements of the R-2 Zone;

(13) Semi-public use, or any use conducted by a private company or nonprofit organization that is substantially the same as or substantially similar to a use normally conducted by a semi-public agency. (Ord. No. 4108, § 2, 8-15-94; Ord. No. 4249, § 8, 10-25-99; Ord. No. 4322, § 5, 12-9-02; Ord. No. 4328, § 2, 3-24-03; Ord. No. 4385, § 2, 2-14-05; Ord. No. 4398, § 7, 1-9-06; Ord. No. 4531, § 2, 7-13-09; Ord. No. 4675, § 2, 11-28-16; Ord. No. 4742, § 2E, 8-19-19; Ord. No. 4799, § 2, 3-8-21)

Sec. 37-20.1. Special conditions. SHARE

(1) *Mortuary.*

(a) The size of the site is shown to be reasonable for the intended use.

(b) Access to the site meets all applicable ordinances.

(c) The abutting/adjacent properties will not otherwise be adversely affected.

(d) A site development plan is submitted for review and approval; subsequent development shall be in substantial conformance with the approved development plan.

(e) The developer of the proposed project shall contact all property owners and tenants within three hundred (300) feet of the property on which the project is planned. The notification shall provide details of the proposed development and inform those receiving notification of their opportunity to contact the community development department, in writing, within fifteen (15) days of notification with complaints or concerns about the proposed project. The developer shall provide to the community development department written verification of the notification to all property owners and tenants. If no written objections are received from those persons entitled to receive notice within fifteen (15) days of such notice, zoning approval may be granted. If any written objection to the proposed development is received within fifteen (15) days of such notice from any person entitled to notice, a conditional use permit shall be required. The developer shall apply for a conditional use permit as provided in Article IX of this chapter.

(2) *Church.*

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- (a) The size of the site is shown to be reasonable for the intended use.
- (b) Access to the site meets all the applicable ordinances.
- (c) The abutting/adjacent properties will not otherwise be adversely affected.
- (d) A church may exceed the height limitations of the zone in which it is located to a maximum of fifty (50) feet, if the total floor area of the building does not exceed one and one-half (1-1/2) times the area of the site and if the yard dimensions in each case are equal to at least two-thirds (2/3) of the height of the principal structure.
- (e) Site development plan is submitted for review and approval; subsequent development shall be in substantial conformance with the approved development plan.
- (f) The developer of the proposed project shall contact all property owners and tenants within three hundred (300) feet of the property on which the project is planned. The notification shall provide details of the proposed development and inform those receiving notification of their opportunity to contact the community development department, in writing, within fifteen (15) days of notification with complaints or concerns about the proposed project. The developer shall provide to the community development department written verification of the notification to all property owners and tenants. If no written objections are received from those persons entitled to receive notice within fifteen (15) days of such notice, zoning approval may be granted. If any written objection to the proposed development is received within fifteen (15) days of such notice from any person entitled to notice, a conditional use permit shall be required. The developer shall apply for a conditional use permit as provided in Article IX of this chapter.

(3) *School.*

- (a) The size of the site is shown to be reasonable for the intended use.
- (b) Access to the site meets all applicable ordinances.
- (c) The surrounding property will not otherwise be adversely affected.
- (d) Site development plan is submitted for review and approval; subsequent development shall be in substantial conformance with the approved development plan.
- (e) The developer of the proposed project shall contact all property owners and tenants within three hundred (300) feet of the property on which the project is planned. The notification shall provide details of the proposed development and inform those receiving notification of their opportunity to contact the community development department, in writing, within fifteen (15) days of notification with complaints or concerns about the proposed project. The developer shall provide to the community development department written verification of the notification to all property owners and tenants. If no written objections are received from those persons entitled to receive notice within fifteen (15) days of such notice, zoning approval may be granted. If any written objection to the proposed development is received within fifteen (15) days of such notice from any person entitled to notice, a conditional use permit shall be required. The developer shall apply for a conditional use permit as provided in Article IX of this chapter.

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(4) *Park.*

(a) Site development plan is submitted for review and approval to the Lewiston parks and recreation manager; subsequent development shall be in substantial conformance with the approved development plan.

(b) The site development plan shall be shown to be in substantial compliance with the park and open space master plan.

(5) *Day care center, thirteen (13) children or over.*

(a) A business license is required in accordance with Chapter [21](#) of this code.

(b) The size of the site is shown to be reasonable for the intended use.

(c) Access to the site meets all applicable ordinances.

(d) The surrounding property will not otherwise be adversely affected.

(e) Off-street parking and pick-up/drop-off area shall be provided.

(6) *Preschool.*

(a) Approval of a conditional use permit from the planning and zoning commission is required. This requires a public hearing before the planning and zoning commission.

(b) A business license is required, including a criminal history check for all employees, volunteers and people over twelve (12) years of age living on the premises.

(c) Compliance with state regulations, Uniform Building Codes and city standards is required.

(d) The size of the site is shown to be reasonable for the intended use.

(e) Parking and access to the site meet all applicable ordinances.

(f) The surrounding property will not otherwise be adversely affected. (Ord. No. 4249, § 9, 10-25-99; Ord. No. 4351, § 3, 3-15-04; Ord. No. 4692, § 11, 10-30-17)

Sec. 37-21. Lot size.

 SHARE

In an R-1 Zone, the lot size shall be as follows:

(1) For a single-family dwelling, the minimum lot area shall be ten thousand (10,000) square feet, subject to sections [32-45\(f\)\(1\)](#) and [36-103](#) of this code.

(2) For a two-family dwelling, the minimum lot area shall be fifteen thousand (15,000) square feet, subject to sections [32-45\(f\)\(1\)](#) and [36-103](#) of this code.

(3) Lot width shall be a minimum of seventy (70) feet.

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(4) Lot depth shall be a minimum of one hundred (100) feet. (Ord. No. 4108, § 2, 8-15-94; Ord. No. 4381, § 1, 1-24-05; Ord. No. 4531, § 2, 7-13-09; Ord. No. 4676, § 2, 11-28-16)

Sec. 37-22. Yards. SHARE

Except as provided in Article VIII, in an R-1 Zone yards shall be as follows:

(1) A front yard shall be a minimum of twenty (20) feet or thirty-five (35) feet from the centerline of the street, whichever is greater.

(2) A side yard shall be a minimum of ten (10) feet, except that on a corner lot the side yard on the street side shall be a minimum of fifteen (15) feet from the property line or thirty (30) feet from the centerline of the street, whichever is greater.

(3) A rear yard shall be a minimum of twenty (20) feet.

(4) Duplex dwelling units constructed as a use permitted outright in this zone and constructed so as to share a common or adjoining side wall shall be allowed to legally split into two (2) minimum seven thousand five hundred (7,500) square foot lots provided the front and rear setbacks are in compliance with this chapter and the side yard opposite the zero lot line shall be a minimum of twenty (20) feet. In no case shall the minimum width of the zero lot line be less than sixty (60) feet nor the depth less than one hundred (100) feet. (Ord. No. 4108, § 2, 8-15-94)

Sec. 37-23. Lot coverage. SHARE

Buildings shall not cover more than forty (40) percent of the lot. (Ord. No. 4108, § 2, 8-15-94)

Sec. 37-24. Height of buildings. SHARE

In an R-1 Zone, the buildings shall not exceed a height of thirty-five (35) feet. (Ord. No. 4108, § 2, 8-15-94)

Sec. 37-25. Reserved. SHARE

Editor's note – Ord. No. 4216, § 1, adopted Aug. 10, 1998, repealed § 37-25, relative to signs permitted in the R-1 Zone, which derived from Ord. No. 4108, § 2, adopted Aug. 15, 1994.

ARTICLE XII. AMENDMENTS

Sec. 37-178. Authorization to initiate amendments. SHARE

An amendment to the text of this chapter or to the official zoning map may be initiated by the council, by the commission, or by the property owner. A property owner may initiate a request for an amendment by filing an application with the community development department using forms prescribed in Article XIII. The application shall be submitted at least twenty (20) working days prior to the meeting of the planning and zoning commission at which it will be considered. (Ord. No. 4108, § 2, 8-15-94)

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Sec. 37-179. Public hearing and records of amendments. SHARE

The commission shall hold a public hearing on every requested change in zoning district boundaries in accordance with section [37-184](#) of this chapter. Its recommendations on each request zone change shall be transmitted to the city council. No zone change shall be accomplished other than by ordinance duly passed by the city council. The city clerk shall maintain records of amendments to this chapter in a form convenient for use by the public. (Ord. No. 4108, § 2, 8-15-94)

Sec. 37-180. Accordance with adopted comprehensive plan. SHARE

The commission shall evaluate a requested amendment to a zoning district to determine the nature and extent of the requested change. If it is in accord with the adopted comprehensive plan, the commission may recommend and the council may adopt or reject the requested change. The commission may request documentation of land use impacts, both existing and proposed, through studies, presentations, or other documents, and may require said documentation to be stamped and signed by professionals deemed qualified by the commission.

If the commission determines the requested change is not in accord with the adopted comprehensive plan, the commission may either deny the request or recommend to the council an appropriate amendment to the plan. The council may adopt or reject the amendment under the procedures provided in Idaho Code, Section [67-6509](#). After the plan is amended, the zoning map may be amended in conformity therewith. (Ord. No. 4108, § 2, 8-15-94; Ord. No. 4344, § 4, 11-17-03)

ARTICLE XIII. ADMINISTRATIVE PROCEDURE

Sec. 37-181. Composition of planning and zoning commission; appointments, term of members; filling of vacancies; removal of members, officers, committees; meetings; rules. SHARE

The planning and zoning commission shall consist of seven (7) members. The term of office for members shall be four (4) years. All members shall be residents of the city; provided, however, one (1) member may be a resident of the area of city impact. All members shall be appointed by the mayor and confirmed by majority vote of the council. Those members currently serving on the commission shall have their terms adjusted by the council so that the terms shall be balanced over the succeeding calendar years. Vacancies occurring through expiration of terms or otherwise shall be filled in the same manner as original appointments, said appointments being for the unexpired portion of that term. A member whose term has expired may serve until reappointed or until a qualified replacement has been appointed.

Members may be removed for cause by a majority vote of the council. Members shall be selected without respect to political affiliation and may receive reimbursement for actual expenses as provided in section [2-185](#) of this code. Members shall be deemed to be officials within the meaning of sections [2-156](#) through [2-160](#) of this code.

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The commission shall elect its own chairperson and create and fill other offices as it may determine necessary, and may establish and appoint from among its members such subcommittees as it may determine necessary to carry out its responsibilities.

At least one (1) regular meeting shall be held each month for not less than eleven (11) months in each year. A majority of the members of the commission shall be necessary to constitute a quorum at any meeting.

Written rules or bylaws consistent with Title 67, Chapter 65, Idaho Code, and other laws of this state for the transaction of business of the commission, shall be adopted with the approval of the council and a written record of meetings, hearings, resolutions, studies, findings, permits and actions taken shall be maintained. All meetings shall be open to the public pursuant to the Idaho Open Meetings Law, Title 74, Chapter 2, Idaho Code. (Ord. No. 4108, § 2, 8-15-94; Ord. No. 4502, § 1, 2-11-08; Ord. No. 4716, § 1, 6-11-18)

Comprehensive Plan:

The subject property is located in the Area of City Impact (ACI) and if annexed will be added to Neighborhood 7, East Orchards.

Relevant statements from the Comprehensive Plan include the following:

CHAPTER 6.8 AREA OF CITY IMPACT AND ANNEXED AREAS PURPOSE OF AREAS OF CITY IMPACT ACI's are transition areas between each city and the county and act as place holders for future annexation and eventual urban development. They are important because they help cities and counties carry out the purposes of planning, which include protecting property rights, ensuring that adequate public facilities and services are provided at reasonable cost, and encouraging urban type development within cities. ACIS are important tools that help coordinate growth with the availability of services. ACIs also help to concentrate density to those areas best prepared to receive new developments. This is referred to as managed growth and rules that govern it are described in §67-6526 of Idaho Code. Lewiston and Nez Perce County first adopted an ACI in 1982. The Lewiston ACI has been renegotiated since that time, most recently in 2014. The boundary is depicted on the Lewiston Area of City Impact Zoning Map.

Nez Perce County has adopted City of Lewiston zoning and development standards within the ACI boundary. For subdivision developments, three options for construction of improvements are available. Areas of City Impact Goal and Policies Goal Statement: To plan for and manage growth that protects private property rights, ensures adequate public facilities and services are provided at reasonable costs, encourage urban development within cities, and ensures that land is developed commensurate with its physical characteristics. Policies: 1. Nez Perce County should consider and weigh the needs of residents of Areas of City Impact in land use and land management decisions. 2. Nez Perce County recognizes that ACI's provide a way for cities and counties to grow in a way that maintains the quality of life for its current and future residents, prevents urban sprawl, protects critical lands, and anticipates future public service and facility needs. 3. Nez Perce County should encourage moderate to high-density

ANX23-000001, CPA23-000001, ZNC23-000001

residential and/or commercial development to locate in or adjacent to incorporated cities and communities where adequate public services are available. 4. Nez Perce County should require construction of rights-of-way and utilities when adjacent to city limits or existing public services. 5. Nez Perce County should provide reasonable alternatives to construction of rights-of-way and utilities when connections to existing public services are not available. 6. In the Lewiston ACI, Nez Perce County will require construction of all platted rights of way with adjacent development.

e. Vacant Lands Vacant lands in this neighborhood consist of lands used for pasture, land otherwise unsuitable for residential development and land awaiting development. Lands used for pasture is considered as a form of land banking for future development. The Orchards was originally platted in five acre lots. Over time, these lots began developing along the street side, leaving the centers undeveloped for use as pasture or gardens. This subdivision has continued but in many cases, the property on the interior of the large parcels is now landlocked, thus providing a resource for future development should access requirements be amended to allow full development.

h Desired Futures of Neighborhood Number Seven – East Orchards

2. Public utilities are not present in all parts of this neighborhood. Code limitations preclude significant development of lands not served. a. The serving utilities should extend public utilities to the city limits to allow proper development of the vacant lands remaining.

4. Residents of this neighborhood have strongly expressed a desire for the retention of animal rights. Whenever possible, preservation of animal rights should be retained especially along the extremities of the urban boundary. More intense agricultural uses and active farming within the city limits should be phased out over time to more urban uses.

12. In general, streets and drainage systems in this neighborhood do not meet current standards for local or collector streets. a. Site access must be improved with streets upgraded to current city standards, appropriate to the classification of the street. b. Area drainage throughout the area must be upgraded with curb, gutter and sidewalk installed and surface or underground stormwater collection systems installed.

CHAPTER 1. A VISION FOR LEWISTON IN 2020

First, people of all income groups have safe and adequate housing available; residential areas are protected from commercial incursion. A variety of housing types are provided throughout the community while respecting the development pattern of the neighborhood in which they are located.

Fourth, we respect the environment in which we live, protecting our air and water quality and the lands more suited for wildlife than for urban development. We will

ANX23-000001, CPA23-000001, ZNC23-000001

site new business and industry in those areas where they will have the least impact on our quality of life.

Sixth, we are a compact urban community, preventing sprawl and efficiently using our land resources and infrastructure, understanding that the random spread of a community wastes valuable resources while adding little to the tax base. Development will be occurring next to already developed areas, rather than in a random, leapfrog pattern and will be developed to city standards.

Powers Avenue is considered a collector street and 22nd Street is considered a local road. The sections of Powers Avenue and 22nd Street that are adjacent to the subject property were not evaluated for levels of service in the 2020 Transportation Plan, they also do not have pedestrian improvements currently and are not located on the existing transit routes.

CHAPTER 16. IMPLEMENTATION "An analysis to determine actions, programs, budgets, ordinances, or other methods including scheduling of public expenditures to provide for the timely execution of the various components of the plan."

COMMUNITY GROWTH One way the community can grow is through annexation of additional territory. This provides additional land for the community to grow; in addition, the community gains control over the surrounding lands that will affect its ability determine future uses in the area. Throughout this plan, recommended annexations have been identified. The City should take steps to begin the process of annexation of these, and other, parcels.

Input From Other Departments/Agencies:

The Fire Department commented; "Access and water supply to comply with the IFC (International Fire Code)."

The Engineering Division of the Public Works Department commented; "No objections to the planned annexation, zone change and comprehensive map update."

Analysis:

The subject property is located south of the existing Skyview Estates Phase I subdivision and to the north and east of Skyview Estates Phase II subdivision. The subdivision proposal is for 36 residential lots ranging in size from 10,813 square feet to 21,629 square feet, making all proposed lots meet the lot size standard of the Suburban Residential, R1, Zone. Two of the proposed lots are classified as flag lots and meet the standards required for that lot configuration. The Suburban Residential, R1, Zone allows single family dwellings on lots of 10,000 square feet and duplexes on lots of 15,000 square feet. The R1 Zone also allows animal rights by right, so long as the lot has at least half an acre of land to dedicate to pasture area.

The applicant signed an irrevocable consent to annexation and utility service agreement with the City of Lewiston on March 15, 2022 and subject to that

ANX23-000001, CPA23-000001, ZNC23-000001

agreement has applied for annexation into the City limits. This annexation agreement was entered into because the developer owns land located outside of City limits and within the City's area of city impact and the developer desires to connect to the City's wastewater utility (sewer system). The City agrees to provide wastewater services to the Developer for the property, provided the Developer consents to annexation into the City of Lewiston. City sewer will be extended from Powers Avenue to serve the new phase of the development and water will be provided by Lewiston Orchards Irrigation District. The subdivision for the subject property is currently under review by the Nez Perce County Board of County Commissioners (BOCC) for approval and will be finalized by the BOCC under their jurisdiction and authority prior to finalization of annexation by the City Council in accordance with the Annexation Agreement.

Relevant Criteria and Standards:

See attached worksheet.

Staff Recommendation:

Staff recommends approval of ANC23-000001, CPA23-000001, and ZNC23-000001.

Prepared By:

Katie Hollingshead
(208) 746-1318, ext. 7261
khollingshead@cityoflewiston.org
P.O.Box 617
Lewiston, ID 83501

**CITY OF LEWISTON PLANNING AND ZONING COMMISSION
REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS FOR
GRANTING OR DENIAL OF
ZONING DISTRICT BOUNDARY CHANGE/REZONE**

This document shall serve as memorialization of the rationale for the granting or denial of a zoning district boundary change/rezone, which shall be based upon relevant criteria and standards, including the Lewiston Comprehensive Plan, Lewiston City Code, and Idaho Code. See I.C. § 67-6535.

I. APPLICATION NUMBER:
ZNC23-000001

II. APPLICANT'S NAME AND ADDRESS:
Greco Land Development, LLC
2206 Hemlock Avenue
Lewiston, ID 83501

Lewiston Orchards Irrigation District
1520 Powers Avenue
Lewiston, ID 83501

III. IDENTIFICATION AND/OR LOCATION OF SUBJECT PROPERTY:
Approximately 14.27 acres known as Skyview Estates Phase III plat, as filed with Nez Perce County, and the Lewiston Orchards Irrigation District booster station that will service Skyview Estates Phase III plat, and located generally south of Powers Avenue and east of 22nd Street.

IV. DATE OF PUBLIC HEARING:
February 8, 2023 and March 22, 2023

V. NAME OF HEARING BODY:
Lewiston Planning and Zoning Commission

VI. NATURE OF APPLICATION:
Rezone subject property from Area of City Impact (Nez Perce County) Suburban Residential, R-1A, Zone to City of Lewiston Suburban Residential R-1, Zone.

VII. DECISION:
The Lewiston Planning and Zoning Commission recommends **APPROVAL** of ZNC23-000001 to the Lewiston City Council.

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS
FOR ZNC23-000001

Page 1 of 4

VIII. RELEVANT CONTESTED FACTS RELIED UPON:

The relevant contested facts relied upon are: None

IX. RELEVANT CRITERIA AND STANDARDS:

The following relevant criteria, standards, facts, and considerations are hereby declared as reasons for the decision on this zoning district boundary change/rezone:

1. The proposed rezone is in general conformance with the Lewiston Comprehensive Plan. Applicable commentary:

The subject property is in Lewiston Comprehensive Plan (Plan) Neighborhood Number 7, Area of City Impact, and recognized as being appropriate for annexation into the City of Lewiston for suburban residential development. The Plan provides, in relevant part, that "ACI's are transition areas between each city and the county and act as place holders for future annexation and eventual urban development." (Chapter 6.8). Further, the Plan states that "ACI's are important tools that help coordinate growth with the availability of services... to concentrate density to those areas best prepared to receive new developments." (Chapter 6.8).

The subject property is proposed to be located in Neighborhood Number 7, East Orchards, and designated on the Future Desired Land Use Map as Suburban Residential, which provides that serving utilities should extend public utilities to the city limits to allow proper development of vacant lands (Chapter 6.7.h.2). The subject property is adjacent to existing sewer utilities, and the applicant has installed and transferred ownership of a water booster station in conjunction with Lewiston Orchards Irrigation District (LOID) standards to serve the subdivision. The extension of the sewer utilities and addition of the water booster station are in conformance with the desired futures of Neighborhood Number 7, East Orchards, which the subject property will reside in.

The proposed rezone is also consistent with the Goal Statement of Chapter 6.8 of the Plan, Area of City Impact and Annexed Ares, which is: "To plan for and manage growth that protects private property rights, ensures adequate public facilities and services are provided at reasonable costs, encourage urban development within cities, and ensures that land is developed commensurate with its physical characteristics."

ZNC23-000001 is found to be consistent with the Lewiston Comprehensive Plan and will further the goals and objectives stated above in the Lewiston Comprehensive Plan.

2. The subject property is at least as well suited or is better suited for the proposed zoning district than the existing zoning district. Applicable commentary:

The subject property is adjacent to existing Suburban Residential, R-1, Zone on the north and west sides of the property. The purpose of the Suburban Residential, R-1, Zone is, "[t]o provide for agricultural or transitional area for suburban residential uses." (LCC Sec. 37-18).

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

FOR ZNC23-000001

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All of the proposed lots within the subject property meet the dimensional and lot area standards of the Suburban Residential, R-1, Zone.

Further, the subject property is better suited for the proposed City of Lewiston Suburban Residential, R-1, Zone than the existing zoning designation because it will further the goals and objectives stated in the Plan. The subject property has thus been recommended by the Planning and Zoning Commission for annexation by City Council into the City of Lewiston.

3. The proposed rezone **does not** present foreseen, immitigable impacts of incompatible uses or development being located in the same vicinity. Applicable commentary:

The subdivision approved by Nez Perce County associated with ZNC23-000001 is for thirty-six (36) residential lots ranging in size from 10,813 square feet to 21,629 square feet, and the LOID booster station servicing the subdivision. The Suburban Residential, R-1, Zone allows single family dwellings on lots of 10,000 square feet and duplexes on lots of 15,000 square feet. (LCC Sec. 37-21). All proposed lots within the subdivision meet the lot size standards of the Suburban Residential, R-1, Zone. Two of the proposed lots classified as flag lots meet the standards required for that lot configuration. Properties to the north, west, and south of the subject property currently contain single family dwellings. The by right uses, conditional uses, and development standards of the proposed Zone are exactly the same as those applicable to the other properties in the neighborhood that are within city limits, and are substantially similar to those applicable to the other properties within the area that remain within the ACI.

4. The effects of the proposed rezone **are not** anticipated to place undue burden upon delivery of services provided by any political subdivision within the planning jurisdiction, including school districts. Applicable commentary:

Political subdivisions were notified of the proposed rezone. City departments and the LOID provided comments. The Fire Department stated that access and water supply is to comply with the International Fire Code. The Public Works Department – Engineering Division had no objections. The LOID commented that the Developer had already installed a water booster station designed to meet the fire flow requirements of the Fire Department, and was currently serving both Phase I & II of the Skyview Estates development.

5. The size, type, intensity, and density of development expected to occur on the subject property as a result of this rezoning **is** suitable for the area and **will not** unduly burden the neighborhood, public infrastructure, or environmental resources. Applicable commentary:

The characteristics of the proposed rezone are similar in type and density to the existing surrounding neighborhood, and will be zoned Suburban Residential, R-1, Zone. The Developer has entered into an annexation agreement with the City, in which the City agreed to provide wastewater services to the Developer for the subject property, provided the Developer consented to annexing the subject property into the City of Lewiston. City sewer will be extended from Powers Avenue to serve the subject property. The LOID will provide

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS
FOR ZNC23-000001

Page 3 of 4

water to the subject property. Furthermore, the by right uses, conditional uses, and development standards of the proposed Zone are exactly the same as those applicable to the other properties in the neighborhood that are within city limits, and are substantially similar to those applicable to the other properties remaining within the ACI.

Pursuant to Idaho Code § 67-6519(5)(c), if the decision on this application is to deny it and the applicant could not take actions to obtain approval, the explanation is: Not Applicable.

Pursuant to Idaho Code § 67-6519(5)(c), if the decision on this application is to deny it and the applicant could take actions to obtain approval, such actions might include: Not Applicable.

NOTICE TO APPLICANT: Every final decision rendered shall provide or be accompanied by notice to the applicant regarding the applicant's right to request a regulatory taking analysis pursuant to Idaho Code § 67-8003. The mailing of a signed and dated copy of this document by the City to the applicant shall constitute compliance with such notice requirement. An applicant denied an application or an affected person aggrieved by a final decision concerning matters identified in Idaho Code § 67-6521(1)(a) may, within twenty-eight (28) days after all remedies have been exhausted under local ordinance, seek judicial review under the procedures provided by Title 67, Chapter 52, Idaho Code.

An action or ruling by the Planning and Zoning Commission pursuant to the City of Lewiston Zoning Code may be appealed to the Lewiston City Council by the person who initiated the action before the Planning and Zoning Commission or by any person entitled to notice by mail of the action under section 37-184(b)(2) of the City of Lewiston Zoning Code. Such appeal must be filed within fifteen (15) calendar days after the Planning and Zoning Commission has adopted its written Reasoned Statement of Relevant Criteria and Standards. Written notice of the appeal must be filed with the City Clerk within such fifteen (15) day period. If an appeal is not filed and the fee required by section 37-188 of the City of Lewiston Zoning Code is not deposited with the City Clerk within such fifteen (15) day period, the decision of the Planning and Zoning Commission shall be final.

By: _____

Signature of Planning and Zoning Commission Chair or Vice Chair or Acting Chair

Printed: _____

Date of Signature: _____

ATTEST: _____

Dawn Ortiz, Community Development Specialist

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS
FOR ZNC23-000001

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RESOLUTION NO. 2023-02-025

A RESOLUTION APPROVING A SUBDIVISION DEVELOPMENT AGREEMENT BY AND BETWEEN NEZ PERCE COUNTY AND GRECO LAND DEVELOPMENT, LLC, AND FURTHER PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is the desire of Nez Perce County to enter into a Subdivision Development Agreement with Greco Land Development, LLC, such Subdivision Development Agreement relating to the terms and conditions of approval of a final plat for the Skyview Estates Phase III, a copy of said Subdivision Development Agreement being attached hereto.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

Section 1: The Nez Perce County Board of Commissioners having reviewed the aforesaid Subdivision Development Agreement between Nez Perce County and Greco Land Development, LLC, approves the terms and conditions thereof, and authorizes execution on behalf of Nez Perce County.

Section 2: This Resolution shall take effect and be in force from and after its passage and approval.

This Resolution is duly approved and adopted by the Board of Nez Perce County Commissioners on the 30th day of February, 2023.

Instrument # 905495

NEZ PERCE COUNTY

2-3-2023 12:28:20 PM No. of Pages: 21

Recorded for : NEZ PERCE COUNTY COMM

PATTY WEEKS

Ex-Officio Recorder Deputy

Index to: RESOLUTIONS

Fee: 0.00

[Signature]

BOARD OF COUNTY COMMISSIONERS
Nez Perce County, Idaho

BY:

[Signature]
DON H. BECK JR., Chairman

Nez Perce County Commissioner

[Signature]
DOUGLAS W. HAVENS, Member
Nez Perce County Commissioner

[Signature]
DOUGLAS A. ZENNER, Member
Nez Perce County Commissioner

ATTEST:

[Signature]
PATTY O. WEEKS
Clerk, Nez Perce County, Idaho

AGREEMENT

This Subdivision Development Agreement is made and entered into this 3rd day of Feb, 2023, by and between Greco Land Development, LLC, an Idaho limited liability company, party of the first part, referred to herein as "Greco" or "Developer", and Nez Perce County, a body of politic of the State of Idaho, by and through the Nez Perce County Board of Commissioners, referred to herein as "County".

WITNESSETH

WHEREAS, Developer has applied to County for approval of a Final Plat ("Final Plat") for a subdivision entitled "Skyview Estates Phase III" (the "Subdivision"), which Final Plat is more particularly described and identified in **Exhibit A**, attached hereto and incorporated by reference; and

WHEREAS, subject to the terms hereof, County is prepared to approve the Final Plat, and desires to ensure that the improvements required by the County's ordinances ("Subdivision Improvements") are fully met; and

WHEREAS, County and Developer anticipate completion of Subdivision Improvements according to plans and specifications developed by an engineer licensed in the State of Idaho ("Plans and Specifications"), which plans and specifications are more particularly described and identified in **Exhibit B**, attached hereto and incorporated by reference; and

WHEREAS, Developer has presented this Agreement to County as consideration for County's approval of the Final Plat.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained hereinafter, the parties hereto agree as follows:

1. This Agreement is expressly mutually conditioned upon the approval of and execution by the County Board of Commissioners of the Final Plat, and the approval of and execution by the County Board of Commissioners and Developer of this Agreement.

2. Developer represents to County that the Subdivision improvements set forth in the Plans and Specifications are in full compliance with the County's ordinances as well as the Irrevocable Consent to Annexation and Utility Service Agreement. Developer agrees to install the Subdivision improvements set forth in the Plans and Specifications at its own cost on or before 4-15-2023. All Subdivision Improvement work shall be completed in a workmanlike manner, in conformance with the Plans and Specifications and in compliance with all applicable laws, ordinances and/or regulations. Extensions of time may be granted by the Board of County Commissioners in its discretion.
3. Upon completion of stages of improvement work and upon final completion, Developer shall provide to County, at its own expense, written, stamped certification by an engineer, licensed in the State of Idaho, that such Subdivision Improvements were constructed in accordance with the Plans and Specifications. The County may elect to treat as incomplete any subdivision in which the Developer does not meet this requirement.
4. It is expressly understood and agreed that nothing in this Agreement shall limit the responsibility of the Developer to comply with all laws, ordinances, rules, and/or regulations applicable to the Subdivision Improvements.
5. All Subdivision Improvements may be inspected by a representative of the County during construction or upon completion. County shall have the right to inspect under this Agreement for informational purposes only, but any such inspection shall not operate to relieve Developer of any duty to complete the Subdivision Improvements according to the Plans and Specifications and this Agreement. Furthermore, any such inspections shall not result in a waiver of any requirements under this Agreement.
6. In accordance with the requirements of applicable laws, ordinances, rules and/or regulations relating to platting and recording of subdivisions in the unincorporated areas of Nez Perce County, Developer has furnished to County, upon execution of this Agreement, an original signed acceptable financial guarantee in the form of an Irrevocable Letter of Credit ("LOC"), an unsigned copy of which said Letter of Credit is set forth in **Exhibit C** attached hereto and incorporated by reference, which said original signed Letter of Credit shall be in the amount of \$1,110,226.73. Said sum is equal to one hundred and twenty percent (120%) of the estimated cost of installing Subdivision Improvements (as verified by competitive bid made available to County) all as approved or verified by the County, and agreed to by Developer.
7. Developer, by its signature below, represents that it has provided accurate and complete information to County regarding the costs of Subdivision Improvements.
8. In the event the Subdivision is not completed according to this Agreement, applicable law, and/or the Plans and Specifications, County may reasonably

exercise all rights under this Agreement, the financial guarantee, and Nez Perce County Ordinances, to complete the Subdivision Improvements in accordance with the Plans and Specifications and in a commercially reasonable manner. It is understood and agreed that this paragraph does not obligate County to complete the Subdivision Improvements but does, as security for performance of this Agreement, authorize County to complete the Subdivision Improvements according to the Plans and Specifications. The County shall account to Developer for all funds expended and for all funds drawn under any security offered hereunder.

9. Time is of the essence in this Agreement.
10. This Agreement shall be binding upon the successors and assigns of the parties.
11. In the event Developer defaults in any of the terms and conditions of this Agreement, Developer agrees to pay all costs of enforcing this Agreement, including but not limited to, reasonable attorney fees and costs incurred by County, whether or not the matter is finally resolved by litigation.

WHEREFORE, the parties hereto have signed this Agreement effective as of the day and year first written.

DEVELOPER

Greco Land Development, LLC

By: Joseph C. Greco POA
Joseph C. Greco, Authorized Member

NEZ PERCE COUNTY

By: Douglas W. Hayens
Doug Hayens, Commissioner
Nez Perce County Board of Commissioners

By: Douglas R. Zenger
Doug Zenger, Commissioner
Nez Perce County Board of Commissioners

By: Don H. Beck
Don Beck, Chairman
Nez Perce County Board of Commissioners

STATE OF IDAHO)

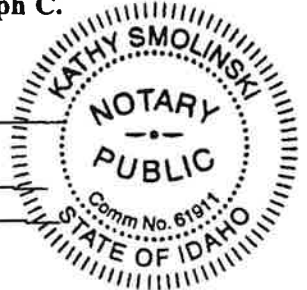
) ss.

County of Nez Perce)

Jacob Greco PDA for

This record was acknowledged before me on February 3, 2023, by Joseph C. Greco, Authorized Member of Greco Land Development, LLC.

Kathy Smolinski
 NOTARY PUBLIC FOR STATE OF IDAHO
 Residing at: Lewiston
 Commission expires: 8/1/25



STATE OF IDAHO)

) ss.

County of Nez Perce)

This record was acknowledged before me on February 3, 2023, by Doug Havens, Commissioner, Nez Perce County Board of Commissioners.

Kathy Smolinski
 NOTARY PUBLIC FOR STATE OF IDAHO
 Residing at: Lewiston
 Commission expires: 8/1/25



STATE OF IDAHO)

) ss.

County of Nez Perce)

This record was acknowledged before me on February 3, 2023, by Doug Zenner, Commissioner, Nez Perce County Board of Commissioners.

Kathy Smolinski
 NOTARY PUBLIC FOR STATE OF IDAHO
 Residing at: Lewiston
 Commission expires: 8/1/25



STATE OF IDAHO)

) ss.

County of Nez Perce)

This record was acknowledged before me on February 3, 2023, by Don Beck, Chairman, Nez Perce County Board of Commissioners.

Kathy Smolinski
 NOTARY PUBLIC FOR STATE OF IDAHO
 Residing at: Lewiston
 Commission expires: 8/1/25



Thence, identified section, along said boundary, S88°50'03"E, 27.00 feet to the northwest corner at a point of land described in Quiltsboro tract, Instrument #6994902, 1st Pines County, Nevada; thence, the west line of said parcel, S01°28'37"W, 36.00 feet to the southeast corner of said parcel, S88°50'03"E, 40.00 feet to the southeast corner thereof;

Thence along the east line of said parcel, N01°29'57"E, 36.00 feet to the northeast corner thereof and to a point on the east boundary of Sycamore Estates, Phase 3 as shown on the attached Plan 11;

Thence along the east boundary of Sycamore Estates, Phase 3 as shown on the attached Plan 11, S88°50'03"E, 101.20 feet to the southeast corner of said parcel, S88°50'03"E, 36.00 feet to the southeast corner of said parcel, S01°28'37"W, 36.00 feet;

Thence along said east boundary, N00°41'12"E, 835.49 feet to the southeast corner of Lot 6, Block 2, of Sycamore Estates, Phase 3 as shown on the attached Plan 11;

Thence along said east boundary, N00°41'12"E, 835.49 feet to the southeast corner of Lot 5, Block 2, of Sycamore Estates, Phase 3 as shown on the attached Plan 11;

Thence along the east line of Sycamore Estates, Phase 3, S88°50'03"E, 1157.15 feet to the point of beginning.

Legal description (4.4.1) Adequate, more or less.

HOW ALL PARTIES BY THEIR PRESENT, THAT CERTAIN LAND DEVELOPMENT, HAS AND HAVE FULLY RECEIVED COMPASSION IN THE LOCAL OWNER OF THE LANDS DESCRIBED HEREIN AND CERTAIN NEARBY CERTAIN THAT IT WILL, SUBSEQUENT AND PROPERTY AS INDICATED BY THIS DOCUMENT, TO BE KNOWN AS STRONG ESTATES, PLACED IN THEREAFTER OBTAIN LAND DEVELOPMENT, LLC HEREBY CONSENTS TO THE COUNTY OF MEZ AND DOES HEREBY STIPENDS TO THESE KIND OF WAYS AS SHOWN AND NOTED ON THE PLAT AND DOES HEREBY REQUEST TO THE COUNTY OF MEZ PREFER, THOSE CARRIAGES AS SHOWN ON THE PLAT, IN WITNESS WHEREOF, THE UNDERSIGNED HAVE SET THEIR HANDS

JOSEPH GILLES MEMBER OF GINCO LAND DEVELOPMENT LLC	DATE
TRACY L. GILLES MEMBER OF GINCO LAND DEVELOPMENT LLC	DATE

STATE OF IDAHO)
COUNTY OF NEZ PERCE)
ACKNOWLEDGEMENTS
ON THIS _____ DAY OF _____, 2022, BEFORE ME PERSONALLY
APPEARED JOSEPH GREGG AND TRACI L. GREGG, KNOWN TO ME TO BE MEMBERS OF GREGG
BROS. OF GREGG AND DEVELOPMENT LLC AND ACKNOWLEDGED TO ME THAT GREGG LAND
DEVELOPMENT LLC EXERCISED THE SALE.
NOTARY PUBLIC IN AND FOR THE STATE OF IDAHO
REIGNING AT _____
MY COMMISSION EXPIRES _____

NOT RECD. DIRECTOR _____ DATE _____

DATE

ACCEPTANCE BY HILL PENCE COUNTY OF THE DEDICATION OF PUBLIC RIGHT-OF-WAY SHOWN ON THIS PLAN DOES NOT CONSTITUTE ACCEPTANCE FOR MAINTENANCE OR IMPROVEMENT BY THE COUNTY OF ANY STREET OR FACILITY THEREON, OUTLINED TO BE, IN ACCORDANCE WITH THE PROVISIONS OF POLICES, STANDARDS, SPECIFICATIONS ADOPTED FOR ROADS AND STREETS BY HILL PENCE COUNTY, SUCH STREETS OR FACILITIES, IS SUBSEQUENTLY APPROVED TO SAID COUNTY STANDARDS, MAY BE ACCEPTED FOR MAINTENANCE BY THE COUNTY THROUGH SEPARATE ACTION OF THE BOARD OF COUNTY COMMISSIONERS.

I HEREBY CERTIFY THAT THIS PLAY AND PRODUCTIONS SHOWN HEREON
HAVE BEEN APPROVED BY THE BOARD OF COMMISSIONERS OF HENRICH COUNTY, MISSISSIPPI, HELD ON THE _____ DAY OF _____, 20____.

DATE

HENRICH COUNTY
BOARD OF COMMISSIONERS

PUBLIC HEALTH - IDAHO NORTH CENTRAL DISTRICT

[illegible]

Signature _____ Date _____

UTILITY SERVICE INFORMATION
WATTE LEWISTON ORCHARDS IRRIGATION DISTRICT (LOD),
SEVENTH CITY OF LEWISTON.

1. SCOTT BECAME A PROFESSIONAL ENGINEER IN THE STATE OF IOWA, LICENSE NO 13384. DO HEWEY CERTIFY THAT THE ROADS AND STORM DRAINAGE IMPROVEMENTS WERE DESIGNED, BUILT OR SUPERVISED BY AN ENGINEER OR ARCHITECT WHOSE NAME IS NOTED, MEETING OR EXCEEDING THE MINIMUM STANDARDS OF THE ILL. FENCE COUNTY SUPERVISION ORDINANCE, NO. 92a.

SUBDIVISION ORDINANCE NO. 02a

6. MICHAEL E. DABNIN, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF IOWA, LICENSE NO. 17534, DO HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN ACCORDANCE WITH TITLE 50, CHAPTER 13 AND TITLE 55, CHAPTER 15 OF IOWA CODE, THAT THE INFORMATION SHOWN IS CORRECT AND THAT ALL MONUMENTS HAVE BEEN SET OR BOUND TO BE SET AFTER CONSTRUCTION OF THE PLAT IS COMPLETE. I FURTHER CERTIFY THAT THE ROAD RIGHT-OF-WAYS COMPLY WITH THE REQUIREMENTS OF THE NINTH JUDICIAL COUNTY SUBDIVISION ORDINANCE NO. 824.

WITH THE REQUIREMENTS OF THE MEZ PECT COUNTY SUBDIVISION ORDINANCE NO. 92a

MICHAEL E. DABHEIN, PLS #17534

DATE

1. A PROFESSIONAL LAND SURVEYOR IN THE STATE OF IOWA LICENSE NO. _____ DO HEREBY CERTIFY THAT I HAVE REVIEWED THE PLAT AND ITS CONTAINMENTS THEREON AND HAVE DETERMINED THAT IT COMPLEIES WITH THE PLAT PLAT REQUIREMENTS OF THE NEZ PACE COUNTY SURVEYORSHIP ORDINANCE NO. 788 AND IOWA CODE TITLE 90, CHAPTER 13 AND TITLE 55, CHAPTER 18 OF IOWA CODE.

CODE TITLE 50, CHAPTER 13 AND TITLE 55, CHAPTER 18 OF IDAHO CODE.

WILL PENCE COUNTY SHERIFF

5715

COUNTY TREASURER IN AND FOR THE COUNTY OF
HICKORY, I DO hereby certify
THAT ANY AND ALL CURRENT AND DELINQUENT COUNTY PROPERTY TAXES, ALL VALUATION
TAXES AND ASSESSMENTS FOR THE PROPERTY SHOWN HEREON DESCRIBED, HAVE BEEN PAID
IN FULL FOR THE YEAR 20____ AND PRECEDING YEARS, THIS CERTIFICATION IS VALID FOR THE
NEXT THIRTY (30) DAYS ONLY.

NEXT THIRTY (30) DAYS ONLY.

COUNTY TREASURER

557

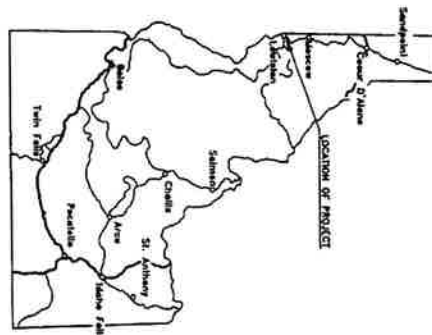
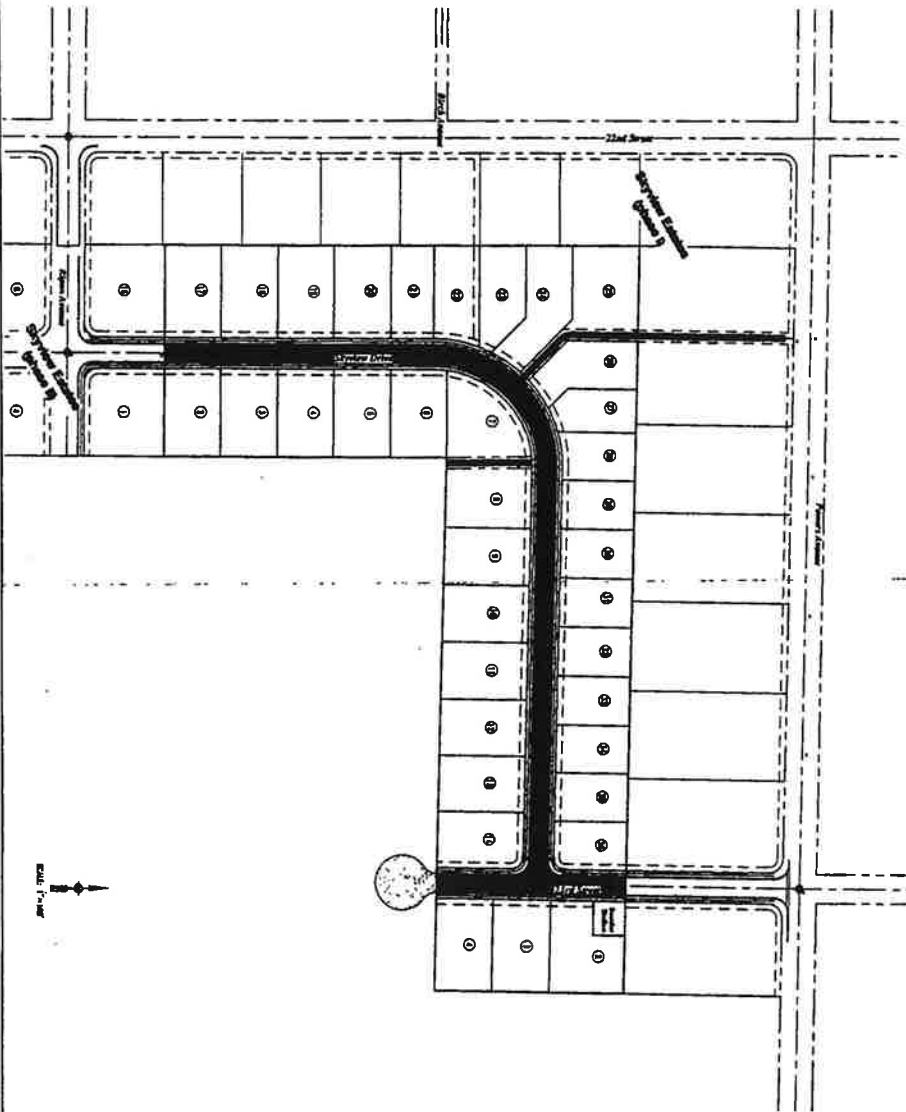
Skyview Estates, Phase III

Nez Perce County, Idaho
Greco Land Development, LLC

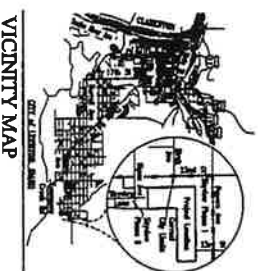
Directed by:	SW
Checked by:	WED
The Matrix:	4002-06-18
Tab:	Sign
Plot Style	OCE:ats
Project:	4002-06-18
Date:	8/18/22

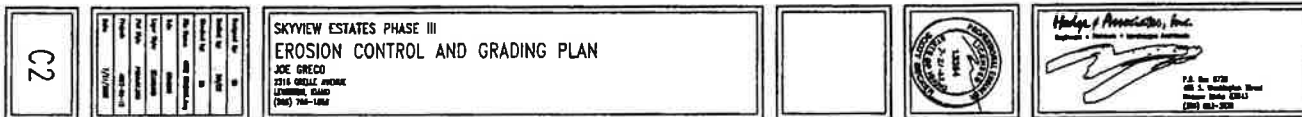
DRAWING INDEX

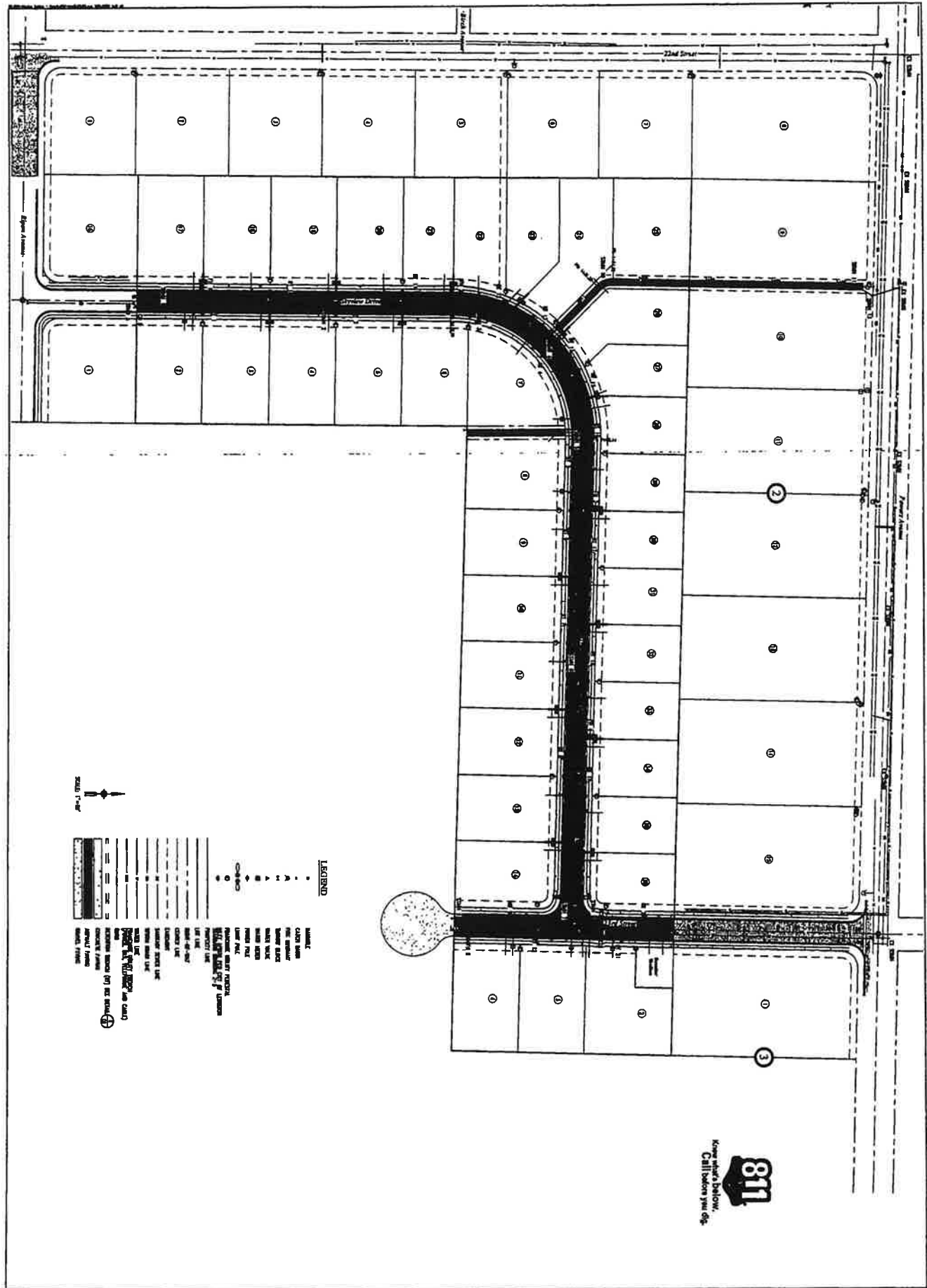
C1	STATION CONTROL AND CARRIER PLANT
C2	CHART LOGS, PLANT
C3	PLANT AND POWER SERVICE - 2400 BOLD ST. 313M
C4	PLANT AND POWER SERVICE - 501 1/2 BOLD ST. 1040M
C5	PLANT AND POWER SERVICE - 501 1/2 BOLD ST. 1040M
C6	PLANT AND POWER SERVICE - 501 1/2 BOLD ST. 1040M
C7	PLANT AND POWER SERVICE - 501 1/2 BOLD ST. 1040M
C8	PLANT AND POWER SERVICE - 501 1/2 BOLD ST. 1040M
C9	PLANT AND POWER SERVICE - 501 1/2 BOLD ST. 1040M
C10	PLANT AND POWER SERVICE - 501 1/2 BOLD ST. 1040M
C11	PLANT AND POWER SERVICE - 501 1/2 BOLD ST. 1040M
C12	PLANT AND POWER SERVICE - 501 1/2 BOLD ST. 1040M



811
Know what's below.
Call before you dig.







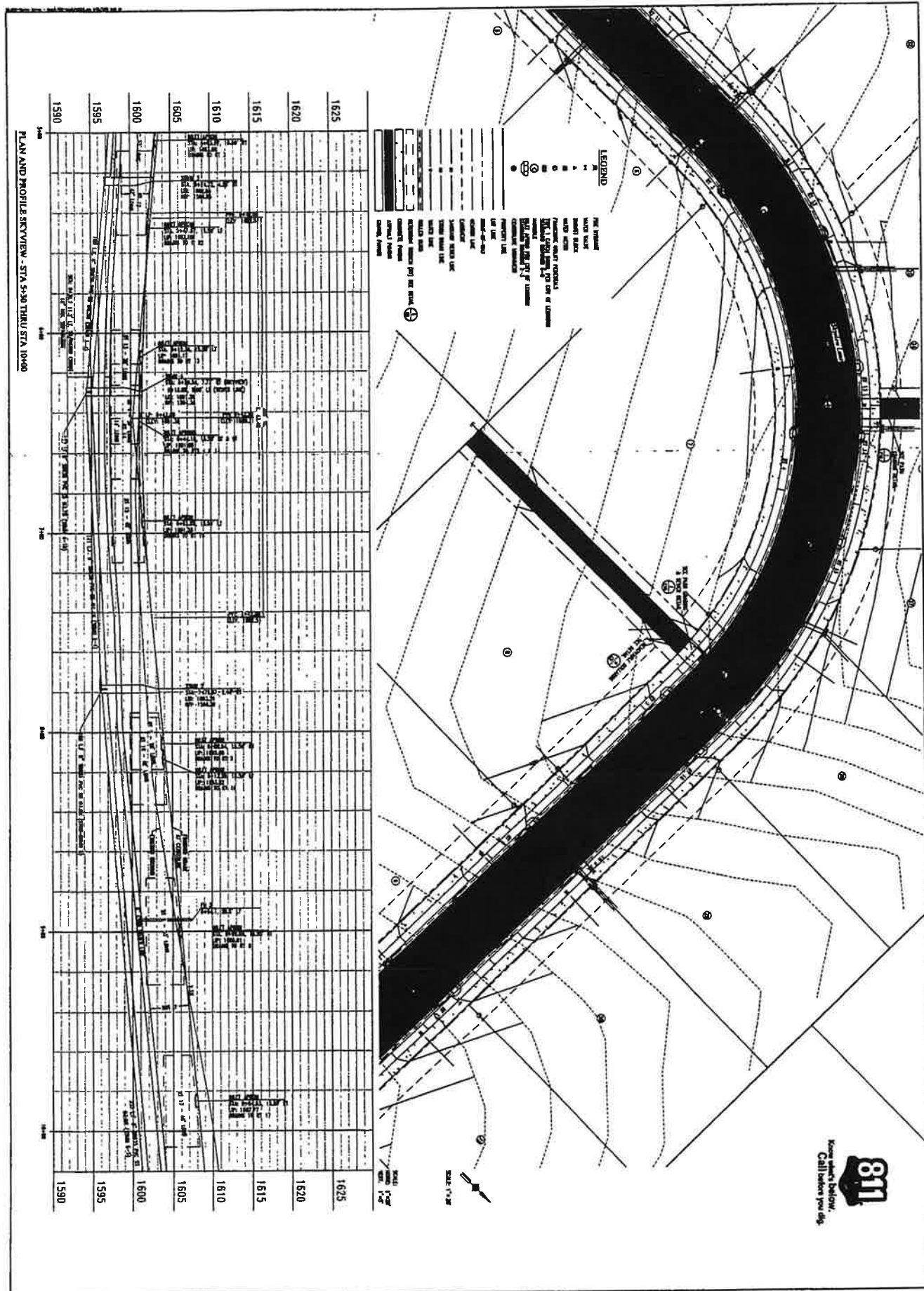
811
Know what's below.
Call before you dig.

Hodge & Associates, Inc.

P.A. Box 5728
405 L. Washington Blvd.
Beverly Hills, CA 90213
(310) 442-3329

SKYVIEW ESTATES PHASE III
UTILITY LAYOUT PLAN
JOE GRECO
2316 ORVILLE AVENUE
LEWISTON, MAINE
(207) 748-1884

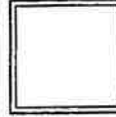
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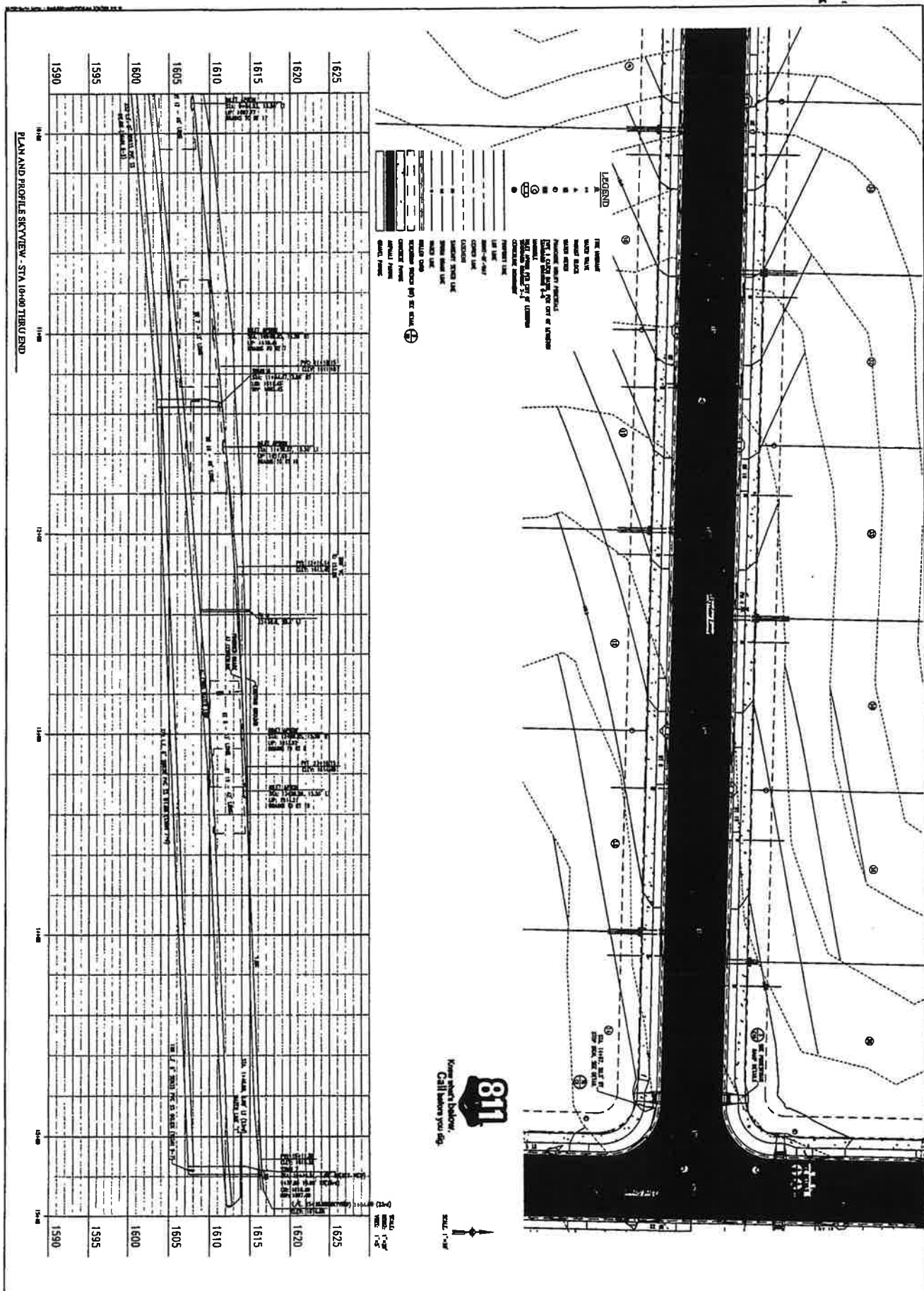
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Project No.	150000
Sheet No.	150000
Scale	1"=40'
Date	12/1/2000

SKYVIEW ESTATES PHASE III
PLAN AND PROFILE SKYVIEW - STA 5+30 THRU STA 10+00
JOE GREGG
2348 BULLY AVENUE
LEWISVILLE, OHIO 44641
(216) 799-1884



Hedge & Associates, Inc.
Surveying • Planning • Engineering • Architecture
P.O. Box 8750
100 N. Washington Street
Columbus, Ohio 43261
(614) 461-1234



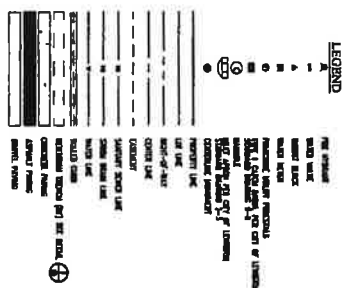
811

Know what's below.
Call before you dig.

SKYVIEW ESTATES PHASE III
PLAN AND PROFILE SKYVIEW - STA 10+00 THRU END
JOE OREGO
2014 WILSON AVENUE
LEWISTON, IDAHO 83843
2014-001-001 (REV. 01/14)

Hodge & Associates, Inc.
Surveyors & Engineers
P.O. Box 6726
400 E. Washington Blvd.
Boise, Idaho 83724
(208) 333-3333

C6

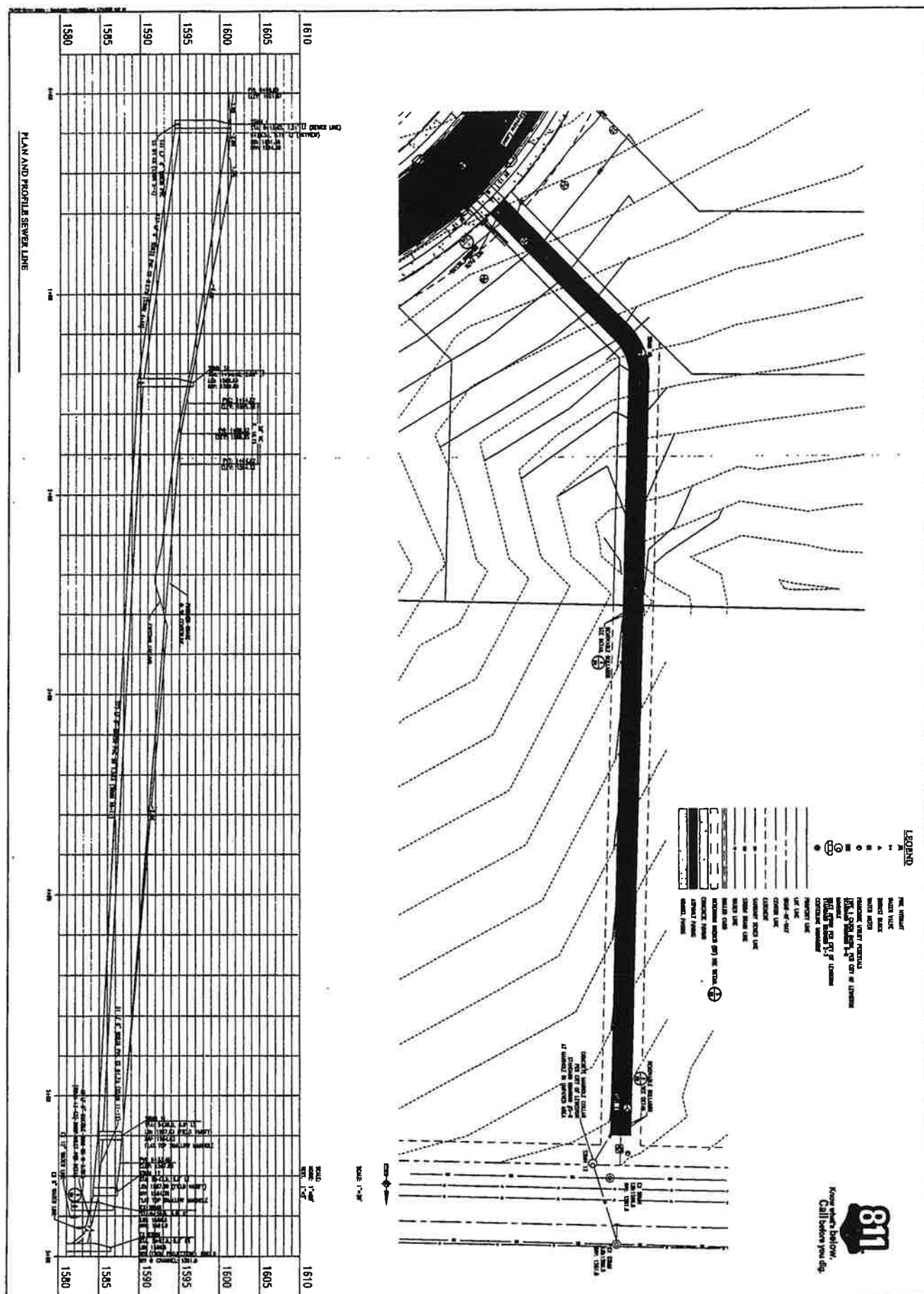


PLAN AND PROFILE 23RD AVENUE

JOE GRECO
3210 GUELIC, AYOUE
LEWISTON, MAINE
(208) 791-1894

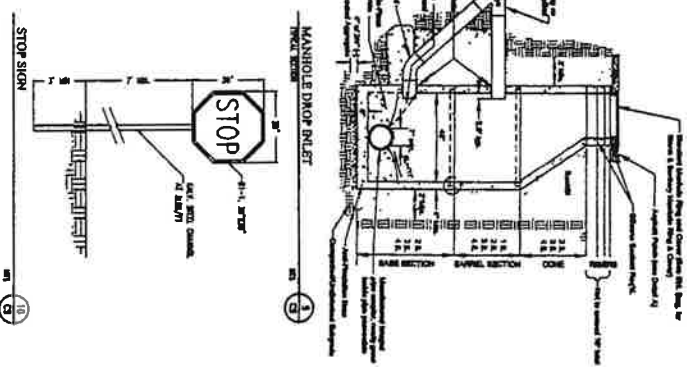
Hodge & Associates, Inc.

P.O. Box 9728
401 E. Washington St.
Chicago, Illinois 60603
(312) 552-1720

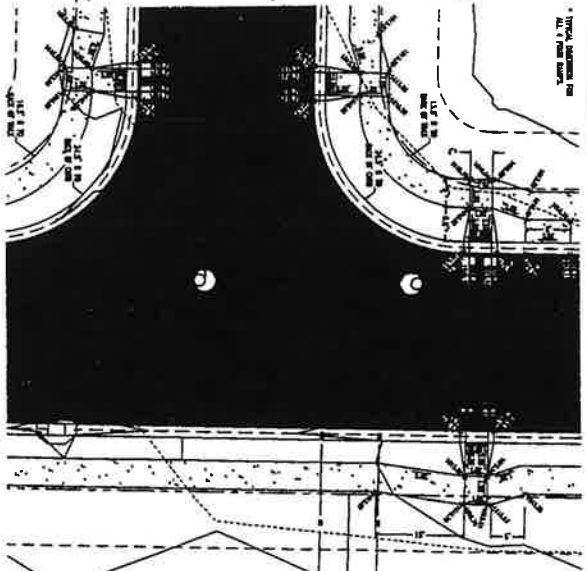
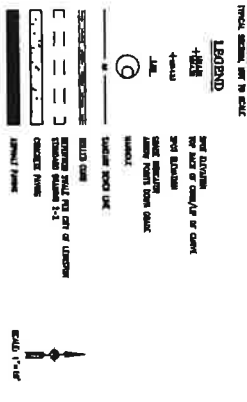
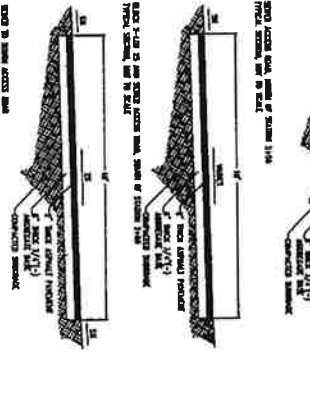
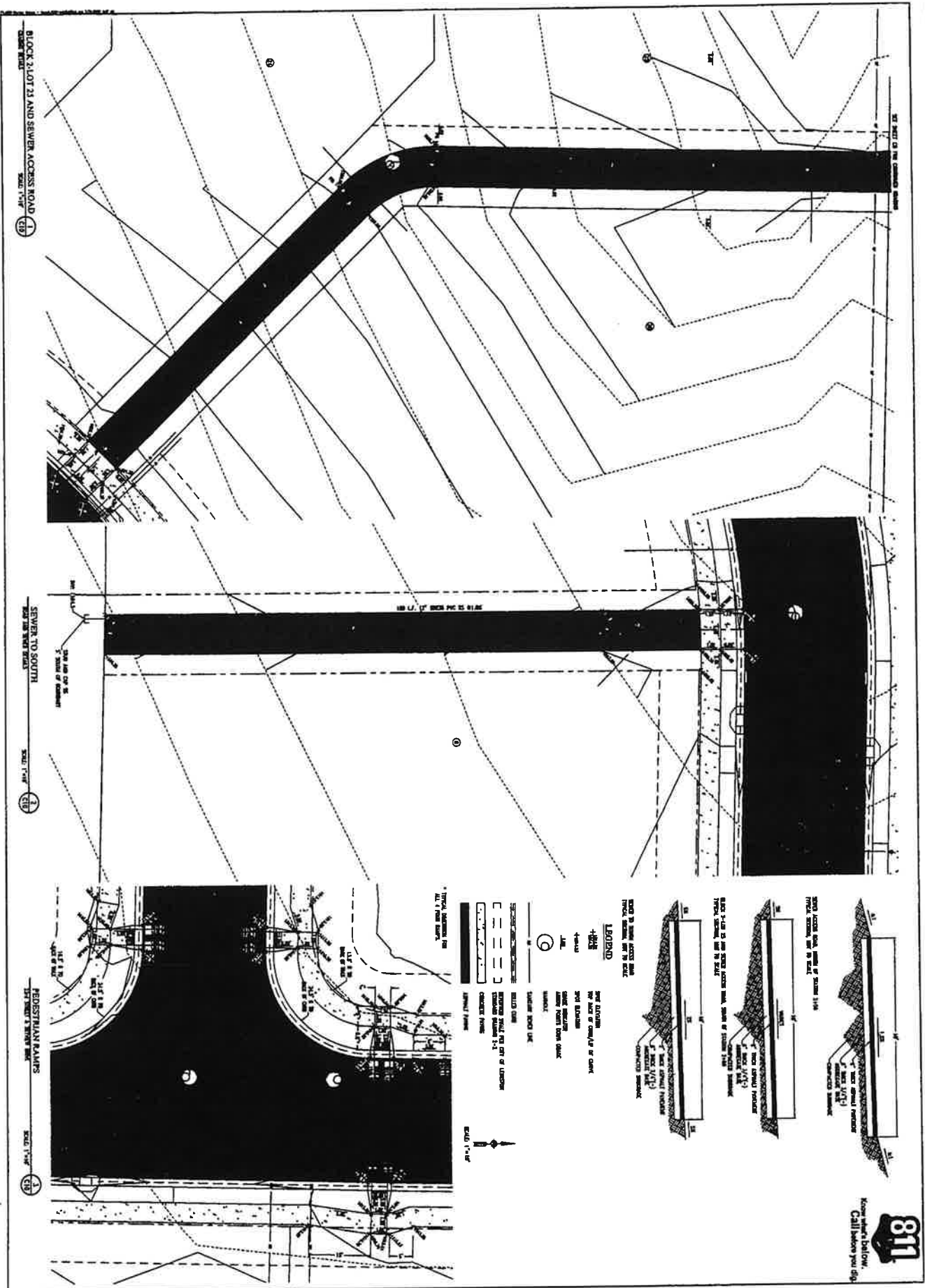


Call before you dig.

SKYVIEW ESTATES PHASE III
PLAN AND PROFILE SEWER LINE
JOE ORECO
8240 MIDLAND AVENUE
LAWRENCE, KANSAS
(913) 798-1998



- a. the city could build a number of bridges (1) across the river, the road, the
- b. the construction of the bridge, crossing of rivers and roads and the future
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- y. the road would be the same as the road across the river, the road is a
- z. the road would be the same as the road across the river, the road is a



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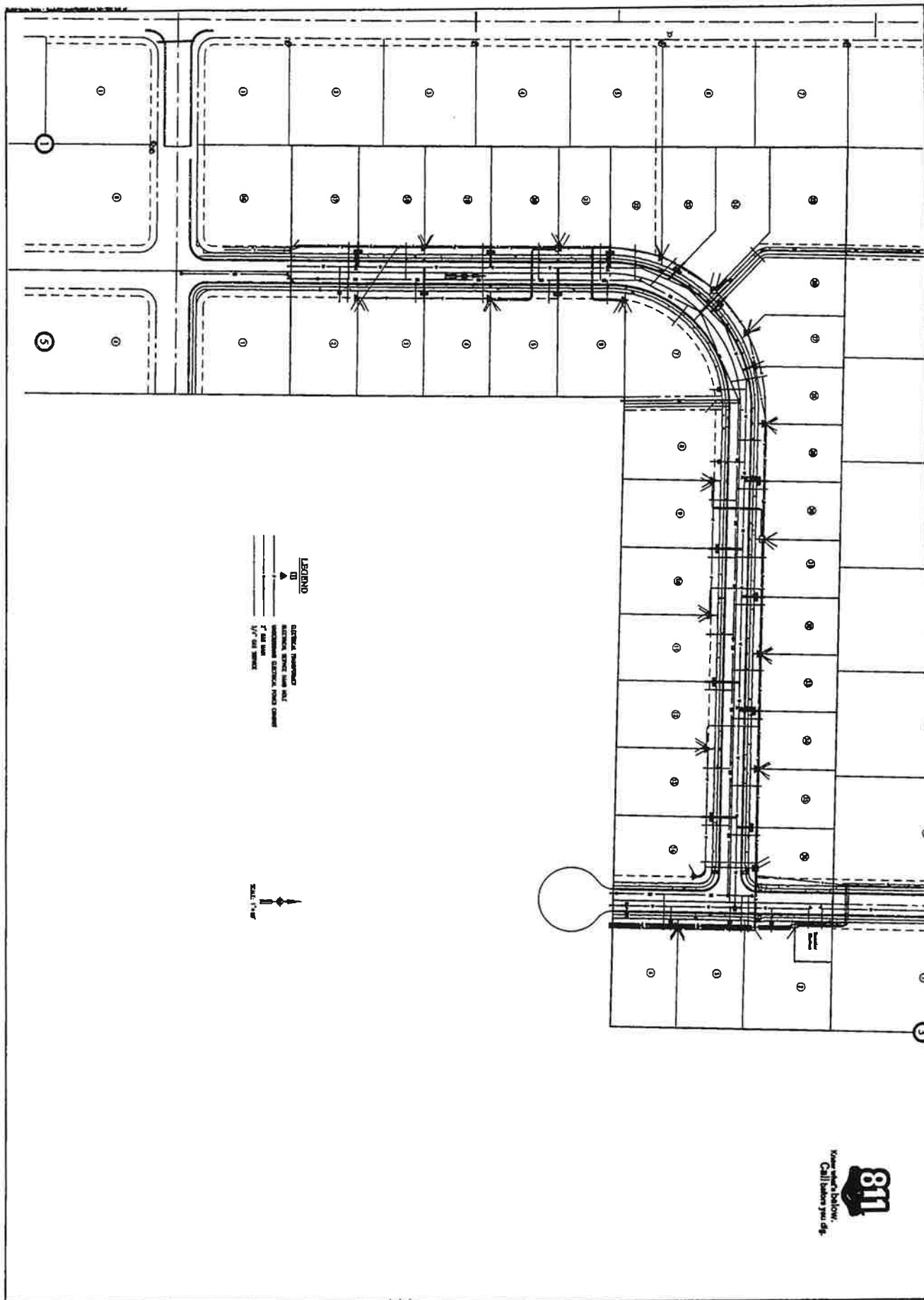
SKYVIEW ESTATES PHASE III
PEDESTRIAN RAMP, PATH GRADING AND SEWER DETAILS
JOC GRECO
314 GRIFFIN AVENUE
LEVERETT, MA 01861
(978) 790-1000

Hedge & Associates, Inc.
Engineers • Planners • Landscape Architects
P.O. Box 4725
400 E. Washington Street
Leicester, MA 01545
(508) 845-2300



Know what's below.
Call before you dig.

[illegible]



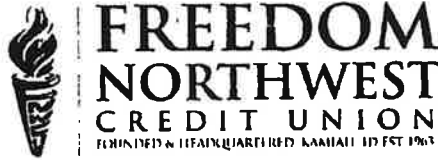
811
Call before you dig.

**SKYVIEW ESTATES PHASE III
FRANCHISE UTILITY PLAN**

JOE CRISCO
1245 WILLOW AVENUE
LYNDEN, OHIO 44132
(216) 790-1000



Hodge & Associates, Inc.
Surveyors & Engineers
P.O. Box 8728
445 E. Washington Blvd.
Cleveland, Ohio 44115
(216) 462-3329



01/13/2023

Letter of Credit Number: **40829**

Re: Greco Land Development LLC

Freedom Northwest Credit Union has established a letter of credit in your favor at the request of and for the account of Greco Land Development LLC to the extent of Eight hundrd and twenty one thousand four hundred and three dollars and seventy five cents (**\$821,403.75**) secured by loan agreements on vacant land with the credit union.

Said funds are available to Greco Land Development LLC.

This letter of credit is to provide proof to Commissioner Don Beck, that Greco Land Development LLC has available funds per loan agreements with Freedom Northwest Credit Union established on 12/22/2022.

Sincerely,

Vice President of Lending

1/16/2023

DocuSigned by:

3DA175CD4D1B496...

Kamiah / Kooskia Branches:
P.O. Box 68, Kamiah, ID 83536
Kamiah Phone: (208) 935-0277
Toll Free: (866) 687-5228
Kamiah Fax: (208) 935-0067
Kooskia Fax: (208) 926-4874



WWW.FNWCU.ORG

Lewiston Loan Processing Center:
141 9th Street, Lewiston, ID 83501
Lewiston Phone: (208) 743-2525
Lewiston Fax: (208) 743-2222



Greco Construction, Inc
2206 Hemlock Avenue
Lewiston, ID 83501
ID Cont# RCE-9729
WA Cont# GRECO1921JG

January 16, 2023

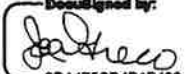
Commissioner Don Beck,

Please accept this letter as confirmation that as of 12/31/22, I have a balance in excess of \$288,822.98 in cash and securities in my portfolio at Apex Investment Advisors, 217 East Main Street, Grangeville, ID 83530.

David Wimer is my advisor and can be contacted at 208-983-0262 for confirmation.

This serves as my personal guarantee that funds are available to finish Skyview Estates Phase III.

Sincerely,

Designated by:

3DA175CD4D1B496...

Joe Greco

1/16/2023

CITY COUNCIL MEETING

AGENDA ITEM HISTORY/COMMENTARY

ITEM TITLE Annexation Application ANX23-000001 (Ord. 4877), Comprehensive Land Use Plan Map change CPA23-000001 (Reso 2023-14), Zone Change ZNC23-000001 (Ord. 4878), Area of City Impact Boundary map change (Ord. 4879)		AGENDA NO. _____ AGENDA DATE <u>4/10/23</u> CONSENT: ☐ ACTIVE: ☐	1ST READING _____ 2ND READING _____ 3RD/ADOPTION _____
ORIGINATING SOURCE Planning and Zoning Commission Date: February 8, 2023 and March 22, 2023		FUNDING CERTIFICATION (IF APPLICABLE) Date: _____	
DIVISION MANAGER REVIEW (If applicable)  Date: <u>3/31/23</u>		DEPARTMENT MANAGER REVIEW (If applicable)  Date: <u>3/31/23</u>	
RECOMMENDED FOR COUNCIL ACTION	MAYOR Date: _____		
ITEM HISTORY (PREVIOUS COUNCIL REVIEWS, ACTION RELATED TO THIS ITEM, OTHER PERTINENT HISTORY) The City of Lewiston entered into an Irrevocable Consent to Annexation and Utility Service Agreement with Greco Land Development, LLC on March 15, 2022, consenting to annex Phase III of Skyview Estates into the City limits when (a) the Board of Nez Perce County Commissioners approves a final plat for the Property or any portion thereof, or (b) one (1) year from the Effective Date of the Agreement, whichever occurs first. The Board of Nez Perce County Commissioners approved the final plat for Phase III of Skyview Estates on February 3, 2023.			
ITEM COMMENTARY (BACKGROUND, DISCUSSION, KEY POINTS, RECOMMENDATIONS, ETC.) Please identify any or all impacts this proposed action would have on the City budget and/or personnel resources. Skyview Estates Phase III proposes to Annex 14.27 acres of land into the city limits to create 36 building lots. The Comprehensive Land Use Map designation would be Low Density Residential. The proposed zoning is Suburban Residential, R1, Zone. The 36 proposed lots meet the minimum lot size and dimensional standards set forth in the Suburban Residential, R1, Zone. The proposal includes an extension of City sewer from Powers Avenue and the installation of a Lewiston Orchards Irrigation District water booster station. The Planning and Zoning Commission held public hearings on February 8, 2023 and March 22, 2023 and after receiving public testimony, unanimously recommended approval to City Council.			

ACTION PROPOSED

The Planning and Zoning Commission recommends that the Council approve ANX23-000001 via Ordinance 4877, ZNC23-000001 via Ordinance 4878, Area of City Impact Boundary Map Change via Ordinance 4879 and Comprehensive Land Use Map designation via Resolution 2023-14.

(Above space for Recorder's use)

CITY ORDINANCE NO. 4877

AN ORDINANCE OF THE CITY OF LEWISTON IMPLEMENTING THE CITY COUNCIL'S DECISION IN ANX23-000001 TO ANNEX LAND INTO THE LEWISTON CITY LIMITS, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the real property described herein consists of approximately 14.27 acres owned by Greco Land Development, LLC and the Lewiston Orchards Irrigation District; and

WHEREAS, as required by Idaho Code §§ 50-222(3)(a)(i) and (5)(a), Greco Land Development, LLC and the Lewiston Orchards Irrigation District have consented to annexation of such real property; such real property is contiguous to the City of Lewiston; and the City of Lewiston Comprehensive Plan includes the area of annexation.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LEWISTON, IDAHO:

SECTION 1: The real property described in Exhibit A, attached hereto and incorporated herein, is hereby annexed by the City of Lewiston and incorporated into the boundaries of the City of Lewiston. A depiction of said real property is attached hereto and incorporated herein as Exhibit B.

SECTION 2: The ordinance shall take effect and be in fully force from and after its passage and publication.

Signature page to follow

PASSED this _____ day of _____, 2023.

CITY OF LEWISTON

By: _____
Daniel G. Johnson, Mayor

ATTEST:

Kari J. Ravencroft, City Clerk

STATE OF IDAHO)
) ss.
County of Nez Perce)

On this _____ day of _____ 2023, before me, a Notary Public, personally appeared Daniel G. Johnson and Kari J. Ravencroft, known or identified to me as the Mayor and City Clerk, respectively, of the City of Lewiston, and stated that they have the authority to execute this instrument on behalf of the City of Lewiston, and did execute this instrument on behalf of the City of Lewiston.

Notary Public for the State of Idaho
Commission Expires: _____

Exhibit A
to Ordinance No. 4877
Legal Description of Property

A parcel of land located in the Northwest Quarter of Section 24, Township 35 North, Range 5 West, Boise Meridian, Nez Perce County, Idaho, described as follows:

Commencing at the northwest corner of Section 24, Thence along the north line of the Northwest Quarter of the Northwest Quarter of Section 24 and along the centerline of Powers Avenue, S88°30'03"E, 1319.94 feet to the centerline of 23rd Street;
Thence leaving said north line and the centerline of Powers Avenue, along the centerline of 23rd Street, S01°29'57"W, 309.00 feet to a point on the south boundary of Skyview Estates, Phase I, Instrument #839025, Nez Perce County Records, and the Point of Beginning.

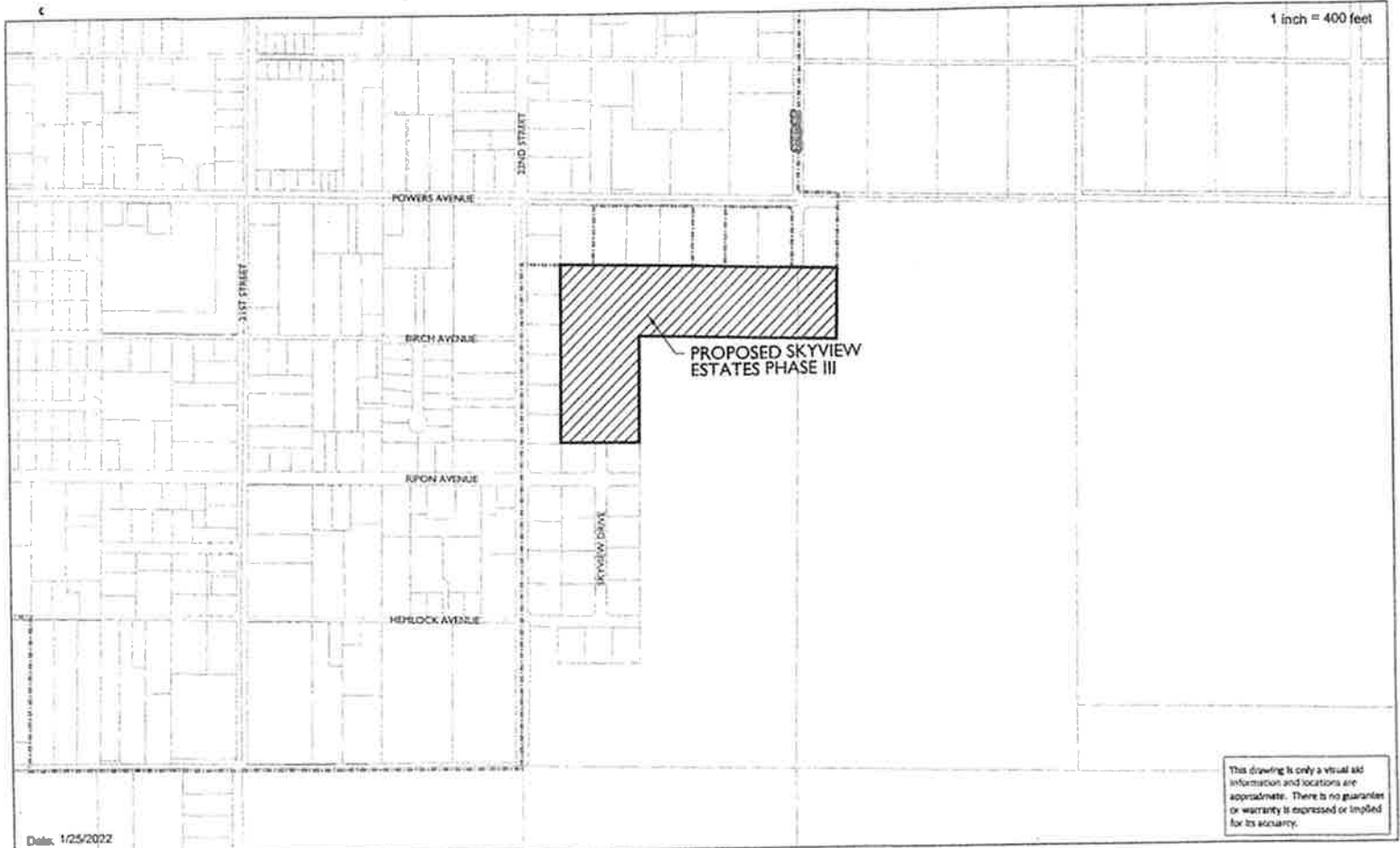
Thence leaving said centerline, along said south boundary, S88°30'03"E, 188.31 feet to the southeast corner of Skyview Estates, Phase I;
Thence leaving said south boundary, S01°29'57"W, 331.00 feet;
Thence N88°30'03"W, 938.46 feet;
Thence S00°41'12"W, 499.38 feet to the northeast corner of Skyview Estates, Phase II, Instrument #880645, Nez Perce County Records;
Thence along the north line thereof, N89°18'48"W, 372.27 feet to the northwest corner of Skyview Estates, Phase II and to a point on the east boundary of Skyview Estates Phase I;
Thence along said east boundary, N00°41'12"E, 835.69 feet to the southwest corner of Lot 9, Block 2 of Skyview Estates Phase I;
Thence along the south line of Skyview Estates Phase I, S88°30'03"E, 1127.15 feet to the Point of Beginning.

Parcel contains 14.27 Acres, more or less.

Exhibit B
to Ordinance No. 4877
Depiction of the Subject Property

City of Lewiston

1 inch = 400 feet



This drawing is only a visual aid. Information and locations are approximate. There is no guarantee or warranty is expressed or implied for its accuracy.

Date: 1/25/2022

CITY ORDINANCE NO. 4878

AN ORDINANCE OF THE CITY OF LEWISTON IMPLEMENTING THE CITY COUNCIL'S DECISION IN ZNC23-000001, DECLARING THAT CERTAIN NEWLY-ANNEXED REAL PROPERTY BE INCLUDED IN THE CITY OF LEWISTON SUBURBAN RESIDENTIAL (R-1) ZONE; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LEWISTON; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, through Ordinance No. 4877, the City of Lewiston annexed the real property described in Exhibit A, which property consists of approximately 14.27 acres;

WHEREAS, on February 8, 2023 and March 22, 2023, the Lewiston Planning and Zoning Commission held duly noticed public hearings to consider ZNC23-000001, an application to zone the above-described property to the City of Lewiston Suburban Residential (R-1) Zone, and recommended approval of said application on March 22, 2023; and

WHEREAS, on April 10, 2023, the Lewiston City Council held a duly noticed public hearing to consider ZNC23-000001 and subsequently completed a written Reasoned Statement, all in accordance with Idaho Code §§ 67-6509, 67-6511, 67-6525, and 67-6535.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LEWISTON, IDAHO:

SECTION 1: The real property described in Exhibit A, attached hereto and incorporated herein, is hereby removed from the Area of City Impact for the City of Lewiston, and included in the City of Lewiston Suburban Residential (R-1) Zone, as defined by the Zoning Ordinance of the City of Lewiston, Idaho.

SECTION 2: The Zoning Map of the City of Lewiston, Idaho is hereby amended to remove said real property described above from the Area of City Impact for the City of Lewiston, and include said real property in the City of Lewiston Suburban Residential (R-1) Zone.

SECTION 3: This ordinance shall take effect and be in full force from and after its passage and publication and after the publication of Ordinance No. 4877.

PASSED this _____ day of _____, 2023.

CITY OF LEWISTON

By: _____
Daniel G. Johnson, Mayor

ATTEST:

Kari J. Ravencroft, City Clerk

Exhibit A
to Ordinance No. 4878
Legal Description of Property

A parcel of land located in the Northwest Quarter of Section 24, Township 35 North, Range 5 West, Boise Meridian, Nez Perce County, Idaho, described as follows:

Commencing at the northwest corner of Section 24, Thence along the north line of the Northwest Quarter of the Northwest Quarter of Section 24 and along the centerline of Powers Avenue, S88°30'03"E, 1319.94 feet to the centerline of 23rd Street;
Thence leaving said north line and the centerline of Powers Avenue, along the centerline of 23rd Street, S01°29'57"W, 309.00 feet to a point on the south boundary of Skyview Estates, Phase I, Instrument #839025, Nez Perce County Records, and the Point of Beginning.

Thence leaving said centerline, along said south boundary, S88°30'03"E, 188.31 feet to the southeast corner of Skyview Estates, Phase I;
Thence leaving said south boundary, S01°29'57"W, 331.00 feet;
Thence N88°30'03"W, 938.46 feet;
Thence S00°41'12"W, 499.38 feet to the northeast corner of Skyview Estates, Phase II, Instrument #880645, Nez Perce County Records;
Thence along the north line thereof, N89°18'48"W, 372.27 feet to the northwest corner of Skyview Estates, Phase II and to a point on the east boundary of Skyview Estates Phase I;
Thence along said east boundary, N00°41'12"E, 835.69 feet to the southwest corner of Lot 9, Block 2 of Skyview Estates Phase I;
Thence along the south line of Skyview Estates Phase I, S88°30'03"E, 1127.15 feet to the Point of Beginning.

Parcel contains 14.27 Acres, more or less.

CITY ORDINANCE NO. 4879

AN ORDINANCE OF THE CITY OF LEWISTON AMENDING SECTION 39-1 OF THE LEWISTON CITY CODE TO UPDATE THE CITY OF LEWISTON AREA OF CITY IMPACT BOUNDARY MAP, AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LEWISTON, IDAHO:

SECTION 1: The City of Lewiston Area of City Impact Boundary Map referenced in Lewiston City Code § 39-1 is hereby replaced with the map attached hereto and incorporated herein as Exhibit A. The new map amends the Area of City Impact Boundary as a result of ANX23-000001, annexing approximately 14.27 acres through Ordinance No. 4877.

SECTION 2: This ordinance shall take effect and be in full force from and after its passage and publication.

PASSED this _____ day of _____, 2023.

CITY OF LEWISTON

By: _____
Daniel G. Johnson, Mayor

ATTEST:

Kari J. Ravencroft, City Clerk

Exhibit A
to Ordinance No. 4879
Area of City Impact Boundary Map



February 27, 2023

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

City Council meetings are recorded live. To view the full video, go to <https://livestream.com/lewiston/events/3725902>

COUNCIL MEMBERS PRESENT: Mayor Johnson; Councilor President Liedkie; Councilor Forsmann (via Zoom); Councilor Kleeburg; Councilor Schroeder; Councilor Spickelmire; Councilor Tousley.

I. CALL TO ORDER

Mayor Johnson called the meeting to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

Mayor Johnson led the Pledge of Allegiance.

III. CITIZEN COMMENTS

Johanna Frank reported that one of the founders of The Roc recently passed away. She expressed the need for the councilors to place an emphasis on human rights, then requested that each of them resign.

Matt Wiebler, Chair of the Audit Committee, reported that this committee was formed over a decade ago to offer suggestions and bring increased integrity and transparency to the city's audit process. He stated it is the committee's pleasure to report that it has reviewed the process and found that the CIP is highly thorough. Mr. Weibler commented that last year was the city's 32nd year of receiving the Certificate of Achievement from the Governmental Officers Finance Association.

IV. PRESENTATIONS

A. **FINANCIAL REPORT - FOUR MONTHS ENDED JANUARY 31, 2023:** *Financial report for the four months ended January 31, 2023, in accordance with Idaho Code 50-208 – No oral report*

V. PUBLIC HEARINGS AND RELATED ACTION ITEMS

A. **PUBLIC HEARING; 2023 TRANSPORTATION CIP:** *Accepting testimony on the 2023 Transportation Capital Improvement Plan*

Mayor Johnson announced that tonight was the time and place advertised for the public hearing regarding the 2023 Transportation CIP. He opened the hearing and asked that a staff report be provided.

Public Works Director Johnson stated that the Council previously approved Resolution 2021-21 adopting the City of Lewiston Transportation Plan which includes the CIP and Project Prioritization Criteria. The Transportation CIP is updated annually and requires adoption by the

City Council. It is subject to a 30-day public comment period, public hearing and request for adoption by the Council. Additionally, a public open house was held on January 18, 2023.

Mr. Johnson explained that the Transportation Plan is an evaluation of the existing transportation network, an analysis of future transportation needs, and serves as the Transportation Chapter of the Lewiston Comprehensive Plan. It is a compilation of 20 previous studies and plans and contains new concepts such as project prioritization criteria, a public participation guide and a transportation capital improvement plan.

Public Works Director Johnson emphasized that staff does not want to recommend a project the Council doesn't want. He noted that they are always willing to listen and highly encourage public comment.

Upon explaining how capital projects are funded, Mr. Johnson noted that 7 public comments were received during the comment period (attached).

Councilor Tousley questioned the length of the public comment period. Mr. Johnson reported that it was open from November through December in order to hear what projects the public would like, and again in January wherein people could comment on the included projects.

Councilor Spickelmire asked if the City is financially obligated to proceed with federal projects, no matter how they are ranked. Public Works Director Johnson explained that staff has communicated to the MPO projects that could potentially receive federal dollars. Those projects have been designed and set in a queue for when money is available from the State of Idaho.

Council President Liedkie said she believes that the Council needs to review their priorities to ensure that the dollars spent are on important projects and positively affect a majority of the community. Additionally, she noted that she would like to see Main Street and 21st Street moved to the top of the list, and Thain Road moved into the top ten.

Mayor Johnson called for testimony, both in favor of and against the 2023 Transportation CIP. Being none, he declared the hearing closed.

B. RESOLUTION 2023-15: *Considering adoption of the 2023 Transportation Capital Improvement Plan – Action Item*

Council President Liedkie offered a motion to approve Resolution 2023-15 with the following amendment: to change the ranking in Exhibit A by moving #6 (Main Street) to #1; moving #4 (21st Street) to #2; moving 2020-139 to #9; and moving 2023-001 to #10. Councilor Schroeder seconded the motion.

Councilor Kleeburg said he cannot support this motion as there are many different funding sources that have been in place for years. To vote now on reprioritizing projects that don't have

funding is destructive. Mr. Kleeburg emphasized that there is a 40-year transportation improvement plan through the MPO which includes projects that have been on the table for a very long time.

Public Works Director Johnson said that he will continue with the projects that are funded, even though they may be moved down the list with the amendment. If 21st Street is moved to the top of the list, then staff will begin focusing their efforts there rather than projects below it. He assured the council that he would not be changing design or projects that are already underway.

Council President Liedkie said she is simply looking to the future. She stated she isn't saying that projects that have available funding should not be pursued. Having heard many comments and concerns from the public, Ms. Liedkie said she believes it is smart to go after funding for some of the bigger projects.

ROLL CALL VOTE: VOTING AYE: Liedkie; Forsmann; Schroeder; Spickelmire; Tousley. VOTING NAY: Kleeburg.

C. PUBLIC HEARING: ZA-04-22: Accepting testimony on ZA-04-22; a proposal to rewrite Lewiston City Code Section 37-94, Planned Unit Development (PUD) Zone

It was announced by Mayor Johnson that this was the time and place advertised for the public hearing regarding ZA-04-22. Upon opening the hearing, he asked for a staff report.

Assistant Planner Hollingshead explained that the Planning & Zoning Commission initiated an amendment to rewrite Section 37-94 of the City Code to make the standards and the process of Planned Unit Developments more streamlined and the language clearer. The PUD Zone is a specialized zoning district utilized by the City to allow a planned and coordinated mix of land uses which are compatible and harmonious but may not be permitted under conventional zoning procedures. The existing PUD code was written in 2000 with very few minor revisions since and is cumbersome to both developers and staff. The proposed amendments are intended to clarify and simplify the requirements and procedure when creating a PUD or when amending an existing PUD.

Councilor Spickelmire asked if this rezone would impact any existing or current projects. Ms. Hollingshead indicated that it would not, noting that the Zoning Code provides an outline and each PUD has an agreement specific to that development.

Councilor Kleeburg stated that according to Code, land uses are to be harmonious with adjacent land uses. When on a previous Council, a PUD was approved at 21st Street and Grelle that was not in agreement with the Comprehensive Plan and 53 people testified against it. Ms. Hollingshead said it is ultimately up to the Council to determine if a project is the best fit for the City.

Council President Liedkie said she believes the proposed language in Section 5(c) is very subjective as it states, "Private roadways may be permitted within the project if their maintenance is provided for, as acceptable to the public works director; they are designed and installed to

specifications, acceptable to the city engineer; and they are approved by the City Council”. Public Works Director Johnson added that the goal was to find flexibility and subjectivity, while meeting safety standards. There are benefits to having the applicant work with the engineer on necessary standards as there are many technical details. This makes it a bit easier for the Council to approve when the technical details have been fully vetted before it gets to final approval.

Council President Liedkie stressed that she wants to ensure that each applicant is given a very clear path forward and that the same process is provided to everyone.

After requesting testimony and receiving none, Mayor Johnson closed the hearing.

- D. ORDINANCE 4872 (FIRST READING):** *Considering the amendment of various sections in Chapter 37, Articles I and III of the Lewiston City Code to change the name of the zoning code, amend definitions and amend regulations pertaining to Planned Unit Developments; repealing Section 37-97 regarding administrative procedures for Planned Unit Developments; amending Section 37-115 regarding contract zoning agreements – Action Item*

Councilor Tousley moved to read Ordinance 4872 for the first time. The motion was seconded by Councilor Schroeder and carried 5 to 1, with Council President Liedkie voting nay.

ORDINANCE 4872: “AN ORDINANCE OF THE CITY OF LEWISTON AMENDING VARIOUS SECTIONS IN CHAPTER 37, ARTICLES I AND III OF THE LEWISTON CITY CODE TO CHANGE THE NAME OF THE ZONING CODE, AMEND DEFINITIONS, AND AMEND REGULATIONS PERTAINING TO PLANNED UNIT DEVELOPMENTS; REPEALING SECTION 37-95 TITLED “DESIGNATION” AND RESERVING SUCH SECTION; REPEALING AND REPLACING SECTION 37-97 REGARDING ADMINISTRATIVE PROCEDURES FOR PLANNED UNIT DEVELOPMENTS; AMENDING SECTION 37-115 REGARDING CONTRACT ZONING AGREEMENTS; AND PROVIDING AN EFFECTIVE DATE”

VI. 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 Kleeburg moved and seconded, respectively, adoption of the Consent Agenda as amended. **ROLL CALL VOTE:** VOTING AYE: Liedkie; Forsmann; Kleeburg; Schroeder; Spickelmire; Tousley. VOTING NAY: None.

- A. LEWISTON CITY COUNCIL MEETING MINUTES:** 11/14/22 Regular; 02/06/23 Work Session; 02/13/23 Regular – Action Item

- B. **ADVISORY BOARD AND COMMISSION MEETING MINUTES:** 01/12/23 *Business Improvement District Advisory Board; 01/25/23 Planning & Zoning Commission* – Action Item
- C. **ADMINISTRATIVE PLAT – PHILLIPS ADDITION:** *Considering a proposal to re-plat the two existing lots of Phillips Addition, located east of 6th Street and south of Warner Avenue in the Lewiston Orchards, comprising approximately 1.75 acres, into three lots* – Action Item

VII. ACTIVE AGENDA

- A. **2022 CITY OF LEWISTON AUDIT:** *Considering approval of the 2022 Audit performed by Presnell Gage*– Action Item

Finance Director Gordon said earlier today the Council was provided a presentation on the city’s financial report for the year ended September 30, 2022. The audit is a five-month process for city staff and she thanked them for their diligence and effort they have all put into the audit process. Ms. Gordon also thanked the Audit Committee, Department Directors and auditors. She introduced Dawn Aliverti with Presnell Gage.

Ms. Aliverti reported that she is here to present the audit for Fiscal Year 2022. Presnell Gage has performed the city’s audit under certain standards and it is their objective to obtain reasonable, not absolute, assurance. She reported unmodified opinions of “clean” for financial statements representing what really happened in the City’s finances for the year, federal grants, and internal controls and compliance. She also noted there were no audit findings, internal control concerns, disagreements with management, or evidence of fraud. Ms. Aliverti thanked City staff and the Council for everything they did to make Presnell Gage’s process less seamless and formally requested release of the financial statements as presented.

Councilors Schroeder and Kleeburg moved and seconded approval of the Fiscal Year 2022 Audit report. The motion carried unanimously.

- B. **RESOLUTION 2023-5:** *Considering declaring Governmentjobs.com, Inc. (d/b/a NEOGOV) as the only reasonably available vendor for software solutions for public workforce management* – Action Item

Human Resources Director Province explained that H.R. currently utilizes 3 software modules with NEOGOV for applicant tracking, performance management, and training. The department would like to purchase two additional modules, E-forms and Onboarding with single sign on and Tyler MUNIS integration. The request of sole source is because they are the only applicant management platform fully integrated with governmentjobs.com public sector job board and one of the only applicant tracking systems with a public sector job description and salary range database.

Ms. Province noted that IT would initially be paying from their budget the approximately \$28,000 set up and first year fees for these two additional programs. Next fiscal year the cost will be placed into the internal IT rates. The total cost annually for all 5 NEOGOV modules, single sign on, and integration is approximately \$74,000.

Councilor Spickelmire asked if the software is just for purposes of hiring. Ms. Province replied that Applicant Tracking allows people to apply for jobs online, the Learn system provides training for employees, Perform is for employee evaluations, and E-forms allows any internal form to be forwarded through a workflow process.

IT Director Spooner indicated the software is designed to make jobs more efficient. He said his department prefers platforms with multiple solutions as it makes it easier for IT to manage.

It was moved and seconded by Councilor Schroeder and Councilor Tousley to approve Resolution 2023-5. *ROLL CALL VOTE: VOTING AYE: Liedkie; Forsmann; Kleeburg; Schroeder; Spickelmire; Tousley. VOTING NAY: None.*

- C. RESOLUTION 2023-12:** *Considering approval of a lease agreement between the City of Lewiston and the Lewis Clark Valley Metropolitan Planning Organization for office space located in the Bell Building at 215 D Street, as well as telephone and internet access – Action Item*

Public Works Director Johnson stated that the Lewis Clark Valley MPO has been housed in the Bell Building since its inception in 2003. A lease agreement was signed in 2017 for office space, telephone and internet access and expired in September of 2022. A recent City audit found that the lease needs to be renewed.

Councilor Kleeburg offered a motion to approve Resolution 2023-12. Councilor Forsmann seconded the motion. *ROLL CALL VOTE: VOTING AYE: Liedkie; Forsmann; Kleeburg; Schroeder; Spickelmire; Tousley. VOTING NAY: None.*

- D. RESOLUTION 2023-13:** *Considering approving a special ballot question for the May 16, 2023, election to increase Avista Corporation's franchise fee from one percent (1%) to three percent (3%) – Action Item*

Mayor Johnson said Resolution 2023-13 has pretty good background to franchise fees and their purpose. Provided some proposed ballot language which would go to the county for the May election. It is non-persuasive language. It talks about what it would cost a customer if increased from 1 percent to 3 percent. Also talks about annual budget for reconstruction of city streets. Says the increase in franchise fees would help to pay for some of these costs. This is just another way for the city to help pay for streets programs. Brought Title 50, Chapter 3, which talks about franchise fees and read aloud. Recently signed a new franchise with Avista so they will be in community for a long time. There are many cities in the state of Idaho that have franchise fee of at least 1 percent. Moscow at 3 percent and CDA

at 5 percent. City of Lewiston doesn't collect much in franchise fees to help pay for costs of these streets. Typical right of way permits cost 92.06. These fees have gone up consistently just with right of way permits. When we cut into streets, it adds wear and tear in terms of surface of road and impacts of vehicles driving on top of that. Franchise fees help us pay for the streets. We now charge our water and wastewater programs for right of way permits.

Councilor Tousley said everyone knows that property taxes have had a huge impact on property owners, but they have not affected commercial property owners as much as they have homeowners. Franchise fees are collected from everyone, commercial and private. Mr. Tousley expressed his support for placing language on the November ballot.

Councilor Forsmann agreed. Though it is difficult to think about now with already high property taxes, in the long run it will benefit the community. She stated she believes that franchise fees are a step in the right direction.

Councilor Spickelmire asked what this would mean financially for the city on an annual basis. Mayor Johnson replied that it would be an approximate \$1.2 million and would cost about \$2.00 or less per month for the average homeowner.

Council President Liedkie expressed her support for placing franchise fee language on the ballot, but noted that Avista is also proposing some increases. Passing this ballot measure means that non-profits, government bodies, churches, etc., would all chip in. It's an equitable revenue, but the Council needs to also look at controlling its budget.

It was moved and seconded by Councilors Tousley and Schroeder to approve Resolution 2023-13. *ROLL CALL VOTE: VOTING AYE: Liedkie; Forsmann; Kleeburg; Schroeder; Spickelmire; Tousley. VOTING NAY: None.*

E. WW044 WWTP 2020 IMPROVEMENTS CHANGE ORDER #7 – WILLIAMS BROTHERS:
Considering approval of Change Order #7 to Williams Brothers in the amount of \$175,140.96 – Action Item

It was explained by Public Works Director Johnson that these 2020 improvements have been before Council since 2018. Most recently, Ordinance 4874 was approved closing the loan for this project. This portion of the project will be funded using Wastewater funds.

Continuing, Mr. Johnson stated that as WWTP construction wraps up, it was determined the existing asphalt at the WWTP is nearing the end of its useful life. The City has requested all the existing asphalt be removed, regraded and new asphalt installed. Due to winter weather, Williams Brothers has indicated that the asphalt work would not be completed until Spring 2023.

Councilor Schroeder provided a motion to approve the WW044 WWTP 2020 Improvements Change Order #7 with Williams Brothers Construction, LLC. It was seconded

by Councilor Kleeburg and carried. ROLL CALL VOTE: VOTING AYE: Liedkie; Forsmann; Kleeburg; Schroeder; Spickelmire; Tousley. VOTING NAY: None.

F. ORDINANCES

1. FIRST READING

- a. Ordinance 4876:** *Amending Section 2-42 of the Lewiston City Code related to the Compensation Review Committee – Action Item*

Mayor Johnson reported that currently Lewiston City Code requires members of the Compensation Review Committee to be appointed in January of each odd-numbered year and that the Committee must consist of exactly 7 members. Ordinance 4876 provides more flexibility as to when members of the Committee are to be appointed by requiring that such members be appointed in each odd numbered year (and not specifically January). Additionally, the Ordinance allows the Committee to consist of either 5 or 7 members.

There was a motion and second submitted by Councilors Forsmann and Kleeburg to approve the first reading of Ordinance 4876. The motion carried unanimously.

ORDINANCE 4876: “AN ORDINANCE OF THE CITY OF LEWISTON AMENDING SECTION 2-42 OF THE LEWISTON CITY CODE RELATED TO THE COMPENSATION REVIEW COMMITTEE, AND PROVIDING AN EFFECTIVE DATE”

- b. Ordinance 4875:** *Amending Section 36.5-5(c) of Lewiston City Code related to water used for irrigation purposes at a municipal golf course – Action Item*

A motion was offered by Councilor Forsmann and seconded by Councilor Schroeder to approve the first reading of Ordinance 4877. The motion to read carried unanimously.

ORDINANCE 4875: “AN ORDINANCE OF THE CITY OF LEWISTON AMENDING SECTION 36-5.5(c) OF THE LEWISTON CITY CODE RELATED TO WATER USED FOR IRRIGATION PURPOSES AT THE MUNICIPAL GOLF COURSE, AND PROVIDING AN EFFECTIVE DATE”

VIII. ITEMS MOVED FROM THE CONSENT AGENDA

IX. 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 Schroeder stated the council now accesses their packets online and assured the audience that they are all viewing their tablets for that reason.

Councilor Forsmann said she will be in California visiting her sister who is fighting cancer for 16 days and will be utilizing Zoom to join the next two meetings.

Councilor Spickelmire reported that he recently went on a ride-along with the Police Department and had an opportunity to view many homeless issues throughout the City. He commended Chief Kuzak and his department, stating that his experience was very professional and he enjoyed it thoroughly.

Councilor Kleeburg encouraged the councilors to attend an upcoming MPO meeting as they address transportation issues throughout the entire valley. He said these meetings provide an opportunity for people to learn about where the needs are.

Councilor President Liedkie provided a “shout out” to the staff at Opportunities Unlimited for recently providing excellent service to some homeless individuals who visited the thrift store. She encouraged community members to get involved and to make their voices heard.

Councilor Tousley stressed the importance of citizens being actively involved in their community. If individuals want to make an impact on what is going on, they should go out and talk with others, come to Council meetings, and attend open houses.

- B. **CITY BOARDS AND COMMISSION LIAISON UPDATES**

Councilor Kleeburg noted that the next MPO meeting is scheduled on Thursday at 4:15 p.m. at the Bell Building.

Councilor Schroeder announced that there is one opening on the Historic Preservation Commission. Schroeder.

- C. **MAYOR COMMENTS**

Mayor Johnson reported that Peer Ali, exchange student from Pakistan, performed community service by picking up garbage along Bryden Avenue. He announced that “grabbers” are available to be checked out at the library for anybody wanting to help clean up the community. did

D. ADVISORY BOARD OR COMMISSION APPOINTMENTS

None.

E. AGENDA TOPICS

None.

X. ADJOURNMENT

There being no further business to come before the Lewiston City Council, Councilors Kleeburg and Schroeder moved and seconded, respectively, adjournment of the February 27, 2023, Regular meeting at 8:10 p.m.

March 13, 2023

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

City Council meetings are recorded live. To view the full video, go to <https://livestream.com/lewiston/events/3725902>

COUNCIL MEMBERS PRESENT: Mayor Johnson; Councilor President Liedkie; Councilor Forsmann (via Zoom); Councilor Kleeburg; Councilor Schroeder; Councilor Spickelmire; Councilor Tousley.

I. CALL TO ORDER

Mayor Johnson called the meeting to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

Phil and Marilyn Irvine, volunteers of the Adopt-A-Street Program since its inception, led the Pledge of Allegiance.

III. CITIZEN COMMENTS

Mayor Johnson announced that City Clerk Ravencroft is participating in the meeting remotely and would be taking minutes. Additionally, Councilor Forsmann has joined via Zoom.

Molique Prior expressed concerns about public transit. He presented a petition containing numerous signatures from individuals who would like to see additional routes and runs later in the evening.

Johanna Frank expressed concern for comments made that she believes were not true when the warming shelter was previously proposed at the old Inland Cellular building.

Ken Krahn said that because an agenda wasn't noticed in the Tribune, he found out about a proposed expenditure of \$36,000 for Community Park, as well as a round-about at 10th and Burrell, after they were approved. He expressed his belief that there is not enough room for the round-about, and that other projects should be finished/fixed before spending money on new ones.

IV. PUBLIC HEARINGS AND RELATED ACTION ITEMS

A. PUBLIC HEARING: VA-04-2022 - VACATION OF PUBLIC RIGHT-OF-WAY - PETITIONER: DICK GOODSON: *Accepting testimony on a request to vacate the public right-of-way for an alley located north of East Main Street and east of 30th Street, with the condition that a public utility easement be reserved within the vacated right-of-way area (Dustin Johnson)*

Mayor Johnson announced that tonight was the time and place advertised for the public hearing regarding VA-04-2022. He opened the hearing and asked that a staff report be provided.

Public Works Director Johnson explained the subject alley runs through the center of Block 3 of the Porter and McCloud Addition, which was originally platted in 1906. There is currently no

maintained public street within the subject right-of-way and it appears that the historical use of the right-of-way is limited to access for the adjacent private properties.

Mr. Johnson said that in compliance with the current Vacation ordinance, the applicant has submitted the necessary application and fees. Avista Utilities has natural gas distribution infrastructure in the proposed vacation area and has requested that a public utility easement be retained within the vacated right-of-way area. It is recommended that the Council vote to conditionally approve VA-04-2022, on the condition that a public utility easement be retained on the entire vacated area, so long as the City Council determines that no property rights will be affected adversely and that such vacation is expedient for the public good.

Councilor Spickelmire asked if ownership of the land will transfer upon completion of the Vacation. Mr. Johnson explained that the parcel splits down the middle, with part going to the neighboring property owner.

Mayor Johnson called for testimony, both in favor of and against the vacation request. There being none, the hearing was closed.

B. RESOLUTION 2023-4: *Considering vacating the public right-of-way in VA-04-2022 and reserving an easement (Dustin Johnson)*

It was moved and seconded by Councilors Schroeder and Kleeburg to approve Resolution 2023-4. ROLL CALL VOTE: VOTING AYE: Liedkie; Forsmann; Kleeburg; Schroeder; Spickelmire; Tousley. VOTING NAY: None.

V. 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”.

Council President Liedkie asked that the Vouchers Payable be moved to the Active Agenda for discussion.

Council President Liedkie and Councilor Tousley moved and seconded, respectively, adoption of the Consent Agenda as amended. ROLL CALL VOTE: VOTING AYE: Liedkie; Forsmann; Kleeburg; Schroeder; Spickelmire; Tousley. VOTING NAY: None.

A. LEWISTON CITY COUNCIL MEETING MINUTES: *02/27/2023 Special Audit – Action Item*

B. ADVISORY BOARD AND COMMISSION MEETING MINUTES: *02/02/23, 02/09/23 and 02/13/23 Historic Preservation Commission; 01/10/23 Urban Renewal Agency; 02/08/23 Planning & Zoning Commission – Action Item*

- C. **VOUCHERS PAYABLE:** *Considering approval of the Vouchers Payable dated 01/20/23 through 02/06/23 in the amount of \$1,178,679.39 and 02/07/23 through 02/23/23 in the amount of \$4,170,339.27 - Moved to the Active Agenda*

VI. ACTIVE AGENDA

- A. **WW001 2022 WW IMPROVEMENT PROJECT BASIN 4C, 7C AND 2B CHANGE ORDER #7:** *Considering approval of Change Order #7 for WW001 2022 WW Improvement Project Basin 4C, 7C & 2B with Titan Technologies in the amount of \$85,146 (Dustin Johnson)*

Public Works Director Johnson explained that Change Order #7 is in the amount of \$85,146 for a sewer pipe burst in an additional location, Locomotive Park. Because it is in excess of \$50,000, the City Purchasing Policy requires Council approval.

In response to a question raised by Council President Liedkie regarding numerous change orders for this project, Public Works Director Johnson reported that the first three were scheduled and did not impact the costs. The others were related to a request by the City to complete sewer line in this area in conjunction with the water project.

Council President Liedkie questioned the reason for additional traffic control. Mr. Johnson said that because a portion of the project is on Highway 12, more traffic control is required than what is used for local streets.

Councilor Kleeburg expressed his support, stating that the equipment is already on the ground and it will prevent the contractor from coming back at a later date to complete sewer work.

Councilors Schroeder and Kleeburg moved and seconded approval of Change Order #7 for WW001 2022 WW Improvement Project Basin 4C, 7C & 2B with Titan Technologies in the amount of \$85,146. **ROLL CALL VOTE: VOTING AYE:** Liedkie; Kleeburg; Schroeder; Spickelmire; Tousley. **VOTING NAY:** Forsmann.

- B. **KN23119 LOWER LEWISTON PORT OF ENTRY WATER LINE AGREEMENT:** *Considering approval of a Memorandum of Understanding (MOU) between the Idaho Transportation Department (ITD) and the City of Lewiston to construct a City water main towards the ITD weigh station on Highway 12 (Dustin Johnson)*

Public Works Director Johnson explained that an MOU is being sought between the Idaho Transportation Department and the City to construct a city water main towards the ITD weigh station on Highway 12. ITD currently uses water provided by Red Rock Water District, which regularly fails to meet DEQ standards. It is their desire to connect to City water at their expense.

Continuing, Mr. Johnson said this project would extend the existing water mainline from its dead end in Hatwai Road towards the Port of Entry. The project will include fire hydrants and appurtenances, will extend fire protection and water service, and will remain within the city's water service area. The City would select an engineer to perform construction engineering and inspection and advertise the project for construction bidding. ITD would reimburse all costs associated with the project.

Council President Liedkie asked if the entire project lies within the City limits. Public Works Director Johnson indicated that a portion is within Nez Perce County as it goes down Hatwai Road and crosses into the right-of-way. He added that staff has been working closely with the County and ITD, as it was the County that requested that the line be in the center of the road. Upon completion, those along Hatwai Road will be able to tap into City water and would be charged similarly to other customers in that area. Mr. Johnson also reported that any potential tap into the City line would require a formal agreement.

It was moved and seconded by Councilor Schroeder and Councilor Tousley to approve the Memorandum of Understanding between the City of Lewiston and the Idaho Transportation Department to extend the existing water mainline toward the Port of Entry.

Council President Liedkie said she feels like there are more questions that need to be answered before she can vote in favor. Councilor Tousley added he feels good water pressure would be something that would entice people to come to Lewiston. If ITD is going to pay for it and make the road nicer at the same time, then it is a win for the City.

ROLL CALL VOTE: VOTING AYE: Kleeburg; Schroeder; Spickelmire; Tousley. VOTING NAY: Liedkie; Forsmann.

C. RFP-23-005 GOLF COURSE MANAGEMENT: *Considering approving the contract between the City and Lewiston Golf, LLC (Tim Barker)*

Parks and Recreation Director Barker explained that following a termination notice from the previous golf course operator, CourseCo, dba Lewiston Golf, LLC, was selected on an interim basis to manage the facility. In November, a request for proposal was opened up for management companies to submit their bids to operate the course. Two bids were received, and Lewiston Golf, Inc. was recommended after committee review. Since that time, staff have been working with CourseCo to develop a management agreement for Bryden Canyon Golf Course.

Continuing, Mr. Barker noted that the term of the agreement would be from April 1, 2023 through September 30, 2026. After the initial term, the agreement will automatically renew for up to seven additional one-year terms, unless terminated. The City will pay Lewiston Golf, LLC a fixed fee of \$7,000, plus an optional accounting service fee of \$1,200 each month, and will adjust annually based on the CPI. These funds will come from the course operating account.

Parks & Recreation Director Barker explained a couple of negotiated changes regarding the CPI adjustment and golf cart prices.

Michael Sharp, President/CEO of CourseCo, explained that his company's sole business is golf management, noting that they currently manage 43 properties. Coming to Bryden Canyon Golf Course on an emergency basis about 5 months ago, Mr. Sharp said they were fortunate to receive the contract through the city's RFP process. He stated that his company understands financial performance and community engagement, stays on top of communications with the City, and are great managers. CourseCo plans to finalize its marketing and operations plan beginning next week and will hold a town hall meeting with the community to reduce stress and anxiety of both golfers and the employees.

Responding to a question raised by Councilor Spickelmire regarding previous financials of the course, Parks & Recreation Director Barker explained that the city and Golf Fun, Inc., were on a month-to-month agreement and the city did not receive solid financial information. Though it is too early to have a strong understanding of what the financials will be in the future, staff will work very closely with the new managers and will be able to provide more clear numbers to the Council.

Councilor Kleeburg stated that financial data from Golf Fun has always been an issue. He said he looks forward to good solid reporting on the true costs of operations and revenue.

Councilor Spickelmire noted that he didn't see a lot of expectations from the City for CourseCo within the contract. Mr. Barker explained that many expectations have already been outlined and were not necessarily identified within the agreement.

Councilor Spickelmire then asked if staff feels comfortable with what the City will be expected to pay CourseCo and if they believe that it will not be a burden on the taxpayer. Mr. Barker said he feels very comfortable moving forward and has a strong belief in what CourseCo has put together. They have an amazing reputation at other courses, and the reports they have already provided are extremely detailed. It is expected that CourseCo will bring additional revenues and plan to put money into a capital account that will be used for future improvements to the course.

Council President Liedkie requested a breakdown of capital expenses. Parks & Recreation Director Barker noted that he would be providing the Council with a presentation in May on this topic, but stated that improvements to the kitchen, new carpeting, upgrades to the cart area, and new storage tanks for gas and diesel have been completed. Some of the scheduled projects include improving the driveway into the facility, a maintenance shed replacement and improvements to the south pond for irrigation purposes.

Councilor Tousley questioned what would happen if the Council didn't approve the agreement. Mr. Barker replied that the City would have to step in and operate/manage the

course and figure out what to do in the long-term. He emphasized that staff does not feel this is the best option.

Councilor President Liedkie said it is very difficult to make a decision without seeing any financial reports. Though she feels the City needs to keep the golf course, she wants to make sure it is moving in the right direction.

Discussion continued regarding responsibilities within the contract, future financials, the course becoming self-sustaining, and paying full price for water at the course.

Councilor Schroeder offered a motion to award RFP-23-005 to CourseCo, Inc./Lewiston Golf, LLC and authorize the Mayor to execute the agreement between the City of Lewiston and Lewiston Golf, LLC. Councilor Kleeburg seconded the motion. *ROLL CALL VOTE: VOTING AYE: Liedkie; Forsmann; Kleeburg; Schroeder; Tousley. VOTING NAY: Spickelmire*

D. ORDINANCES

1. SECOND AND THIRD READINGS

- a. **Ordinance 4872:** Considering the amendment of various sections in Chapter 37, Articles I and III of the Lewiston City Code to change the name of the zoning code, amend definitions and amend regulations pertaining to Planned Unit Developments; repealing Section 37-95 titled “designation” and reserving such Section; repealing and replacing Section 37-97 regarding administrative procedures for Planned Unit Developments; amending Section 37-115 regarding contract zoning agreements (Katie Hollingshead)*

A motion and second were made by Councilors Schroeder and Tousley to combine the second and third readings and waive the third reading in full of Ordinance 4872.

Council President Liedkie moved to amend Ordinance 4872 by deleting the language in Section 5(c) and instead reinserting Section 5 (e) private roadways. She said she believes this will provide a clear path forward. Councilor Forsmann seconded the motion.

Council President Liedkie expressed concern that the current language within Ordinance 4872 opens the City up to subjectivity as they may have to go through multiple engineers. Public Works Director Johnson explained that typically a developer is going to have their own licensed engineer. Subjectivity usually falls within the line of topography or existing state of development. Upon final review, the item can be brought before the Council with the assurance that it has been fully vetted.

Additionally, it was purposefully drafted to give developers working room throughout the process.

The motion to amend failed.

The main motion on the floor carried 5 to 1, with Councilor President Liedkie voting nay.

Councilor Schroeder then moved to approve the second and third readings of Ordinance 4872. The motion was seconded by Councilor Kleeburg and carried 6 to 0.

ORDINANCE 4872: “AN ORDINANCE OF THE CITY OF LEWISTON AMENDING VARIOUS SECTIONS IN CHAPTER 37, ARTICLES I AND III OF THE LEWISTON CITY CODE TO CHANGE THE NAME OF THE ZONING CODE, AMENDING DEFINITIONS, AND AMEND REGULATIONS PERTAINING TO PLANNED UNIT DEVELOPMENTS; REPEALING SECTION 37-95 TITLED “DESIGNATION” AND RESERVING SUCH SECTION; REPEALING AND REPLACING SECTION 37-97 REGARDING ADMINISTRATIVE PROCEDURES FOR PLANNED UNIT DEVELOPMENTS; AMENDING SECTION 37-115 REGARDING CONTRACT ZONING AGREEMENTS; AND PROVIDING AN EFFECTIVE DATE”

b. Ordinance 4875: Amending Section 36.5-5(c) of Lewiston City Code related to water used for irrigation purposes at a municipal golf course – Action Item

Councilors Schroeder and Kleeburg moved and seconded to combine the second and third readings and waive the third reading in full of Ordinance 4875. The motion carried with no objections.

A motion was offered by Councilor Schroeder and seconded by Councilor Tousley to approve the second and third readings of Ordinance 4875, which carried unanimously.

ORDINANCE 4875: “AN ORDINANCE OF THE CITY OF LEWISTON AMENDING SECTION 36-5.5(c) OF THE LEWISTON CITY CODE RELATED TO WATER USED FOR IRRIGATION PURPOSES AT THE MUNICIPAL GOLF COURSE, AND PROVIDING AN EFFECTIVE DATE”

c. Ordinance 4876: Amending Section 2-42 of the Lewiston City Code related to the Compensation Review Committee – Action Item

It was moved by Councilor Tousley and seconded by Councilor Schroeder to combine the second and third readings and waive the third reading in full of Ordinance 4876. The motion carried unanimously.

Upon a motion and second submitted by Councilors Tousley and Schroeder, Ordinance 4876 was read for the second and third times. The motion carried with 6 ayes.

ORDINANCE 4876: "AN ORDINANCE OF THE CITY OF LEWISTON AMENDING SECTION 2-42 OF THE LEWISTON CITY CODE RELATED TO THE COMPENSATION REVIEW COMMITTEE, AND PROVIDING AN EFFECTIVE DATE"

2. ADOPTION AND APPROVAL OF ORDINANCE SUMMARIES

- a. Ordinance 4872 - Action Item*
- b. Ordinance 4875 - Action Item*
- c. Ordinance 4876 - Action Item*

Councilor Tousley moved to adopt Ordinances 4872, 4875, and 4876 and their related ordinance summaries. Councilor Schroeder provided the second and the motion carried 5 to 1, with Council President Liedkie voting nay.

VII. ITEMS MOVED FROM THE CONSENT AGENDA

- A. VOUCHERS PAYABLE: Considering approval of the Vouchers Payable dated 01/20/23 through 02/06/23 in the amount of \$1,178,679.39 and 02/07/23 through 02/23/23 in the amount of \$4,170,339.27*

Councilor Liedkie asked for an explanation on the following items. Explanations are provided in parentheses.

- Advanced Contracting for Painting = \$4,494.00 (City Hall painting)
- Admiral Beverage Northwest - \$4,494 (water provided to residents boil order related to the rupture of the high reservoir)
- Banner Bank - Flat Panel Heaters - \$303.09 (replacement of heaters that did not meet Facilities standards)
- David Evans and Associates - \$66,936.77 (design for Bryden Avenue reconstruction - City will be reimbursed by the Urban Renewal Agency)
- Idaho Transportation Department - \$56,822.05 (reimbursement for a double payment from ITD)
- Keltic Engineering - \$1,865 (Engineering for Community Center re-roof)
- Thomas Dean & Hoskins of Idaho - \$1,491.50 (repair on City Hall roof - not scheduled)
- Banner Bank - Public Works (12-wk. leadership development program - Public Works Director Johnson to provide additional information)

- Sherwin Williams - \$17,154 (Public Works Director Johnson to provide additional information)

Council President Liedkie moved to approve the Vouchers Payable dated 01/20/23 through 02/06/23 in the amount of \$1,178,679.39 and 02/07/23 through 02/23/23 in the amount of \$4,170,339.27. Councilor Schroeder seconded the motion. *ROLL CALL VOTE: VOTING AYE: Liedkie; Forsmann; Kleeburg; Schroeder; Spickelmire; Tousley.*

VIII. 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 announced that she would soon be returning from California and plans to attend the next meeting in person.

- B. **CITY BOARDS AND COMMISSION LIAISON UPDATES**

Councilor Schroeder stated she would like to be removed from the Historic Preservation Commission in order to give another Councilor the opportunity to see what this group is about.

- C. **MAYOR COMMENTS**

Mayor Johnson announced that the Urban Renewal Agency meeting scheduled for tomorrow would be rescheduled.

Thanked former city councilor? who attended meeting tonight and invited him to continue to work with the council as try to make Lewiston a better community.

- D. **ADVISORY BOARD OR COMMISSION APPOINTMENTS**

A motion was offered by Mayor Johnson to appoint Ryan Rehder to a two-year term on the Public Works Advisory Commission. Council President Liedkie provided the second and the motion carried unanimously.

- E. **AGENDA TOPICS**

None.

IX. ADJOURNMENT

There being no further business to come before the Lewiston City Council, Councilors Schroeder and Kleeburg moved and seconded, respectively, adjournment of the March 13, 2023, Regular meeting at 7:57 p.m.

March 27, 2023

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

City Council meetings are recorded live. To view the full video, go to <https://livestream.com/lewiston/events/3725902>

COUNCIL MEMBERS PRESENT: Mayor Johnson; Councilor President Liedkie; Councilor Forsmann (via Zoom); Councilor Kleeburg; Councilor Schroeder; Councilor Spickelmire

COUNCIL MEMBERS EXCUSED: Councilor Tousley

I. CALL TO ORDER

Mayor Johnson called the meeting to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

Mayor Johnson led the Pledge of Allegiance.

III. CITIZENS COMMENTS

Bill Strange said he believes it would be a catastrophic mistake for the City to construct a new fire station at 5th and Bryden. Traffic at this intersection is terrible and he knows four people who have been in accidents at this location. He suggested the property be sold and placed back on the tax rolls.

Molique Prior addressed the need for additional transit routes and evening runs.

John Michael expressed the need for a homeless shelter and community events that involve every class of people. He noted that everyone benefits from a thriving community.

Gary Tate spoke to the proposed fire station at 5th and Bryden. He expressed his belief that instead, Fire Stations 2 and 4 should be remodeled, easing the dangers that would be created with construction at this location.

Ken Krahn indicated he is against the construction of a fire station at 5th and Bryden and the roundabout at 10th and Burrell. He emphasized that his taxes have doubled in the last five years and residents expect the Council to make the right choices with their money.

City Clerk Ravencroft read a letter submitted by Kevin Kelly expressing opposition to utilizing \$2 million for a temporary fix of the ruptured high reservoir.

Alex Briggs, childcare provider, noted that the Week of the Young Child has been celebrated for the past three years. This special week brings significance to how important early childhood development and education are. It builds skills in resiliency and improves the social aspects of children's lives.

Megan Anderson, early childhood provider in the Valley, said she is grateful that the Proclamation for the Week of the Young Child is being presented this evening. Early childhood education is something everyone should be concerned about as it affects the entire community.

IV. PRESENTATIONS

- A. **PROCLAMATION: WEEK OF THE YOUNG CHILD:** *Recognizing April 1-7, 2023, as the Week of the Young Child*

Mayor Johnson read aloud the Proclamation recognizing April 1-7, 2023, as the Week of the Young Child and presented it to Alicia Robertson, Lewis-Clark State College Associate Professor/Early Childhood Development.

- B. **PROCLAMATION: STRENGTHENING FAMILIES MONTH; CHILD ABUSE PREVENTION AND AWARENESS:** *Recognizing the month of April 2023 as Strengthening Families Month; Child Abuse Prevention and Awareness*

The Proclamation declaring April 2023 as Strengthening Families Month; Child Abuse Prevention and Awareness was read by Mayor Johnson and presented to Shelly Weimer, North Central District Health Department.

- C. **FINANCIAL REPORT:** *Financial report for February 2023, in accordance with Idaho Code 50-208 - No oral report (Aimee Gordon)*

V. PUBLIC HEARINGS AND RELATED ACTION ITEMS

- A. **PUBLIC HEARING RE: ZNC23-000002 & CPA23-000002:** *Accepting testimony on a proposal to amend the Comprehensive Plan Land Use Designation from Low Density Residential to Medium Density Residential and rezone from Suburban Residential, R-1, Zone to Medium Density Residential, R-3, Zone for approximately 8.96 acres generally located east of 18th Street, north of Airway Avenue and south of unimproved Bryden Avenue (Hollingshead)*

Mayor Johnson announced that this evening was the date and time advertised for the public hearing regarding ZNC23-000002 & CPA23-000002. He declared the hearing open and asked that a staff report be provided.

Assistant Planner Hollingshead explained this is request to rezone approximately 8.96 acres generally located east of 18th Street, north of Airway Ave and south of unimproved Bryden Avenue. Though the Council will not be approving a Plat at this time, the applicant plans to construct duplex homes with shared lot lines. The Planning & Zoning Commissions voted unanimously to approve the Reasoned Statement and recommends approval of both the Cup and rezone to the Council.

Councilor Kleeburg said that Neighborhood No. 7 is more rural in nature than other neighborhoods in town. Though he doesn't have an issue with infill development, he stated that it

doesn't seem to comply with the Comprehensive Plan. Ms. Hollingshead reassured the Council that the number of homes proposed for this development do comply with the number of houses allowed and fall under the zoning designation of Low Density Residential.

Council President Liedkie said she wants to respect long-term residents who live in this neighborhood that want to continue with animal rights and live in a more rural area. Ms. Hollingshead indicated that the current Comprehensive Plan was written in the late 90's and staff is working with a consultant on a rewrite that will take about 18 months. There will be feedback from the community and an opportunity for things to change in the plan during that time. The Comprehensive Plan states that growth should be done in a compact manner utilizing existing services and infill development is encouraged on some of the parcels that will be able to connect to existing services. As for density, Ms. Hollingshead said there are a number of lots in the immediate area that don't meet the standards to keep any animals other than chickens. This proposed development will probably look more like what is within the Canyon Crest Subdivision, but would definitely be denser than the 2.8-acre neighbor next door. She also confirmed that all development would be subject to City standards.

Councilor Kleeburg emphasized that residents in this neighborhood have strongly expressed their desire for the retention of animal rights. Higher density uses are not appropriate for this area except when included within a Planned Unit Development where their appropriateness can be evaluated. Ms. Hollingshead indicated that the type of buyers who would be interested in the proposed product do not want 5-acre lots or animal rights, but rather smaller yards, less upkeep, paved streets, sidewalks, etc.

Councilor Schroeder stated that this is an opportunity for those with 5-acre lots to keep them or sell them to do something different. It will serve as a good mix moving forward and will assist in Lewiston's housing needs.

Testimony, both in favor and in opposition, was sought by Mayor Johnson.

City Clerk Ravencroft read a letter from Noah Prescott who said he believes the location of this development is poor land use within the City. He addressed the issue of additional traffic in this neighborhood and the need for maintenance of three new streets. Further, he said he believes there are better solutions to Lewiston's housing problems.

Ken Krahn stated that the Council should deny any development in southeast Lewiston until the water system and City streets are improved. He noted there is plenty of property east of Thain and near the airport that would be better suited.

B. RESOLUTION 2023-16: *Implementing the City Council's decision in CPA23-000002, amending the "Future Land Use Map Neighborhood No. 7 – East Orchards" of Chapter 6.7 of Lewiston's Comprehensive Land Use Plan (Hollingshead)*

A motion and second were made by Councilors Schroeder and Kleeburg, respectively, to approve Resolution 2023-16.

Councilor Kleeburg said he understands the need for additional housing, but is not sure if Neighborhood No. 7 is the right location.

Councilors Kleeburg and Schroeder withdrew their motion and second in order for the Council to review the rezone criteria further, which Ms. Hermann read aloud.

Councilor Kleeburg moved to table Resolution 2023-16 to the April 10, 2023, regular meeting. Council President Liedkie seconded the motion.

Council President Liedkie said she would like to hear from the applicant. Though she appreciates the traffic plan, she wants to make sure that everyone is doing their due diligence to ensure this action will move the entire city forward and that it's not just the idea of improving housing options.

City Attorney Hermann explained that if it is the Council's desire to accept additional testimony or evidence, then an additional public hearing would need to be noticed and held.

Therefore, Councilor Kleeburg offered an amended motion to table the Public Hearing and Resolution 2023-16 to the April 24, 2023, regular Council meeting. Council President Liedkie seconded the motion. *ROLL CALL VOTE: VOTING AYE: Liedkie; Forsmann; Kleeburg; Schroeder; Spickelmire. VOTING NAY: None. EXCUSED: Tousley.*

C. **ORDINANCE 4880 (FIRST READING):** *Implementing the City Council's decision in ZNC-23-000002, declaring that certain real property be removed from the Suburban Residential (R-1) zone and included in the Medium Density Residential (R-3) Zone and amending the official zoning map of the City of Lewiston (Hollingshead)*

Councilor Kleeburg offered a motion to table the first reading of Ordinance 4880 to April 24, 2023. Councilor Forsmann seconded the motion. *ROLL CALL VOTE: VOTING AYE: Liedkie; Forsmann; Kleeburg; Schroeder; Spickelmire. VOTING NAY: None. EXCUSED: Tousley.*

VI. 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".

Council President Liedkie and Councilor Schroeder moved and seconded, respectively, adoption of the Consent Agenda. *ROLL CALL VOTE: VOTING AYE: Liedkie; Forsmann; Kleeburg; Schroeder; Spickelmire; Tousley. VOTING NAY: None.*

- A. **LEWISTON CITY COUNCIL MEETING MINUTES:** 03/06/23 Work Session; 03/09/23 Special – Action Item
- B. **ADVISORY BOARD AND COMMISSION MEETING MINUTES:** 01/18/23 Parks & Recreation Advisory Commission; 11/10/22, 12/08/22 and 01/12/23 Disability Advisory Commission; 02/22/23 Planning & Zoning Commission; 02/15/23 Library Board; 02/09/23 Business Improvement District– Action Item
- C. **VOUCHERS PAYABLE:** Considering approval of the Vouchers Payable dated 02/24/23 through 03/09/23 in the amount of \$1,749,391.91

VII. ACTIVE AGENDA

- A. **2022 ADA ANNUAL REPORT:** Review and consider approval of the 2022 ADA Annual Report (Dustin Johnson)

Public Works Director Johnson explained that the ADA Transition Plan was adopted by the Council in September 2020. That Plan is intended to address the most recent ADA policies and rules. It positions the City's facilities, policies, and design standards to be consistent with draft public right-of-way design guidance and ADA requirements. This plan includes a recommendation for the City to produce an annual report on its progress in implementing the upgrades to policies, programs and public infrastructure to comply with requirements of the ADA.

Mr. Johnson noted that the 2022 Annual Report has been reviewed by the Disabilities Advisory Commission. Staff will continue to strive for each annual report to be increasingly comprehensive, covering any and all projects, programs, and policies by the City.

Mayor Johnson encouraged the Council to thoroughly read this report as it can be very useful for the City moving forward. He noted there are many similarities to the Capital Improvement Plan.

Councilor Schroeder moved and Councilor Forsmann seconded approval of the Lewiston, Idaho 2022 ADA Transition Plan Annual Report. The motion carried 5 to 1, with Councilor Tousley excused.

- B. **RESOLUTION 2023-20:** Considering accepting a donation of brown landscape 8" stackable stones from Nez Perce County (Tim Barker)

A motion to approve Resolution 2023-20 was made and seconded by Councilors Schroeder and Forsmann, respectively. **ROLL CALL VOTE: VOTING AYE:** Liedkie; Forsmann; Kleeburg; Schroeder; Spickelmire. **VOTING NAY:** None. **EXCUSED:** Tousley.

- C. **PROGRESSIVE DESIGN-BUILD AGREEMENT AMENDMENT NO. 02:** *Considering extending the time for Phase 1B by 45 calendar days for the Fire Station 4 project (Myklebust)*

A motion was offered by Councilor Schroeder to approve the Progressive Design-Build Agreement Amendment No. 02 between CORE West, Inc., and the City of Lewiston. Councilor Kleeburg provided the second.

ROLL CALL VOTE: VOTING AYE: Liedkie; Forsmann; Kleeburg; Schroeder; Spickelmire. VOTING NAY: None. EXCUSED: Tousley.

- D. **TRANSIT GRANT FUNDING AGREEMENT ADDENDUM:** *Considering approval of an addendum to the Grant Funding Agreement for the Lewiston Community Center Bust Transfer Stop construction (Seigneur)*

It was moved by Councilor Schroeder to approve Amendment 1 to the FTA 5339 Small Urban Funding Agreement \$2020-09 between the Idaho Transportation Department and the City of Lewiston. Councilor Forsmann seconded the motion. ROLL CALL VOTE: VOTING AYE: Liedkie; Forsmann; Kleeburg; Schroeder; Spickelmire. VOTING NAY: None. EXCUSED: Tousley.

- E. **IFB-23-006 19TH AVENUE SIDEWALK INFILL; 15TH TO 16TH, T4065:** *Considering the contract between the City of Lewiston and Knox Concrete, LLC in the amount of \$285,250 (D. Johnson)*

It was explained by Public Works Director Johnson that this project will construct concrete sidewalk, curb and gutter, and retaining wall on the south side of 19th Avenue with ADA compliant pedestrian ramps at intersections. The Council approved the LHTAC/Local Agreement for this project in August 2022 with an estimated total project cost of \$290,000. Mr. Johnson noted that this sidewalk will serve as the sole missing link to provide continuous connectivity between McSorley Elementary School and the adjacent residential neighborhood, government offices, and shopping centers. It will be paid for with \$250,000 in grant funds and \$40,000 in ADA local funds.

Councilors Kleeburg and Forsmann moved and seconded a motion to award IFB-23-006 to Knox Concrete, LLC, in the amount of \$285,250 and authorize the Mayor to execute the agreement between the City of Lewiston and Knox Concrete, LLC. ROLL CALL VOTE: VOTING AYE: Liedkie; Forsmann; Kleeburg; Schroeder; Spickelmire. VOTING NAY: None. EXCUSED: Tousley.

- F. **RESOLUTION 2023-19:** *Declaring that an emergency exists and that the public interest and necessity demand the immediate expenditure of public money for the design and construction of an interim solution for water storage in the high zone of the City of Lewiston's water system (D. Johnson)*

Through the use of a Power Point presentation, Public Works Director Johnson indicated that this resolution declares an emergency for the expenditure of money for the

high reservoir. He provided an overview of the timeline of events, emphasizing that stored water is critical to Lewiston's water system. Many scenarios were reviewed that included temporary water bladders, permanent steel tanks, prefab, etc., but the best solution was determined to be to repair and reutilize the current reservoir.

Continuing, Mr. Johnson said that this declaration expedites the procurement process, allows for direct negotiations with the design/build team, and establishes limits for the overall cost of the project. Normally, a project of this nature would take about 18 to 24 months, which, in this case, the City doesn't have. The Resolution calls out two provisions: one in which the Mayor has the authority to sign the contract for \$100,000 to \$400,000; and second is that the contract will not exceed \$2 million. The first provision will allow the contractor to visit the site to investigate, stabilize the site, do any demolition that is needed, and determine what it will take to repair the reservoir.

Public Works Director Johnson stated that the current water system cannot provide enough water for the irrigation demand. Without enough water, it could potentially lead to depressurization, collapsed pipes, and an additional boil water order. He noted that it will be very important to educate the public and keep them engaged in the process.

If the Council approves this emergency declaration this evening, the Mayor would execute a preliminary selective demolition and evaluation contract. Further analysis will provide what is needed for the design and repair of the high reservoir. A detailed scope of service will then be brought back to the Council for approval. Once stored water is back in the system, staff can begin focusing on long-term solutions.

If the Council chooses not to approve the Resolution, then the standard procurement procedures would need to be followed and there would not be a team on board before summer. Staff would then need to move forward with full irrigation restrictions.

Public Works Director Johnson indicated that to date, all funds utilized for the high reservoir rupture have come from the water utility fund. The funds for the proposed repairs will come from water utility reserves. Work continues to secure funding from the insurance company, DEQ emergency funds, and State and Federal relief. Staff will also continue conversations with the Governor and legislature to determine if any emergency funds are available. Mayor Johnson added that he contacts people at the legislative level on a weekly basis.

Council President Liedkie asked if utilization of the water utility reserves for this project would deplete the fund. Mr. Johnson explained there is a Reserve Fund that is for emergencies and an Opportunity Fund that is used for grant match, etc. Many projects have been moved around that were initially high on the priority list in an effort to free up funding for repairs to the reservoir. He assured the Council that he would provide a better idea of how financially stable the utility fund is when he knows more.

Responding to a question raised by Councilor Forsmann, Mr. Johnson indicated that the money in the utility fund can only be used “utilities” and cannot be used for street repairs, for example.

Councilor Spickelmire asked if the projected end game is to repair the reservoir for long-term use. Public Works Director Johnson explained the goals would be to get off the boil water order and once online if the reservoir holds 2 to 2.5 million gallons and is safe and stable, it could give staff a couple of years to evaluate where the demands are based on growth.

Council President Liedkie said that Mr. Johnson mentioned high priority projects that needed to be moved down on the list and asked what those are. Mr. Johnson indicated he was referring to the transmission line, planning projects, and the 21st Street booster/pump station.

As Lewiston’s surface area is expanded, Council President Liedkie asked what this means with regard to staffing needs. Mr. Johnson said if she were to ask that question in December, he would have said that with the new treatment plant, the water system is becoming more efficient. With the scenario the City now faces with no stored water as the demand ramps up, trying to find pumps that are down or leaky mains, it is a different picture. Mr. Johnson stated that if the reservoir can get back up and running and the system is balanced, then the water treatment plant can handle it. With a low reservoir, high reservoir, 100-year-old-plus mains, there are many things that need to be upgraded and it takes strategic planning to get in front of them before they break.

It was moved by Councilor Schroeder and seconded by Councilor Kleeburg to approve Resolution 2023-19.

Councilor Kleeburg said Lewiston is a desert with only 11 inches of rain per year. He stated he is more concerned about fire capacity than he is about having green lawns.

Council President Liedkie asked if the City is more at risk of other things failing if repairs are not made. Public Works Director Johnson replied that the high reservoir is a key cog in the water system that can’t be ignored. He added he definitely has concerns for the other 100-year-old utilities, specifically mentioning the transmission line.

ROLL CALL VOTE: VOTING AYE: Liedkie; Forsmann; Kleeburg; Schroeder; Spickelmire.
VOTING NAY: None. EXCUSED: Tousley.

VIII. ITEMS MOVED FROM THE CONSENT AGENDA

None.

IX. 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.*

Council President Liedkie commended the Mayor for taking the reservoir issues to Idaho state officials for potential assistance. She encouraged everyone to pay attention to what is happening at the State level and to reach out to their representatives about the need to bring tax relief to Lewiston.

Councilor Kleeburg agreed, stating that the easy solution would be to reinstate the property tax exemption to where it should be and index it. What is being proposed is neither sustainable nor a long-term solution. Mr. Kleeburg reminded everyone about OpenGov, a program available on the city's website that allows access to all financials, down to every chick written.

Councilor Forsmann said she heard from a resident about speeding on Linden Avenue. She noted that individuals can report concerns/crimes by going to cityoflewiston.org/departments/police.

- B. **CITY BOARDS AND COMMISSION LIAISON UPDATES**

None.

- C. **MAYOR COMMENTS**

Mayor Johnson encouraged the councilors to provide brief updates at the regular evening meetings on the advisory boards and commissions in which they serve as liaisons.

Additionally, he noted that staff has worked very hard on a Strategic Plan that the Council will be reviewing at its April 3rd work session.

- D. **ADVISORY BOARD OR COMMISSION APPOINTMENTS**

1. **Disability Advisory Commission**

A motion was offered by Mayor Johnson to appoint Matthew Ruth to the Disability Advisory Commission. Councilor Schroeder provided the second and the motion carried. Councilor Tousley was excused.

2. **Public Works Advisory Commission**

It was moved by Mayor Johnson to appoint Ryan Rehder to the Public Works Advisory Commission for a three-year term. Councilor Schroeder provided a second and it carried 5 to 0, with Councilor Tousley excused.

Mayor Johnson moved and Councilor Kleeburg seconded the appointment of Laura Wright, Kayleigh Philippi and Kevin Kelly to the Public Works Advisory Commission for three-year terms. The motion carried 5 to 0, with Councilor Tousley excused.

3. Parks and Recreation Advisory Commission

It was moved by Mayor Johnson and seconded by Councilor Forsmann to reappoint James Kirk to a three-year term on the Parks and Recreation Advisory Commission. The motion carried unanimously, with Councilor Tousley excused.

4. Library Board

It was moved and seconded by Mayor Johnson and Councilor Forsmann, respectively, to reappoint Josh Brown to a five-year term on the Library Board. The motion carried 5 to 0, with Councilor Tousley excused.

E. AGENDA TOPICS

Council President Liedkie offered a motion to invite Airport Director Isaacs and/or members of the Airport Authority to make a presentation to the Council at its May 1, 2023, work session. The motion was seconded by Councilor Kleeburg and carried 5 to 0, with Councilor Tousley excused.

IX. ADJOURNMENT

There being no further business to come before the Lewiston City Council, Councilors Schroeder and Forsmann moved and seconded, respectively, adjournment of the March 27, 2023, Regular meeting at 8:23 p.m.

March 8, 2023

The LEWISTON PLANNING AND ZONING COMMISSION met in the Community Development Department Second Floor Conference Room at 215 "D" Street. Chair Busch called the meeting to order at 5:30 p.m.

Planning & Zoning meetings are recorded live. To view the full video, go to <https://livestream.com/accounts/11220190> and select Planning & Zoning.

I. CALL TO ORDER

COMMISSIONERS PRESENT: Michael Busch, Chair; Gabriel Iacoboni, Vice Chair; Kevin Kelly; Cynthia Ball; Kathy Branson; Maureen Anderson

COMMISSIONERS EXCUSED:

STAFF MEMBERS PRESENT: Katie Hollingshead, Assistant Planner; Dawn Ortiz, Community Development Specialist; Aaron Butler, IT; Jennifer Tengono, Assistant City Attorney

II. CITIZEN COMMENTS

Community Development Specialist Dawn Ortiz provided the Commission with a copy and verbal summary of an email received from Noah Prescott. This document can be found under appendix A of the March 8, 2023 minutes.

III. APPROVAL OF FEBRUARY 22, 2023 MEETING MINUTES (ACTION ITEM)

Commissioners Branson and Anderson moved and seconded, respectively, approval of the February 22, 2023 meeting minutes. The motion carried 6-0.

IV. APPROVAL OF THE REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS FOR ZONE CHANGE APPLICATION ZNC23-000002 BY DK HOLDINGS, LLC (ACTION ITEM):

Commissioners Branson and Anderson moved and seconded, respectively, to approval of reasoned statement ZNC23-000002. Motion passed 6-0.

V. PUBLIC HEARING AND SUBSEQUENT DELIBERATION AND DIRECTION TO STAFF REGARDING THE REASONED STATEMENT FOR CONDITIONAL USE PERMIT APPLICATION CUP23-000002 BY TAUNIA HOSKING FOR A DAYCARE CENTER, 13 OR MORE CHILDREN, AT 1827 GRELLE AVENUE (ACTION ITEM):

Chair Busch explained the public hearing process, opened the public hearing and asked for a staff presentation.

Assistant Planner Katie Hollingshead provided a verbal summary of the staff report with maps and photos so the commission can get geographically familiar with the area.

PLANNING AND ZONING COMMISSION MINUTES

March 08, 2023

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Commissioner Ball asked for clarification that the conditional use was to increase the number of children.

Staff Hollingshead stated yes.

Applicant Matt and Taunia Hosking, 1827 Grelle Ave, Lewiston, Id, owners of Auntie's Little Farm House Daycare, stated they have been in business for over 5 years with a group license. They have to turn families away repeatedly because they are not able to take more children unless they increase to a center. There is a very high need in Lewiston for daycares. They even have a waiting list; which parents are willing to wait over a year to get daycare. They help support the community by offering this service, because if parents are not able to have daycare allowing them to work how are these families supposed to put back into the community.

Commissioner Branson asked if the children are escorted to the school in the morning.

Applicant Hosking stated that either herself or her staff walk the children to school.

Commissioner Anderson asked if they also pick the children up from school.

Applicant Hosking stated that either herself or staff are at the school before school is released and are waiting for the children.

Caleb Brink, 721 7th Ave, Lewiston, Id, stated they are in favor of this conditional use permit. Their child goes to this daycare and it is more than a daycare, but more like a home. Their child is excited to go to Auntie's Little Farm House Daycare each day.

Charlie Zumwalt, 3603 18th St C, stated they are in favor of this conditional use permit. Her and her children love Auntie's Little Farm House Daycare and want it to stay open. They were not able to afford their previous daycare due to the transportation charges they were being charged. Auntie's Little Farm House Daycare does not charge this fee and the atmosphere is more like a home that provides learning and curriculum that enables the children to be prepared for when they enter kindergarten.

Nichelle Gilbertson, 1812 Cedar Ave, Lewiston, Id stated she opposes this conditional use permit. It was very difficult to hear Nichelle as she could not speak loudly. Staff did offer to read the letter she had submitted via email and she refused. Chair Busch did paraphrase what he was able to hear to confirm that she opposes the additional children be at the daycare.

Allisa Rudolf, 22950 Granite St, stated they reached out to 20 different daycares trying to find a daycare before they were introduced to Auntie's Little Farm House Daycare by some friends. She trusts Matt and Taunia Hosking to take care of her child and are worried that they will not be able to take their child that is on the way to this daycare.

Chantelle Southner, 1322 Cedar Ave, Lewiston, Id is in favor of this conditional use permit and stated Auntie's Little Farm House Daycare has been in operation for several years, there is plenty of parking to upgrade the daycare to a center. The Hoskings have made sure to meet all the City's requirements to become a center, they even take the extra step to spray their driveway to keep dust down. There have not been any noise complaints.

Rick Lundvall, 1826 Cedar Ave, opposes this conditional use permit. He stated that he has seen children over the current approved limit in the backyard already. His significant other works shift work and sleeps during the day, having over 20 kids and the staff yelling at the kids will make this difficult due to the noise. He is fine with the lesser number that has already been approved but does not agree with the increase.

Darren Tatton, 3529 6th St, is in favor of this conditional use permit. No matter where you are in the City you are going to get noise. Auntie's Little Farm House Daycare is only open until 6 pm. He lives next to the airport park and can hear kids until 11 pm sometimes.

Staff Hollingshead confirmed that all Commissioners present received the 10 submitted public comments provided in the packet. All Commissioners confirmed they did.

Staff Ortiz translated a voicemail from Ralph Rogers, 1830 Cedar Ave, Lewiston, Id who stated he was in favor of this conditional use permit.

Staff Ortiz also read in 3 emails received for public comment. 1 in favor and 2 opposing this conditional use permit. Please see appendix B for these emails.

Applicant Matt and Taunia Hosking, 1827 Grelle Ave, Lewiston, Id, stated the traffic does not bother the neighbor living off Cedar Ave as they only have one entrance to their home off Grelle Ave. As for the neighbor directly behind him, Mr. Hosking stated he drove around the block and stood in front of the neighbor's property and could not hear the children outside. Mr. Hosking stated that the daycare has a schedule and the children are not outside all day long and some of the children are infants and do not go outside. The Hoskings provided images taken from their backyard showing Mr. Lundvall's property; it shows that there is not much space for outside activities due to items placed on the property. Please see appendix C for these photos. The school does seem quieter

as it is close to 780 feet away. They provide a safe, clean and stable place for the children in their care. They want parents to feel good about dropping off their kids.

Commissioner Anderson asked what hours of operation does the daycare have.

Mrs. Hosking stated they are open 6am to 6pm.

Commissioners asked staff to bring up an aerial view of the lot so they can see the play area and surround area.

Mr. Hosking pointed out where the children play using an aerial map. He also pointed out that the play area is currently located behind the neighbor's shop, not the neighbor opposing the conditional use permit.

Commissioner Ball asked if the applicant has given any thought to providing additional noise buffering, such as shrubbery.

Mr. Hosking stated they are open to the thought as long as it is within reason.

Commissioner Kelly asked what the current height of the existing fence is.

Mr. Hosking stated it is 6 feet high.

After deliberation and discussion of relevant criteria, commissioners Kelly and Iacoboni moved and seconded, respectively, to direct staff to draft a Reasoned Statement approving CUP23-0000002 with the condition the applicant provide a reasonable landscape plan for additional sound mitigation with their business license. Motion passed 6-0

VI. STAFF-COMMISSION COMMUNICATIONS:

A. Query of Commissioners for March 22, 2023 meeting.

All current commissioners will be in attendance at the next meeting except Commissioner Branson and Anderson will not be in attendance. Staff Hollingshead stated there will be a public hearing at the March 22, 2023 meeting. There is also still an open seat for the Commission.

VII. ADJOURN

There being no further business, Commissioners Ball and Iacoboni moved and seconded, respectively, to adjourn. The motion carried 6-0 and the Planning and Zoning Commission adjourned at approximately 6:54 p.m.

RESPECTFULLY SUBMITTED,

Dawn Ortiz

Dawn Ortiz,
Recording Secretary

Mike Busch

Chairperson or Acting Chairperson
Planning and Zoning Commission

Approved this 22 day of March, 2023.

Appendix A



Comments on New Developments in Lewiston Orchards

1 message

Noah Prescott <noahprescott@proton.me>

Sun, Mar 5, 2023 at 11:53 PM

To: "dortiz@cityoflewiston.org" <dortiz@cityoflewiston.org>

Dear members of the Planning and Zoning Commission,

In two recent meetings on February 9th and Feb 23rd, you approved zoning changes for two proposed developments in the Lewiston Orchards. While I am supportive of additional housing and approve of housing density, there are some additional items which should be considered in order to alleviate some potentially negative outcomes that may result from these changes.

A negative consequence I am concerned about is the undue burden these changes will place on the existing public infrastructure. While I am aware that the council did not believe undue burden would be added, I would like to present an alternate view for your additional consideration.

Both of these zoning changes are in the southeast corner of Lewiston. This area is primarily accessible through two options: Thain (and then to Burrell or Powers, depending on the development) or Lindsey Creek Road. In my opinion, Lindsey Creek Road is too far out of the way to be considered a viable option for most people, so I believe Thain will be the primary street used to travel to these new developments.

The locations proposed are approximately 1.5 miles from what could be considered "destination points" for residents. Destination points include grocery stores, meeting places, or small shopping venues. With a distance of 1.5 miles, it is assumed that all residents located in this new development will be required to drive to these destinations. These two proposals represent an additional 92 housing units. With the need to drive, this will result in a *minimum* of 92 additional cars injected into traffic, assuming only one car per household. As the average vehicle is 14 feet in length, Almost 1300 additional feet of vehicular traffic will be added to an already busy street.

There are solutions to this challenge, but it requires a different perspective in what our goals are for our community. Strong communities are built when we intentionally design them to allow for engagement. One way to do this is by creating "walkable areas." To quote the book *Walkable City* by Jeff Speck, "A good walk has to be **Safe, Comfortable, Interesting, and Useful**. It is not a good walk if it does not meet all the criteria." **Safe** means slow traffic or with other people. **Comfortable** means surrounded by trees or mid-to high-rise buildings. **Interesting** is defined by having other people around, or interesting scenery to look at. **Useful** means having a reason to walk. Walking allows us to engage in our neighborhoods, build relationships with others, and create connections. Not to mention the health benefits that walking brings.

We need to rethink the goals for how we build our communities, and there are a few things the Planning and Zoning Commission can do very quickly that will help strengthen our community into a *Strong Town*. There are some arguments to be made for a full-on zoning reform, but I believe we could start by replacing a good portion of R1 zoning within the core of Lewiston (Normal Hill) and the Orchards with a form- based, multi-use zone, similar to the new FIB along Main Street. The main reason for this is because we need to allow for single family homes to organically up-zone in denser, walkable areas. In addition, we need to allow small business to open in these areas so that people are able to access them through walking. Local businesses who are closely aligned with neighborhoods allow for the easy access of needs, in turn supporting small businesses.

Another option to improve our community is to remove parking minimums. Removing parking minimums has been shown to make it easier for local residents to create new small businesses in cities such as Sandpoint and Twin Falls. It's also incredibly wasteful, as that land does not financially contribute to either the business or to the city through tax revenue. I also want to add that for most large stores, 60% of the business's total footprint is allocated for parking. The former Shopko building in Lewiston has a plot size of 300,000 sq feet, of which 160,000 sq feet is parking. This land could be put to much better use; for example, an apartment building.

In summary, I propose that these zoning changes provide us an opportunity to rethink how we want to build our communities. I realize that it takes time to build these kinds of initiatives, but this is a great place to start. Let's strive for the goal of housing our residents in such a way that it enables them to live in walking distance from their main dwelling to destination points, sometimes called "15-minute cities." This will allow us to reduce the number of cars on the road, improve safety, and build tighter, more relational communities.

I hope this letter at least provides a new perspective. I will admit it's possible that I am misunderstanding the phrasing "undue burden on public infrastructure", but I would make the case that roads fit that bill.

Thank you for your time and all you do.

Sincerely,

Noah Prescott

Appendix B



Fwd: Letter from neighbor

1 message

Katie Hollingshead <khollingshead@cityoflewiston.org>

Mon, Mar 6, 2023 at 8:55 AM

To: Dawn Ortiz <dortiz@cityoflewiston.org>, Joel Plaskon <jplaskon@cityoflewiston.org>

Dawn,
Please add this email to the ones you will be reading into the record for the CUP on Wednesday.
Thank you,

Katie Hollingshead

Assistant Planner
City of Lewiston



T 208.746.1318 x 7261

F 208.746.5595

215 D Street

P.O. Box 617

Lewiston, ID 83501-1930

www.cityoflewiston.org

----- Forwarded message -----

From: Taunia Hosking <ALFHdaycare@outlook.com>

Date: Mon, Mar 6, 2023 at 8:53 AM

Subject: Letter from neighbor

To: Katie Hollingshead <khollingshead@cityoflewiston.org>

Taunia
Sent from my iPhone

Begin forwarded message:

From: Tara f <taralynnflower29@gmail.com>

Date: March 5, 2023 at 1:57:53 PM PST

To: ALFHDAYCARE@outlook.com

To whomever it concerns

Our names are Clint and Tara Fowler. We live at [1908 Grelle Avenue, Lewiston Idaho](#). We are a few houses from Matt and Taunia's Daycare. We have known the Hosking family for many years. They are wonderful, hard working, honest, caring tax paying citizens. We are so lucky to have them as neighbors, but also with them providing an at home daycare for so many in need families in our area. The close proximity of being next to Camelot Elementary is wonderful for many working parents. Many are unable to transport their kids to and from school because of the demanding jobs we all have to take to provide for our families. This huge perk of being close to the school takes away worry for many parents. I have witnessed the teachers walking children to school. They impress me with the care, safety and watchful eye on the children. Its nice as a parent to drop your child off, knowing they are safe, and happy.

Living so close to their daycare hasn't caused any issues for us. We forget there is a daycare there. They keep it respectful of the neighborhood, with no issues. It is so hard to find care for many families. Our town could use more with the type of in-home care that is provided in this specific daycare.

We love having a daycare so close. I have family members that children attend here and they have nothing but wonderful positive things to report back. We find many daycare needs being met by many families in the valley by Matt and Taunia's hard work, dedication, love and care from their Daycare. Without their specific daycare many would be upset and misplaced. Our children are the most important job we have, this daycare helps achieve that goal of raising happy healthy children.

Thank you for your time,

Clint and Tara Fowler



Daycare 1827 Grelle Ave

1 message

Nikki G <n.gilbertson.091705@gmail.com>

Fri, Mar 3, 2023 at 12:58 PM

To: dortiz@cityoflewiston.org

I am responding to the notice of public hearing for increased amount of children at the daycare at 1827 Grelle Ave.

I am opposed to granting the permit for increasing the amount of children at the daycare business. This has a direct impact on this residential area, and my quality of life as this is where I can come home and relax in peace. We will see another increase in traffic, and noise, etc. Note that not all home owners work an 8-5 schedule.

I had inquired about the proposed number of additional children for the daycare business. I was told the amount for the increase wasn't provided by the applicant nor does the City put a limit on the increased number of children associated with the permit, which states 13 or more. It is my understanding the fire department is the entity who approves the number of children based on their requirements for the facility. This could mean a lot more children, traffic and noise.

This also will effect a larger area of homeowners not just ones at the 300+ feet from the property or the whatever the ordinance requirements are for notification (I don't know what the specific rules are for notification).

Thank you for your time.

Nichelle Gilbertson
1812 Cedar Ave.



Fwd: conditional use permit application CUP23-000002

1 message

Rick lundvall <luckyrick777@gmail.com>
To: dortiz@cityoflewiston.org

Sat, Mar 4, 2023 at 9:42 PM

----- Forwarded message -----

From: **Rick lundvall** <luckyrick777@gmail.com>
Date: Sat, Mar 4, 2023 at 9:39 PM
Subject: conditional use permit application CUP23-000002
To: <dortiz@cityoflewiston.org>



To whom it may concern;

I am writing concerning the daycare located directly behind my home ran by Taunia Hostking. Last time I was sent a notice it was a conditional use permit for up to 6 children. I disagree with the expansion of this day care for the following reasons:

- 1) This daycare is located directly behind my home. When the weather is nicer out the children are outside all day long. I have to listen to yelling and screaming all day long, not only from the children but from the staff as well.
- 2) My significant other works night shift as a nurse and sleeps during the day which is impossible at times as the sound of screaming children permeate my home.
- 3) We are unable to use our pool or do activities outside due to hearing the constant yelling and screaming. It is impossible to enjoy anything due to the noise level.
- 4) Ours is a neighborhood of retired/elderly people and it is a shame that this is what we have to listen too.
- 5) We have a elementary school a half of a block away and they are quiet compared to this daycare.

If it is this noisy with up to 12 children, which to our knowledge was only supposed to be up to 6 then what will it be like with 13+ children. I built my home in this area due to it being a quiet neighborhood, and the fact that this is a residential area, this daycare has no consideration to the people who live here. The noise starts early in the morning and doesnt stop until 6 in the evening I do not agree with expanding this daycare.

Thank you for your time,

Rick Lundvall

Appendix C



Fwd: Letter from our neighbor

1 message

Katie Hollingshead <khollingshead@cityoflewiston.org>

Mon, Mar 6, 2023 at 10:00 AM

To: Joel Plaskon <jplaskon@cityoflewiston.org>, Dawn Ortiz <dortiz@cityoflewiston.org>

The applicant has requested that these pictures be added to the record as part of his rebuttal to the letter submitted by his neighbor.

I don't know that I've ever had someone send me rebuttal photos, so I'm not sure how to proceed.

Katie Hollingshead

Assistant Planner

City of Lewiston



T 208.746.1318 x 7261

F 208.746.5595

215 D Street

P.O. Box 617

Lewiston, ID 83501-1930

www.cityoflewiston.org

----- Forwarded message -----

From: **Matt Hosking** <hoskingholsters@outlook.com>

Date: Mon, Mar 6, 2023 at 9:08 AM

Subject: Letter from our neighbor

To: khollingshead@cityoflewiston.org <khollingshead@cityoflewiston.org>

Cc: Taunia Hosking <alfhdaycare@outlook.com>

Katie,

Please add these pictures to the record for the letter from Rick Lundvall.

This is his backyard, that he states has a pool, and they can't do outside activities in. He has no pool and the yard is one of the worst eyesores in our neighborhood. We've put up privacy net to keep noise down, which is minimal and to not have to see the disgust of his yard.

The only outside activities he does is drink and throw his cans around his yard, while yelling at his significant other into the hours of the night and blaring his music. We don't complain and mind our own business because that's the kind of people we are.









Matt Hosking
Hosking Holsters
Sent from my iPhone



Voucher's Payable

Vendor Name	Ck#	Ck Date	Department	Description	Total
4J ELECTRIC	108396	3/16/2023	WSTWTR	WW502 2021 LIFT STATION IMPRVMTS CC 7/12/21 IFB-2	\$100,971.57
	108430	3/23/2023	FIRE	FIRE - 4JELECTRIC - STATION 1 ELECTRICAL	\$25,724.66
			WSTWTR	WW502 2021 LIFT STATION IMPRVMTS CC 7/12/21 IFB-2	\$34,298.27
ABM INDUSTRY GROUP LLC DBA ABM ONSITE SERVICES; ABM JANITORIAL SERVICES	108432	3/23/2023	PARKSFAC	BPO P & R CUSTODIAN CONTRACT FOR LIBRARY	\$4,686.62
AIRBRIDGE BROADBAND LLC	108433	3/23/2023	INFOSYSTMS	BPO - IT - INTERNET SERVICE	\$200.00
ALLWEST TESTING & ENGINEERING	108434	3/23/2023	TRNSPN	TR066 21ST, 7TH TO 19TH; PAVEMENT CONSULT SVCS	\$6,900.00
				WR700 HIGH RESERVOIR EMERGENCY REPAIR TESTING	\$1,712.50
ALWAYS TOWING LLC	108435	3/23/2023	FLTMAINT	BPO- FLEET TOWING SERVICES	\$200.00
AMAZON CAPITAL SERVICES	108436	3/23/2023	COMDEV	BPO - CD: OFFICE SUPPLIES FROM AMAZON	\$351.58
			FINANCE	UB & PURCHASING OFFICE SUPPLIES	\$293.15
			FIRE	FIRE - AMAZON	\$626.47
			FLTMAINT	BPO/ FLEET REPAIR PARTS & OFFICE SUPPLIES	\$199.99
			HR	ID CARD PRINTER	\$1,694.99
				OFFICE SUPPLIES	\$20.97
			INFOSYSTMS	SECURITY KEYS	\$1,250.00
			PARKSFAC	LIQUID SCREEN FOR TABLET THAT RUNS PAINT ROBOT	\$17.09
				MAP HOLDERS	\$509.49
			POLICE	PD HEADPHONES AND EAR BUDS FOR INVESTIGATIONS	\$34.69
			RECREATION	PATCH REPAIR KIT FOR MOVIE SCREEN	\$39.59
			TRNSPN	PW - ST - SAFETY SHIRTS INVENTORY FOR NEW HIRES	\$163.62
			WATER	PW - DIST - SAFETY HAT: GARREN TEED	\$33.99
				PW-WD-#371 INVERTER	\$296.96
				USB-C CABLES	\$20.58
			WSTWTR	PW-WWTP-CALCIUM HYPOCHLORITE CHLORINE; 25LBS	\$148.79
ANATEK LABS INC	108437	3/23/2023	WATER	BPO PW WTP/TOC/COLIFORM SAMPLING ANALYSIS	\$1,020.00
				WELL #7 1ST QUARTER SAMPLING	\$1,595.00
			WSTWTR	BPO PW IND PTMT ANALYSIS OF SAMPL	\$571.00
				BPO PW WWTP LAB SAMPLE ANALYSIS	\$160.00
AQUATIC INFORMATICS INC	108438	3/23/2023	WATER	BPO PW WTR CROSS CONNECTION PROGRAM	\$75.00
ARROW MANUFACTURING INC	108439	3/23/2023	FLTMAINT	REPL POWER STEP PARTS FOR #287 AMB	\$226.00
ASOTIN COUNTY LANDFILL	108440	3/23/2023	SANITATION	BPO - TS - FY23 MONTHLY DISPOSAL	\$94,283.31
			WSTWTR	BPO PW WWTP FY23 MONTHLY DISPOSAL	\$537.08
ATLAS SAND & ROCK	108441	3/23/2023	TRNSPN	BPO - STREETS - CONCRETE	\$509.50



Voucher's Payable

			WATER	BPO PW DISTRIB GRAVEL	\$542.34
AVISTA	108442	3/23/2023	CEMETERY	03/10/2023 BILL DATE: UTILITY CHARGES	\$222.86
			COMDEV	03/10/2023 BILL DATE: UTILITY CHARGES	\$1,414.92
			LIBRARY	03/10/2023 BILL DATE: UTILITY CHARGES	\$2,335.80
			PARKSFAC	03/10/2023 BILL DATE: UTILITY CHARGES	\$18,644.97
			RECREATION	03/10/2023 BILL DATE: UTILITY CHARGES	\$437.22
			SANITATION	03/10/2023 BILL DATE: UTILITY CHARGES	\$453.60
			TRNSPN	03/10/2023 BILL DATE: UTILITY CHARGES	\$40,375.18
			WATER	03/10/2023 BILL DATE: UTILITY CHARGES	\$24,003.70
			WSTWTR	03/10/2023 BILL DATE: UTILITY CHARGES	\$29,663.44
B&H FOTO & ELECTRONICS CORP	108443	3/23/2023	INFOSYSTMS	CONFERENCE ROOM UPGRADES	\$2,739.95
BEAUTIFUL DOWNTOWN LEWISTON	108397	3/16/2023	SPECASSMT	WEEKS ENDING 3/10/23 BID ASSESSMENT COLLECTIONS	\$4,171.28
	108411	3/23/2023	SPECASSMT	WEEKS ENDING 3/17/23 BID ASSESSMENT COLLECTIONS	\$1,240.17
BERNARDO WILLIS ARCHITECTS PC	108444	3/23/2023	CAPITAL PROJECTS	PICKLEBALL COURT DESIGN	\$3,491.40
BILL JENSEN	108509	3/23/2023	PARKSFAC	SMALL ENGINE REPAIR	\$800.00
BINGMAN ENTERPRISES INC DBA KNB FIRE	108519	3/23/2023	FLTMAINT	OSL / REPAIRS TO AERIAL #021	\$7,203.01
				OSL/ REPL FOAM CHECK VALVE ON #002 ENGINE	\$502.28
BLASTED & BAKED INC DBA CUSTOM COAT POWDER COATING	108470	3/23/2023	PARKSFAC	POWDER COAT RAILS FOR AIRPORT BALLFIELDS	\$461.25
			TRNSPN	PW - ST - POWDER COAT FOR #363	\$3,200.00
			WATER	#371 HEADACHE RACK PARTS	\$200.00
BLUE RIBBON LINEN SUPPLY INC	108445	3/23/2023	FIRE	BPO - FIRE - BLUE RIBBON LINEN	\$925.91
			WATER	BPO PW WTP/DISTR LAUNDRY & JANITORIAL	\$591.23
BOB'S GARAGE DOORS LLC	108446	3/23/2023	PARKSFAC	BPO P&R GARAGE DOOR REPAIRS	\$590.00
BRADLEY CORNELL DBA VALLEY SWEEPING LLC	108573	3/23/2023	SANITATION	BPO - TS - SWEEPING	\$231.00
BRETTON S WATSON DBA ABLE LOCKSMITH	108431	3/23/2023	PARKSFAC	BPO P&R LOCK REPAIRS	\$40.00
BRIAN BIRDELL	108423	3/23/2023	POLICE	BIRDELL: REIMBURSE FOR ZIP POUCHES FOR DEPT	\$55.08
BRIAN E WARD DBA GUMBY ENTERPRISES INC	108552	3/23/2023	FLTMAINT	TRITON DIAGNOSTIC SCAN TOOL	\$4,999.02
BRIAN ERICKSON	108404	3/16/2023	POLICE	ADVANCED HOMICIDE INVESTIGATION CONF	\$478.17
BROEMELING STEEL & MACHINE	108447	3/23/2023	PARKSFAC	EQUIPMENT RACKS AIRPORT PARK DUGOUTS	\$1,659.53
BSN SPORTS	108448	3/23/2023	RECREATION	FLAG FOOTBAL BELTS WITH TAGS	\$53.63
				SPRING AND SUMMER RECREATION SUPPLIES	\$975.96
CAMP CABIN & HOME INC	108449	3/23/2023	RECREATION	COOLERS FOR RECREATION	\$131.77



Voucher's Payable

CANDLEWOOD SUITES BOISE-MERIDIAN	108450	3/23/2023	POLICE	HOTEL FOR KUZIK, BIRDSSELL AND KLONE (3 ROOMS);	\$624.00
CARA ENTERPRISES INC	108451	3/23/2023	TRNSPN	FCC LICENSE RENEWALS - WPRV533 & WPBK684	\$390.00
CASCADE FIRE EQUIPMENT COMPANY	108452	3/23/2023	FIRE	FIRE - CASCADE FIRE - HAIX BOOTS	\$624.00
CATALYST MEDICAL GROUP PLLC	108453	3/23/2023	FIRE	BPO - FIRE - CATALYST MEDICAL GROUP	\$412.09
CATHY L BECK DBA THE PLANT LADY	108545	3/23/2023	LIBRARY	BPO - LIB - MONTHLY PLANT CARE	\$100.00
CDW GOVERNMENT LLC	108454	3/23/2023	INFOSYSTMS	GOOGLE WORKSPACE	\$43,063.20
				IPAD - WIFI ONLY	\$433.46
CENTRAL ORCHARDS SEWER DISTRICT	108467	3/23/2023	PARKSFAC	02/28/23 BILL DATE: UTILITY CHARGES	\$251.28
CENTURYLINK	108455	3/23/2023	COMDEV	03/10/23 BILL DATE: UTILITY CHARGE	\$104.17
			FIRE	03/10/23 BILL DATE: UTILITY CHARGE	\$519.46
			FLTMANT	03/10/23 BILL DATE: UTILITY CHARGE	\$176.32
			HR	03/10/23 BILL DATE: UTILITY CHARGE	\$42.08
			INFOSYSTMS	03/10/23 BILL DATE: UTILITY CHARGE	\$1,230.40
			LIBRARY	03/10/23 BILL DATE: UTILITY CHARGE	\$52.08
			PARKSFAC	03/10/23 BILL DATE: UTILITY CHARGE	\$1,334.80
			POLICE	03/10/23 BILL DATE: UTILITY CHARGE	\$982.15
			SANITATION	03/10/23 BILL DATE: UTILITY CHARGE	\$42.08
			TRANSITOP	03/10/23 BILL DATE: UTILITY CHARGE	\$159.98
			WATER	03/10/23 BILL DATE: UTILITY CHARGE	\$252.48
			WSTWTR	03/10/23 BILL DATE: UTILITY CHARGE	\$554.04
	108456	3/23/2023	INFOSYSTMS	02/16/23 BILL DATE: UTILITY CHARGES	\$123.31
CH2O INC	108457	3/23/2023	WSTWTR	BPO PW WWTP QTLY SERVICE	\$226.60
				ISO-TROL NM BIOCID - 5 GAL	\$549.53
CHRISTOPHER JONES	108424	3/23/2023	FIRE	JONES: REIMBURSE FOR NATIONAL EMS RECERT	\$32.00
CHS INC DBA PRIMELAND	108458	3/23/2023	WSTWTR	BPO PW WWTP OIL FOR W SECONDARY	\$246.98
CINTAS CORPORATION #606	108459	3/23/2023	FLTMANT	BPO/ FLEET UNIFORM RENT & LAUNDRY	\$154.65
				COLD WEATHER GEAR FOR TECHNICIANS	\$194.98
			PARKSFAC	BPO P&R CLEANING SUPPLIES AND UNIFORM CLEANING	\$83.24
CITY OF CLARKSTON	108460	3/23/2023	FIRE	TRAVEL - MULTI FIREMAN - EMS EVALUATOR	\$150.00
CITY OF LEWISTON EMPLOYEE BENEFIT PLAN TRUST	108412	3/23/2023	ADMSVC	Payroll Run 1 - Warrant 032323	\$431,889.72
CITY OF LEWISTON EMPLOYEE BENEFIT- CAFETERIA PLAN	108413	3/23/2023	ADMSVC	Payroll Run 1 - Warrant 032323	\$8,703.03
CLEARWATER FINANCIAL LLC	108462	3/23/2023	PARKSFAC	PUBLIC ENGAGEMENT AND EDUCATION SERVICES	\$3,900.00
CLEMENTS BROWN & MCNICHOLS	108463	3/23/2023	HR	LEGAL SERVICES	\$253.50
			LEGAL	OUTSIDE LEGAL COUNCIL - UGM FY 23	\$310.00
				OUTSIDE LEGAL COUNCIL; STROMBERG; EDELBLUTE LIT	\$2,311.76
COLEMAN OIL COMPANY LLC DBA COLEMAN OIL	108464	3/23/2023	COMDEV	03/12/2023 BILL DATE: FUEL CHARGES	\$149.05



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COMPANY

	CL61934 03/05/2023 BILL DATE: FUEL CHARGES	\$104.57
	CL64474 03/19/2023 BILL DATE: FUEL CHARGES	\$37.87
	03/12/2023 BILL DATE: FUEL CHARGES	\$1,182.61
FIRE	CL61934 03/05/2023 BILL DATE: FUEL CHARGES	\$870.87
	CL64474 03/19/2023 BILL DATE: FUEL CHARGES	\$1,204.49
	03/12/2023 BILL DATE: FUEL CHARGES	\$59.70
FLTMAINT	CL64474 03/19/2023 BILL DATE: FUEL CHARGES	\$59.70
HR	03/12/2023 BILL DATE: FUEL CHARGES	\$55.00
PARKSFAC	03/12/2023 BILL DATE: FUEL CHARGES	\$490.84
	CL61934 03/05/2023 BILL DATE: FUEL CHARGES	\$336.99
	CL64474 03/19/2023 BILL DATE: FUEL CHARGES	\$497.16
POLICE	03/12/2023 BILL DATE: FUEL CHARGES	\$2,115.27
	CL61934 03/05/2023 BILL DATE: FUEL CHARGES	\$1,463.73
	CL64474 03/19/2023 BILL DATE: FUEL CHARGES	\$1,939.61
RECREATION	03/12/2023 BILL DATE: FUEL CHARGES	\$46.21
	CL61934 03/05/2023 BILL DATE: FUEL CHARGES	\$33.18
	CL64474 03/19/2023 BILL DATE: FUEL CHARGES	\$67.03
SANITATION	BPO - TS - FUEL	\$594.51
	BPO - TS - FY23 FUEL HAULING CONTRACT	\$900.89
TRANSITOP	03/12/2023 BILL DATE: FUEL CHARGES	\$1,414.56
	CL61934 03/05/2023 BILL DATE: FUEL CHARGES	\$744.11
	CL64474 03/19/2023 BILL DATE: FUEL CHARGES	\$1,297.99
TRNSPN	03/12/2023 BILL DATE: FUEL CHARGES	\$1,739.52
	CL61934 03/05/2023 BILL DATE: FUEL CHARGES	\$1,190.13
	CL64474 03/19/2023 BILL DATE: FUEL CHARGES	\$1,368.58
WATER	03/12/2023 BILL DATE: FUEL CHARGES	\$430.98
	CL61934 03/05/2023 BILL DATE: FUEL CHARGES	\$358.94
	CL64474 03/19/2023 BILL DATE: FUEL CHARGES	\$293.45
WSTWTR	03/12/2023 BILL DATE: FUEL CHARGES	\$335.67
	CL61934 03/05/2023 BILL DATE: FUEL CHARGES	\$483.08
	CL64474 03/19/2023 BILL DATE: FUEL CHARGES	\$525.70



Voucher's Payable

COLLIER ELECTRIC LLC	108465	3/23/2023	PARKSFAC	WORK ON GENERATOR AT STATION 2	\$392.00
CONSOLIDATED ELECTRICAL DISTRIBUTORS	108466	3/23/2023	PARKSFAC	BPO P&R ELECTRICAL SUPPLIES	\$353.04
			TRNSPN	BPO - TRAFFIC - SPLYS	\$718.00
CONTINENTAL AMERICAN INSURANCE COMPANY DBA AFLAC GROUP	108410	3/23/2023	ADMSVC	Payroll Run 1 - Warrant 032323	\$1,365.56
CUES INC	108469	3/23/2023	WSTWTR	PW-WW-POLES AND CABLES	\$1,312.06
DAVID EVANS AND ASSOCIATES INC	108471	3/23/2023	CAPITAL PROJECTS	TR036 BRYDEN AVE RECONSTRUCTION - FINAL DESIGN	\$38,454.80
DEMCO INC	108472	3/23/2023	LIBRARY	BPO - LIB - CATALOGING SUPPLIES	\$308.34
DIGLINE INC	108473	3/23/2023	WATER	BPO PW W/WW LOCATE SERVICES	\$170.17
			WSTWTR	BPO PW W/WW LOCATE SERVICES	\$170.17
DIVERSIFIED INSPECTIONS INC	108504	3/23/2023	FLTMANT	ANNUAL AERIAL SAFETY INSPECTION	\$2,268.35
			PARKSFAC	ANNUAL SCISSOR LIFT INSPECTION	\$347.36
EAN SERVICES LLC	108398	3/16/2023	TRNSPN	RENTAL - THOMPSON & DUGGER - 2023 ISSA SLURRY	\$210.20
EARLY BIRD SUPPLY INC	108474	3/23/2023	PARKSFAC	PLASTIC BOARDS FOR BACKSTOPS	\$2,904.00
EFTPS	1315	3/23/2023	ADMSVC	Payroll Run 1 - Warrant 032323	\$155,949.38
ERB'S ACE HARDWARE LLC	108476	3/23/2023	FIRE	BPO - FIRE - ERB HARDWARE	\$40.85
			FLTMANT	BPO/ FLEET REPAIR PARTS & SUPPLIES	\$8.15
			TRNSPN	BPO - STREETS - SPLYS	\$6.45
			WATER	BPO PW DISTRIB SPLYS	\$112.11
			WSTWTR	BPO PW WW COLL SUPPLIES	\$8.49
				BPO PW WWTP SUPPLIES	\$89.52
FASTENAL COMPANY	108477	3/23/2023	PARKSFAC	BPO P&R VENDING MACHINE AND SAFETY SUPPLIES	\$661.72
FERGUSON ENTERPRISES #3011	108478	3/23/2023	WATER	BPO PW DISTRIB MAINT SPLYS	\$956.87
				NON INVENTORY - SUPPLIES	\$1,676.50
				NON-INVENTORY BRASS; REISSUE OF 22203042	\$976.49
FERNO WASHINGTON INC	108479	3/23/2023	FIRE	FIRE - FERNO - GURNEY	\$17,611.32
FIRECOM	108480	3/23/2023	FIRE	FIRE - SONETICS - HEADSET REPLACEMENTS	\$383.39
FISHER SYSTEMS INC	108481	3/23/2023	WSTWTR	PW-WW-SRV CALLS/ALARM CHANGES	\$65.00
FOP LEWIS CLARK LODGE #10	108414	3/23/2023	ADMSVC	Payroll Run 1 - Warrant 032323	\$1,900.64
GALLS PARENT HOLDINGS LLC DBA GALLS LLC	108482	3/23/2023	POLICE	PD K9 JUMPSUIT FOR REESE	\$603.54
GATEWAY MATERIALS	108483	3/23/2023	FLTMANT	BPO/ FLEET REPAIR PARTS & SUPPLIES	\$60.10
			TRNSPN	BPO - STREETS - SPLYS	\$5.00
			WATER	PW-WD-#371 HEADACHE RACK	\$243.34
GEHRING ELECTRIC	108484	3/23/2023	PARKSFAC	5 YEAR ELEVATOR INSPECTION AT LIBRARY	\$395.00
GEORGE HILL	108425	3/23/2023	POLICE	HILL: PER DIEM FOR INTERNAL AFFAIRS INVESTIGATION	\$149.00
GLOBAL EQUIPMENT COMPANY INC	108485	3/23/2023	PROPIMPR	DISHWASHER FOR GOLF COURSE	\$5,860.00
GMCO CORPORATION	108486	3/23/2023	TRNSPN	BPO - STREETS - FY23 LIQUID DEICER; NPC PIGGYBACK	\$1,596.00



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GRAINGER	108487	3/23/2023	WSTWTR	BPO PW WWTP P/M/M MAINT SUPPLIES	\$70.25
H & H BUSINESS SYSTEMS	108490	3/23/2023	COMDEV	CD- COPIER MAINTENANCE	\$226.16
			LIBRARY	BPO - LIB - COPY FEES	\$122.34
			WSTWTR	BPO PW WWTP COPIER MAIN & SPLYS	\$10.24
HACH COMPANY	108491	3/23/2023	WSTWTR	BPO PW WWTP LAB SUPPLIES	\$2,101.01
				PW-WWIPT-SILICON PUMP TUBING	\$541.43
HAHN RENTAL CENTER	108492	3/23/2023	WATER	BPO PW WTP EQUIP RENTAL	\$131.41
HAHN SUPPLY	108493	3/23/2023	PARKSFAC	BPO P&R HVAC TOOLS	\$132.02
				GOLF COURSE CLUB HOUSE	\$26.72
HAMILTON MICHAELSON & HILTY LLP	108494	3/23/2023	WATER	WR051 WTP RETROFIT	\$100.00
HCAA LLC	108495	3/23/2023	TRNSPN	PW - ST - FY23 WINTER GEAR: BOBBY DAVIS	\$241.11
HENRY SCHEIN	108496	3/23/2023	FIRE	BPO - FIRE - HENRY SCHEIN EMS SUPPLIES	\$2,795.97
HOME DEPOT CREDIT SERVICES	108498	3/23/2023	FIRE	BPO - FIRE - HOME DEPOT STATION SUPPLIES	\$20.04
			LIBRARY	BPO - LIB - OPERATING SUPPLIES	\$51.89
			PARKSFAC	BPO P&R CONSTRUCTION AND HVAC SUPPLIES	\$40.92
			PROPIMPR	GOLF COURSE FRO FOR WALL WORK	\$506.92
			TRNSPN	BPO - STREETS - SPLYS	\$39.98
			WATER	BPO PW WTP SPLYS	\$26.32
			WSTWTR	BPO PW WWTP SUPPLIES	\$244.27
HRA VEBA TRUST	108399	3/16/2023	FINANCE	VEBA - BOYLE	\$2,258.69
			PARKSFAC	VEBA - FALING	\$1,116.91
	108415	3/23/2023	POLICE	VEBA - SCHAFFNER SICK LEAVE	\$2,810.04
HUGHES FIRE EQUIPMENT INC	108499	3/23/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS & REPAIRS	\$512.77
I A F F - LOCAL #1773	108416	3/23/2023	ADMSVC	Payroll Run 1 - Warrant 032323	\$2,904.00
IDAHO CHILD SUPPORT RECEIPTING	108417	3/23/2023	ADMSVC	Payroll Run 1 - Warrant 032323	\$961.00
IDAHO DEPT OF ENVIRONMENTAL QUALITY	108500	3/23/2023	WATER	PW DRINKING WATER SYSTEM - QUARTERLY FEES	\$4,485.75
IDAHO DIV OF BLDG SAFETY ELEVATOR PROGRAM	108501	3/23/2023	PARKSFAC	IDAHO STATE ELEVATOR PROGRAM	\$250.00
IDAHO RURAL WATER ASSOCIATION	108502	3/23/2023	WSTWTR	TRAINING-IRWA-MOTOR CONTROLS-3/29/23; LEWISTON	\$240.00
				TRAINING-IRWA-MOTOR CONTROLS-GRAHAM	\$120.00
IDAHO STATE TAX COMMISSION	108418	3/23/2023	ADMSVC	Payroll Run 1 - Warrant 032323	\$24,506.00
	108419	3/23/2023	ADMSVC	Payroll Run 1 - Warrant 032323	\$423.71
IDAHO TRUCK SALES CO	108503	3/23/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS & REPAIRS	\$101.97
IMCO GENERAL CONSTRUCTION INC	108505	3/23/2023	WATER	WR051 WTP RETROFIT	\$717,681.64
INGRAM LIBRARY SERVICES	108506	3/23/2023	LIBRARY	BPO - LIB - ADULT FICTION	\$83.93
				BPO - LIB - ANF 1ST FLOOR BOOKS	\$192.53
				BPO - LIB - ANF 2ND FLOOR BOOKS	\$379.75
				BPO - LIB - AUDIOBOOKS	\$222.75
				BPO - LIB - JUVENILE FICTION	\$742.29



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				BPO - LIB - JUVENILE NON FICTION	\$8.73
				BPO - LIB - LARGE PRINT	\$175.29
				BPO - LIB - TEEN NONFICTION	\$12.62
INLAND AUTO GLASS	108507	3/23/2023	TRANSITOP	TRANSIT SHELTER GLASS REPLACEMENT	\$714.00
INLAND FASTENER INC	108508	3/23/2023	FLTMAINT	BPO - FLEET - REPAIR PARTS & SUPPLIES	\$97.66
			WSTWTR	BPO PW WWTP P/M/M MAINT SUPPLIES	\$63.00
INTERNATIONAL CITY MANAGEMENT ASSOCIATION DBA MISSIONSQUARE RETIREMENT	1313	3/23/2023	ADMSVC	Payroll Run 1 - Warrant 032323	\$5,990.10
JOE HALL FORD	108510	3/23/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS & OSL	\$87.27
JOHN'S SAW SERVICE	108511	3/23/2023	PARKSFAC	BPO P&R SMALL ENGINE REPAIR	\$17.49
JOHNSON ELECTRICAL CONTRACTING	108512	3/23/2023	TRNSPN	PW - ST ACCIDENT - BRYDEN LIGHTPOLE REPAIRS X 2	\$31,469.40
JONES EXCAVATION LLC	108513	3/23/2023	WSTWTR	PW-WW-1218 17TH AVE - MANHOLE REPLACEMENT	\$3,850.00
KAMAN INDUSTRIAL	108514	3/23/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS & SUPPLIES	\$150.12
KELLER ASSOCIATES INC	108515	3/23/2023	CAPITAL PROJECTS	TR045 BURRELL/10TH MINI ROUNDABOUT DESIGN	\$290.00
KENWORTH SALES COMPANY	108516	3/23/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS & OSL	\$704.47
KING'S THRONES & PUMPING SERVICE LLC	108517	3/23/2023	CEMETERY	BPO P&R PORTABLE TOILETS IN THE PARKS	\$75.00
			PARKSFAC	BPO P&R PORTABLE TOILETS IN THE PARKS	\$655.00
			WATER	BPO PW DISTRIB PORTAPOT MONTHLY SRV	\$45.00
KLEEN SWEEP JANITORIAL	108518	3/23/2023	WATER	BPO PW DISTRIB MONTHLY SRV	\$355.00
KNOX CONCRETE	108520	3/23/2023	TRNSPN	TR063 21ST X 19TH SIDEWALK INFILL	\$9,000.00
L N CURTIS & SONS	108521	3/23/2023	FIRE	FIRE - LN CURTIS - SCBA PARTS	\$102.96
LATAH SANITATION INC	108461	3/23/2023	SANITATION	BPO - TS - FY23 MONTHLY YW DISPOSAL	\$17,646.64
			WSTWTR	BPO PW WWTP BIOSOLIDS DISPOSAL	\$12,910.71
LAWSON PRODUCTS INC	108522	3/23/2023	FLTMAINT	BPO - FLEET - REPAIR PARTS & SUPPLIES	\$527.69
			FLTMAINT	BPO - FLEET - REPAIR PARTS & SUPPLIES	\$251.30
LES SCHWAB TIRE CENTER	108523	3/23/2023	FLTMAINT	CREDIT INV 8200839149	\$24.99
				CREDIT ORG INV 8200826263	(\$24.99)
			FLTMAINT	BPO/ FLEET REPAIR PARTS & OSL	\$48.28
LEWIS CLARK ANIMAL SHELTER	108524	3/23/2023	POLICE	BPO - PD - SHELTER CONTRACT FEES	\$5,412.83
LUPER AUTOMOTIVE INC	108525	3/23/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS & OSL	\$153.70
MALWAREBYTES INC	108526	3/23/2023	INFOSYSTMS	MALWAREBYTES ADDITIONAL LICENSES	\$1,470.00
MILLER BROTHERS PLUMBING HEATING & SHEET METAL	108527	3/23/2023	PARKSFAC	REPAIR LEAK IN TECH ROOM CH	\$852.91
MISC AMBULANCE REFUND	108400	3/16/2023	ADMSVC	REFUND	\$54.84
	108401	3/16/2023	ADMSVC	REFUND	\$82.97
MISC CUSTOMER REFUND	108402	3/16/2023	SANITATION	UB 0202006637 309 16TH	\$2,370.32



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	108403	3/16/2023	RECREATION	REFUND FOR RENTAL OF FENTON GYM	\$60.00
	108420	3/23/2023	POLICE	BB TOWING: TOW FROM KOOSKIA TO 16TH AVE STORAGE	\$1,005.00
	108421	3/23/2023	UNDEFINED	PUBLIC RECORDS REQUEST REFUND: LESS THAN ESTIMATED	\$259.44
	108422	3/23/2023	COMDEV	RIGGS: SCHOLARSHIP REIMBURSE FOR ID HERITAGE CONF	\$500.00
MP CLOUD TECHNOLOGIES	1311	3/16/2023	FIRE	FIRE - AMBULANCE BILLING SOFTWARE	\$647.50
NAPA AUTO PARTS	108528	3/23/2023	FLTMAINT	BPO - FLEET - REPAIR PARTS & SUPPLIES	\$260.05
			FLTMAINT	BPO - FLEET - REPAIR PARTS & SUPPLIES	\$687.10
				CREDIT ORG INV 310158 - REPAIR PARTS & SUPPLIES	(\$9.69)
			WATER	BPO PW DISTRIB SPLYS	\$120.78
				CREDIT ORG INV 310892	(\$2.83)
			WSTWTR	BPO PW WWTP SUPPLIES	\$131.63
NATIONWIDE RETIREMENT	1312	3/23/2023	ADMSVC	Payroll Run 1 - Warrant 032323	\$6,697.77
NATIONWIDE-RESERVE	1316	3/23/2023	ADMSVC	Payroll Run 1 - Warrant 032323	\$1,866.76
NEZ PERCE COUNTY FAIR BOARD	108529	3/23/2023	TRNSPN	TR032 - PW EXPO FAIRGROUND RENTAL	\$1,150.00
NEZ PERCE COUNTY RECORDER	108530	3/23/2023	EXECUTIVE	BPO - EXEC - RECORDATION OF DOCUMENTS	\$11.00
NORCO INC	108531	3/23/2023	FIRE	BPO - FIRE - NORCO	\$490.94
NORTH 40 OUTFITTERS	108532	3/23/2023	FLTMAINT	BPO/ FLEET REPAIR PARTS & SUPPLIES	\$17.99
			RECREATION	SAFETY BOOTS FOR BROCKTON BOWMAN	\$169.99
			TRNSPN	BPO - STREETS - SPLYS	\$82.98
			WATER	BPO PW DISTRIB PERSONNEL EQUIP	\$9.99
				BPO PW DISTRIB SPLYS	\$512.92
				BPO PW WTP SPLYS	\$10.99
			WSTWTR	BPO PW WW COLL SUPPLIES/TOOLS	\$5.98
				BPO PW WWTP SUPPLIES	\$145.11
NUANCE COMMUNICATIONS INC	108533	3/23/2023	POLICE	BPO - PD - SOFTWARE LICENSES FOR DRAGON DICTATION	\$1,250.00
ODP BUSINESS SOLUTIONS LLC	108534	3/23/2023	FINANCE	BPO - FIN - OFFICE SUPPLIES	\$159.20
			HR	OFFICE SUPPLIES AND INK	\$138.25
			POLICE	BPO - PD - OFFICE SUPPLIES	\$440.18
			SANITATION	BPO - PW - OFFICE SUPPLIES	\$27.65
			TRNSPN	BPO - PW - OFFICE SUPPLIES	\$580.52
			WATER	BPO - PW - OFFICE SUPPLIES	\$27.63
			WSTWTR	BPO - PW - OFFICE SUPPLIES	\$27.65
OMEGA RAIL MANAGEMENT INC	108406	3/16/2023	WSTWTR	WW512 RAIL APPLICATION AND ENGINEERING REVIEW FEE	\$3,700.00
	108535	3/23/2023	WATER	BPO PW WTP RAILROAD LEASE AGREEMENTS	\$2,578.29
ON-TARGET SOLUTIONS GROUP INC	108536	3/23/2023	POLICE	REGISTRATION FOR HILL; INTERNAL AFFAIRS AND PROFES	\$325.00
				REGISTRATION FOR NIEMEYER; EVIDENCE STORAGE AND MA	\$325.00
ORCHARDS PET HOSPITAL	108537	3/23/2023	POLICE	BPO - PD - SUPPLIES VET SVCS BOARDING FOR MARTA	\$187.18



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OWEN EQUIPMENT	108538	3/23/2023	FLTMaint	MAIN BROOMS	\$1,883.92
OXARC	108539	3/23/2023	FIRE	BPO - FIRE - OXARC	\$18.00
			SANITATION	BPO - TS - PERSONNEL SPLYS	\$62.37
			WATER	BPO PW DISTRIB PERSONNEL SPLYS	\$52.93
				BPO PW WTP PERSONNEL EQUIP	\$233.34
			WSTWTR	BPO PW WW COLL PERSONNEL EQUIPMENT	\$6.06
PATHOLOGISTS REGIONAL LAB	108540	3/23/2023	POLICE	PD LEGAL BLOOD DRAWS 23-L2722 AND 23-L3615	\$73.70
PERFECTION TIRE OF LEWISTON	108541	3/23/2023	FLTMaint	BPO/ FLEET REPAIR PARTS & OSL	\$82.99
PERSI	1314	3/23/2023	ADMSVC	Payroll Run 1 - Warrant 032323	\$206,541.13
PERSONNEL EVALUATION INC	108542	3/23/2023	POLICE	PRE-EMPLOYMENT TESTING NELLESEN	\$25.00
PETTY CASH - CITY HALL	108543	3/23/2023	FIRE	MAR '23 PETTY CASH RECONCILE	\$60.00
			LIBRARY	BOOK MOBILE MAY'23 PETTY CASH RECONCILE PETTY CASH	\$20.00
			LIBRARY	LIBRARY MAR '23 PETTY CASH RECONCILE PETTY CASH	\$125.88
			POLICE	MAR '23 PETTY CASH RECONCILE	\$143.85
			TRNSPN	PW MAR '23 PETTY CASH RECONCILE PETTY CASH	\$101.01
			UNDEFINED	PUBLIC WORKS PETTY CASH INCREASE	\$100.00
			WATER	PW MAR '23 PETTY CASH RECONCILE PETTY CASH	\$116.61
			WSTWTR	PW MAR '23 PETTY CASH RECONCILE PETTY CASH	\$132.00
PHOENIX RADIOLOGY	108544	3/23/2023	FIRE	FIRE - PHOENIX RADIOLOGY - RESERVE TRAINEE PHYSIC	\$30.00
POTTERS INDUSTRIES LLC	108546	3/23/2023	TRNSPN	PW - TR - ITD SPEC GLASS BEADS	\$13,004.64
RAIN FOR RENT NAMPA	108407	3/16/2023	WATER	WR700 HIGH RESERVIOR EMERGENCY - RENTAL OF PUMP	\$7,593.89
RELIANCE STANDARD LIFE INSURANCE COMPANY	108428	3/23/2023	ADMSVC	Payroll Run 1 - Warrant 032323	\$7.95
RICK HINES	108497	3/23/2023	FLTMaint	BPO/ OSL & REPAIRS FOR FLEET	\$280.00
RICOH USA INC	108547	3/23/2023	EXECUTIVE	BPO - EXEC - FY23 C.H. COPIER RENT FOR IMC6000	\$226.83
			FIRE	BPO - FIRE - HQ RENTAL IMC4500	\$193.87
				BPO - FIRE - RICOH STATIONS/METER IM350F	\$184.57
			LIBRARY	BPO-LIB-MONTHLY LEASE FEES	\$181.20
			PARKSFAC	BPO P&R COPY CONTRACT AND COPIES	\$167.73
			POLICE	BPO - PD - COPIER RENTAL	\$199.87
			TRANSITOP	BPO -TRANSIT - COPIER (RENTAL)	\$134.76
	108548	3/23/2023	EXECUTIVE	BPO - EXEC - FY23 RICOH MAINT/COST PER COPY	\$509.21
			FIRE	BPO - FIRE - RICOH COPIER, HQ METER IMC4500	\$37.26
			PARKSFAC	BPO P&R B&W AND COLORED COPIES	\$141.96
			POLICE	BPO - PD - COPY FEES	\$31.83
			TRANSITOP	BPO - TRANSIT - COPIER (COPIES)	\$23.83



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ROGERS MOTORS LLC DBA ROGERS CHRYSLER JEEP DODGE RAM LLC	108549	3/23/2023	FLTMAINT	BPO - FLEET - REPAIR PARTS & REPAIRS	\$911.20
SCHUMANN ENTERPRISES INC DBA EMPIRE PRESSURE WASH	108475	3/23/2023	TRANSITOP	BPO - TRANSIT - BUS WASHING/CLEANING	\$290.00
SHERWIN WILLIAMS CO	108550	3/23/2023	TRNSPN	PW - TR - STRIPING TRUCK: SPRAY TIPS, TIP GUARDS	\$412.13
SOREN LOWE	108405	3/16/2023	FIRE	REIMBURSEMENT FOR EMT RECERTIFICATION	\$32.00
SPARKLIGHT	108553	3/23/2023	TRNSPN	BPO PW SURVEY STATION	\$38.85
			WATER	BPO PW SURVEY STATION	\$38.85
			WSTWTR	BPO PW SURVEY STATION	\$38.85
ST JOSEPH HOSPITAL LLC	108551	3/23/2023	FIRE	FIRE - SJRMC - RECERT CARDS	\$370.00
STAPLES CREDIT PLAN	108554	3/23/2023	FIRE	BPO - FIRE - STAPLES	\$137.96
			PARKSFAC	BPO - PARKS - OFFICE SUPPLIES	\$40.44
				THERMAL RECEIPT TAPE	\$145.99
			RECREATION	BPO RECREATION OFFICE SUPPLIES	\$130.42
			TRNSPN	BPO - STREETS/TRAFFIC - OFFICE SPLYS	\$32.98
			WATER	BPO PW WTP OFFICE SPLYS	\$86.98
			WSTWTR	BPO PW WWTP SUPPLIES	\$422.94
STERICYCLE INC	108555	3/23/2023	FIRE	BPO - FIRE - STERICYCLE	\$52.50
STONEWAY ELECTRIC SUPPLY	108556	3/23/2023	TRNSPN	BPO - TRAFFIC - SPLYS	\$991.50
SUNSHINE DISPOSAL	108557	3/23/2023	SANITATION	BPO - PW - FY23 ANNUAL COLLECTION CONTRACT	\$261,137.16
				BPO - PW - FY23 EXTRA YW & RECY CARTS	\$1,507.42
				BPO - TS - FY23 CARDBOARD	\$96.00
				BPO - TS - FY23 SINGLE STREAM	\$312.00
				BPO - TS - FY23 TONNAGE HAUL	\$20,059.47
SYSO SPOKANE INC	108559	3/23/2023	RECREATION	BPO P&R SENIOR NUTRITION MEALS	\$887.20
TAMMI L SMITH DBA THE COUNTRY STITCH	108468	3/23/2023	FIRE	FIRE - COUNTRY STITCH - SEWING	\$33.54
			POLICE	BPO - PD - UNIFORM ALTERATIONS	\$24.89
TAMMY'S ALLIANCE LLC	108408	3/16/2023	WATER	WR700 HIGH RESERVOIR EMERGENCY WATER TRUCK	\$38,700.00
THE GREEN APPLE PROJECT	108488	3/23/2023	ECONDEV	CD - CDBG (2021) - GREEN APPLE PROJECT	\$457.87
THE GROVE HOTEL	108489	3/23/2023	FIRE	FIRE - TRAVEL - MYKLEBUST - ID FALLEN FIGHTER MEM	\$167.00
THE HOME DEPOT PRO	108558	3/23/2023	PARKSFAC	URINAL SCREEN AND CLEANING SUPPLIES	\$384.46
THE UPS STORE	108569	3/23/2023	POLICE	BPO - PD - MAIL SERVICE	\$332.50
THOMAS DEAN & HOSKINS OF IDAHO INC	108560	3/23/2023	TRANSITCAP	TRANSIT COMMUNITY CENTER BUS STOP DESIGN	\$12,870.00
TIMOTHY GIFFORD	108426	3/23/2023	FIRE	GIFFORD:REIMBURSE FOR NATIONAL REGISTRY EMS RECERT	\$32.00
TITAN TECHNOLOGIES INC	108561	3/23/2023	TRNSPN	WW001 2022 WW IMPROVEMENT PROJ BASIN 4C, 7C & 2B	\$151,131.45
			WSTWTR	WW001 2022 WW IMPROVEMENT PROJ BASIN 4C, 7C & 2B	\$252,266.81
T-N-T HOOD CLEANING	108562	3/23/2023	PARKSFAC	HOOD CLEANING COM CENTER KITCHEN	\$380.00



Voucher's Payable

TRAVELLAND RV INC	108563	3/23/2023	FIRE	FIRE - TRAVELLAND RV - CHIEF VEHICLE CANOPIES	\$6,562.00
TRIBUNE PUBLISHING CO	108564	3/23/2023	COMDEV	BPO - CD - P&ZC PUBLISHED NOTICES FOR PUBLIC HEA	\$226.56
			EXECUTIVE	BPO - EXEC - PUBLISHING COSTS	\$53.68
				LEGAL NOTICE: SOLESOURCE NEOGOV	\$48.76
				LGL NOTICE: RFP-23-014 LIBRARY JANITORIAL SERVICE	\$170.87
			TRNSPN	LGL NOTICE: IFB-23-006 19TH AVE SIDEWALK INFILL	\$217.67
TW ENTERPRISES INC	108566	3/23/2023	WATER	LOAD BANK TESTING - GENERATORS (4)	\$4,189.01
ULINE	108567	3/23/2023	TRNSPN	PW - STMW - FY23 SAFETY GEAR: JEFF WIEMER	\$70.11
UNIFORMS2GEAR INC	108568	3/23/2023	POLICE	BPO - PD - UNIFORMS/COMMUNICATIONS	\$47.31
				BPO - PD - UNIFORMS/INVESTIGATIONS	\$34.31
				BPO - PD - UNIFORMS/PATROL	\$166.34
				BPO - PD - UNIFORMS/SUPPORT	\$126.78
URM STORES INC	108570	3/23/2023	RECREATION	BPO P&R SENIOR NUTRITION FOODS	\$468.56
			WATER	BPO PW WTP SPLYS	\$9.07
			WSTWTR	BPO PW WWTP SUPPLIES	\$87.52
US FOODS - SPOKANE	108571	3/23/2023	RECREATION	BPO P&R SENIOR NUTRITION FOOD	\$979.74
VALLEY CAR SALES INC	108572	3/23/2023	WATER	#371 BED LINER	\$535.00
VALLEY WASTE DISPOSAL LLC	108574	3/23/2023	SANITATION	BPO - PW - FY23 ANNUAL DEBRIS DISPOSAL	\$12,225.09
VERIZON WIRELESS	108575	3/23/2023	COMDEV	9930025665 3/12/2023 BILL DATE: UTILITY CHARGES	\$736.40
			EXECUTIVE	9930025665 3/12/2023 BILL DATE: UTILITY CHARGES	\$73.83
			FIRE	9930025665 3/12/2023 BILL DATE: UTILITY CHARGES	\$1,337.01
			FLTMANT	9930025665 3/12/2023 BILL DATE: UTILITY CHARGES	\$68.43
			HR	9930025665 3/12/2023 BILL DATE: UTILITY CHARGES	\$95.04
			INFOSYSTMS	9930025665 3/12/2023 BILL DATE: UTILITY CHARGES	\$1,562.23
			LEGAL	9930025665 3/12/2023 BILL DATE: UTILITY CHARGES	\$40.01
			LEGISLATIV	9930025665 3/12/2023 BILL DATE: UTILITY CHARGES	\$318.91
			LIBRARY	9930025665 3/12/2023 BILL DATE: UTILITY CHARGES	\$230.32
			PARKSFAC	9930025665 3/12/2023 BILL DATE: UTILITY CHARGES	\$723.71
			POLICE	9930025665 3/12/2023 BILL DATE: UTILITY CHARGES	\$2,468.33
			SANITATION	9930025665 3/12/2023 BILL DATE: UTILITY CHARGES	\$33.82
			TRANSITOP	9930025665 3/12/2023 BILL DATE: UTILITY CHARGES	\$61.88
			TRNSPN	9930025665 3/12/2023 BILL DATE: UTILITY CHARGES	\$2,108.43
			WATER	9930025665 3/12/2023 BILL DATE: UTILITY CHARGES	\$2,405.90



Voucher's Payable

			WSTWTR	9930025665 3/12/2023 BILL DATE: UTILITY CHARGES	\$1,302.09
WASHINGTON STATE SUPPORT REGISTRY	108429	3/23/2023	ADMSVC	Payroll Run 1 - Warrant 032323	\$605.55
WESTERN EQUIPMENT	108565	3/23/2023	FLTMAINT	BPO - FLEET - REPAIR PARTS	\$225.56
WEX BANK	108579	3/23/2023	POLICE	BPO - PD - FUEL/UNMARKED	\$101.68
WILBERT PRECAST INC	108577	3/23/2023	CEMETERY	FEBRUARY 2023 BURIALS	\$1,060.00
			WSTWTR	BPO - COLL - SSMH RINGS & LIDS	\$650.00
WILLOW CENTER INC	108578	3/23/2023	ECONDEV	CD-CDBG-2022 PROGRAM YR-WILLOW CENTER PUBLIC SERV	\$696.62
WSCFF EMPLOYEE BENEFIT TRUST	108409	3/16/2023	FIRE	WSCFF EMPLOYEE BENEFIT TRUST - SIFERS	\$8,683.18
WSF LLC DBA WESTERN SYSTEMS & FABRICATION	108576	3/23/2023	FLTMAINT	REPL MAIN BROOM FOR #470 SWEEPER	\$903.81
XEROX CORPORATION	108580	3/23/2023	WSTWTR	BPO PW W/WW COPIER SERVICES	\$82.19
ZIEGLER BUILDING CENTER	108581	3/23/2023	PARKSFAC	GLUE FOR GOLF COURSE WALL INSTALLATION	\$80.29
				WALL ADHESIVE FOR GOLG COURSE CLUB HOUSE	\$80.29
			TRNSPN	BPO - STREETS - SPLYS	\$343.14
				CREDIT ORG INV 410459 BPO - STREETS - SPLYS	(\$35.00)
ZOLL MEDICAL CORPORATION GPO	108582	3/23/2023	FIRE	BPO - FIRE - ZOLL EMS SUPPLIES	\$1,305.95
Total					\$3,113,265.21



CITY COUNCIL MEETING AGENDA ITEM HISTORY/COMMENTARY

ITEM TITLE RESOLUTION 2023-21	AGENDA NO. AGENDA DATE: April 10, 2023
ITEM HISTORY (PREVIOUS COUNCIL REVIEWS, ACTION RELATED TO THIS ITEM, OTHER PERTINENT HISTORY)	
ITEM COMMENTARY (BACKGROUND, DISCUSSION, KEY POINTS, RECOMMENDATIONS, ETC.) Please identify any or all impacts this proposed action would have on the City budget and/or personnel resources. City staff has compiled a list of surplus/obsolete items (Exhibit A to Resolution 2023-21). Surplus items will be sold using an online auction website, GovDeals.com. Appropriate notices of the online auction will be placed in the Lewiston Tribune. Information will also be posted on the City's website and those signed up on the City's website will receive an email notification.	
BUDGET IMPACT The City will receive 100% of the bid amounts. Fees for use of the auction platform are paid by the bidders in the form of a Buyer's Premium. GovDeals will collect payment from the bidders, keep the Buyer's Premium, remit sales tax to the Idaho State Tax Commission, and send the bid amounts to the City. Proceeds from the sales of vehicles and equipment for Fleet, Transit, and enterprise funds will be deposited to those funds. Proceeds from all other items will be deposited into the General Fund.	
ACTION PROPOSED Staff recommends that the City Council approve Resolution 2023-21, declaring the items in exhibit A surplus, and authorizing the sale of said items by public auction on GovDeals.com.	

RESOLUTION 2023-21

A RESOLUTION DECLARING VARIOUS ITEMS OF CITY OF LEWISTON PROPERTY TO BE SURPLUS, AND PROVIDING FOR THE AUCTION OF SAID SURPLUS PROPERTY

WHEREAS, the City of Lewiston is in possession of property surplus to the City's needs; and

WHEREAS, in accordance with the City's Purchasing Policy, the City of Lewiston Purchasing Division seeks to have the City Council declare such property as surplus so that the property may be disposed in accordance with Section 6.14 of the City's Purchasing Policy.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEWISTON, IDAHO, THAT:

SECTION 1: The Lewiston City Council hereby declares all property listed in Exhibit A, attached hereto and incorporated herein, to be surplus to the City of Lewiston's needs.

SECTION 2: The Lewiston City Council hereby authorizes the City of Lewiston Purchasing Division to sell by public auction said surplus property "as is, no warranty or guarantee."

SECTION 3: The City of Lewiston Purchasing Division shall conduct said public auction in accordance with the City of Lewiston's Purchasing Policy.

SECTION 4: This resolution shall become effective upon its passage.

PASSED this _____ day of _____ 2023.

CITY OF LEWISTON

By: _____
Daniel G. Johnson, Mayor

ATTEST:

Kari J. Ravencroft, City Clerk

EXHIBIT A

CITY OF LEWISTON

Unusable/Obsolete Items for Surplus Auction 2023

EXHIBIT A TO RESOLUTION 2022-19

EXHIBIT A

CITY OF LEWISTON

Unusable/Obsolete Items for Surplus Auction 2023

DEPT:	QTY:	DESCRIPTION:	CONDITION:
Atty	1	Breeford Manager Chair	Used
Library	1	Stage with 2 step rail	Like new
Library	1	Ricoh Copier MP C4503	Used
Library	4	All Steel Office Chair	Used
Library	1	Green Beachstone Chair	Used
Library	4	Wyse USB Keyboards, uses PS/2 connectors	Used
Library	2	Laptop Power Supplies	Used
Library	4	Computer Mice	Used
Library	1	Red-Dot Computer	Used
Library	1	St Imaging Film Reader, ST200-DFV w/Roll Carrier	Used
Library	1	ST Imaging Film Reader, ST200-DFV	Used
Library	6	Sentry Headphones, Wireless Battery Powered	Used
Library	1	Icatha Receipt Printer, uses thermal paper	Used
Library	2	USB Barcode Scanners	Used
Library	2	Barcode Scanners, uses PS Connector	Used
Library	1	Computer Mice, USB-A Connectors	Used
Library	4	Xbox 360 Controller Chargers	Used
Library	1	Xbox 360 - 500 GB Storage	Used
Library	1	Black Xbox 360 Controller	Used
Library	1	Lexmark 4115 (no ink)	Used
Library	1	Lulzbut Mini 3D Printer	Unrefurbished
Library	1	Lulzbut Taz 6 3D Printer	Used
Library	3	Verizon Tablets, Nexus 7 Model	Used
Library	18	Edison Robots	Used
Library	1	Verizon Car Chargers, Micro-USB	Used
Library	1	PC Monitor, VGA only	Used
Library	1	Apple iMac 21.5, 2014 All-in-One Computer	Used
Police	1	Weight Scale	Good
Police	1	ML300 Brother Word Processor	Good
Police	4	Metal Old Modem Boxes with accessories	Good
IT	7	Specs: 4th Gen i5, 4GB ram, 128GB SSD, Windows 10 pro	
		Dell Optiplex 3020 SN#638NT52	Good
		Dell Optiplex 3020 SN#CR80GB2	Good
		Dell Optiplex 3040 SN#CK0NRD2	Good
		Dell Optiplex 3040 SN#CK0DRD2	Good
		Dell Optiplex 3040 SN#CK1FRD2	Good
		Dell Optiplex 3040 SN#CJZKRD2	Good
		Dell Optiplex 3040 SN#CK0JRD2	Good
IT	4	Samsung NC241-TS - 23.5" LED Network Monitor Zero Client	
		05YVHCJH600630J	New in box
		05YVHCJH500144T	New in box
		05YVHCJH600627X	New in box
		05YVHCJH500196W	New in box
IT	1	DELL PowerConnect 5548 48-Port Switch - no cables	Fair
IT	1	HP 1910-8G Switch, JG348A CN44FRJ2X8 - no cables	Fair

EXHIBIT A

CITY OF LEWISTON

Unusable/Obsolete Items for Surplus Auction 2023

IT	1	HP V1910-24 Switch JE006A CN38BX230X - no cables	Fair
IT	1	HP V1910-16G Switch JE005A CN42BX10 - no cables	Fair
IT	1	HP V1910-24G-PoE Switch JE008A CN49BX403C - no cables	Fair
IT	1	Linksys SRW2048 48-Port Switch RJT00J700300 - no cables	Fair
IT	1	Linksys SRW2048 48-Port Switch RJT00J600560 - no cables	Fair
Fleet	1	#297 - 1999 Kawasaki KZ1000 motorcycle - may need some carburetor work	Fair
Fleet	1	#055 - 2006 Ford Taurus sedan - has some peeling paint	Fair
Fleet	1	#415 - 1994 Blaw Knox PF510 paver - runs good but may need work	Poor
Fleet	1	Pickup Canopy - 2022 Leer canopy. White. Fits 2021-2023 F150 8' bed Model 100R80FF21. Serial 15218496	New
Fleet	1	Pipe Threading machine - Toledo 999 Model #7410167	Fair
Fleet	1	Pro-Gard Rear Transport Seats & Guard Kits. Fits 2015-2020 Chevy Tahoe Model #S5702T15	New
Fleet	1	Briggs & Stratton Engine with Air Compressor	Good
Fleet	1	AC Type H Headlight Aimer & Adaptors	Good
Fleet	1	Walter Bio Circle Parts Washer. Model #600A. In good working condition, needs cleaned and new solution.	Good
Fleet	1	Engine Stand	Fair
Fleet	2	Engine Lift/Hoist (aka cherry picker)	Good
Fleet	2	Brake rotors for Crown Vics (2 sets). Part #31506601	New
Fleet	2	Harley Touring Pack cargo containers. Specific to police model Harley motorcycles.	Used
Fleet	2	Box of Harley upfit components. Components fit Harley police motorcycle model years 2015-2018 (possibly more). Components include red/blue lighting, LED strobe modules, bracketing for mounting, and more.	Used
Fleet	1	Chrome guards for saddle bags. Two sets available.	New
Fleet	1	Crown Vic Driver Door Panel	Fair
Fleet	1	Box of Crown Vic rear door linkages & handles. Fits 90s-00s rear PD door delete kits.	Fair
Fleet	1	Box of miscellaneous extend-a-belt components	Fair
Fleet	4	Dome lights	Good
Fleet	6	Red/blue visor lights	Good
Fleet	1	Red/blue rear window light	Good
Fleet	4	Radar & antenna - Python/MPH brand	Fair
Fleet	1	Radar, Stalker brand	Fair
Fleet	1	12 volt TV/VCR Combination Unit	Fair
Fleet	1	Jack	Good
P&R	1	Refridgerator	Good
P&R	1	Wooden Desk	Poor
P&R	2	Chairs	Fair
P&R	1	Office chair	Fair
P&R	1	Sofa	Good
P&R	1	Element 43" Smart Led TV	Unknown
P&R	1	Seiki SE39UY04 39" Television	Unknown
P&R	2	Westinghouse Electronics Model No: DMW40F3G1 Ver #: TW-78801-C040D	Unknown
P&R	1	Seiki SE39UY04 39" Television with Remote	Unknown
P&R	1	Sound system with DFX6 6 Channel Mixer, EQ, CS 80 Stereo Amp	Unknown

EXHIBIT A

CITY OF LEWISTON

Unusable/Obsolete Items for Surplus Auction 2023

P&R	1	Hobart Diswasher LX30	Unknown
Water	1	TK-DP Computerized Digital Print-out Test Kit for Backflow Prevention Devices	Fair
Water	1	Hydra-Stop Valve Insertion	Unknown
Water	1	Hydra-Stop Valve Insertion	Unknown
Water	1	Valve Insertion Machine	Unknown
Water	1	Valve Insertion Machine	Unknown
Water	1	Valve Insertion tools	Unknown
Water	1	Valve Insertion Machine	Unknown
Fire	1	Upright shelf	Fair
Fire	1	Short Shelf	Fair
Fire	1	Metal Shelves	Fair
Fire	1	Stand up/Adjustable desk Accessory	Fair
Fire	6	Filing Cabinets	Fair
Fire	1	Topcon Positioning System Model #: RL-HBC	Poor
Finance	1	Paperclips	New
Finance	4	Blue conference chairs - no wheels	Good
Finance	1	Office chair	Fair
Finance	1	Exercise Ball Chair	Fair
Finance	1	5x3 wooden office table	Fair
Finance	1	3 Drawer locking plastic filing cabinet	Fair
Finance	1	4 Drawer Filing Cabinet - Blue	Fair
Finance	2	3 Drawer Filing Cabinets - Gray and one is Brown - no keys to locks	Poor
Finance	1	Haskell 4 Drawer Filing Cabinet - Tan - No lock	Fair
Finance	1	Paperclips	New
Finance	1	Panasonic TV	Poor
Transit	1	Transit Bus #706 & 707	Good



CITY COUNCIL MEETING AGENDA ITEM HISTORY/COMMENTARY

ITEM TITLE ORDINANCE 4873	AGENDA NO. AGENDA DATE: April 10, 2023
ITEM HISTORY (PREVIOUS COUNCIL REVIEWS, ACTION RELATED TO THIS ITEM, OTHER PERTINENT HISTORY)	
ITEM COMMENTARY (BACKGROUND, DISCUSSION, KEY POINTS, RECOMMENDATIONS, ETC.) Please identify any or all impacts this proposed action would have on the City budget and/or personnel resources. Captain Jeff Klone reached out to our office to add an aggressive dog at large section to Lewiston City Code § 8-31, which currently governs dogs at large. With this addition, we will still have our dog at large provision, but with an added aggressive dog at large provision. Captain Klone has received various complaints regarding dogs at large acting aggressively. After discussion, we came up with the idea of adding an aggressive dog at large provision which would impose a higher fine than just any dog running at large. Both provisions will be infractions. This ordinance also makes some minor changes to the vicious dog process.	
BUDGET IMPACT	
ACTION PROPOSED We recommend that the first reading of this ordinance be approved.	

CITY ORDINANCE NO. 4873

AN ORDINANCE OF THE CITY OF LEWISTON AMENDING SECTION 8-22 OF THE LEWISTON CITY CODE TO AMEND, ADD, AND DELETE DEFINITIONS RELATED TO DOGS; AMENDING SECTION 8-31 TO ADD AN AGGRESSIVE DOG AT LARGE PROVISION AND THE ASSOCIATED PENALTY; AMENDING SECTION 8-43 TO REMOVE THE PENALTY FOR DOGS AT LARGE; AMENDING SECTION 8-45 RELATED TO VICIOUS DOGS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LEWISTON, IDAHO:

SECTION 1: Lewiston City Code § 8-22 is hereby amended as follows:

Sec. 8-22. Definitions.

As used in this article, the following terms shall have the meanings set forth below:

Aggressive behavior: A dog that, without being provoked, either: (1) approaches or chases a person in a hostile manner, or (2) causes a reasonable person to fear that the dog will attack that person.

...

At large: To be off the owner's premises and not secured by a leash. ~~under the control of the owner or another person.~~

...

Dog under control: ~~A dog secured by a leash or lead not exceeding eight (8) feet in length and by a responsible person, or confined within a vehicle or confined within the boundaries of its owner's real property.~~

...

Provoke: ~~A person or animal performing an act or omission that a reasonable person would conclude is likely to result in dog aggression in the form of a bite or attack.~~

...

Vicious dog: A dog that: (1) while at large, ~~without being provoked,~~ caused serious injury to or killed another domestic animal; or (2) has a prior documented history of injuring or killing other domestic animals in any jurisdiction.

SECTION 2: Lewiston City Code § 8-31 is hereby amended as follows:

Sec. 8-31. Dogs at large.

(1) It shall be unlawful for any person to cause, permit, or allow a dog or dogs, owned, harbored, controlled, or kept by him or her, to roam, run, or stray away from the premises in which the dog or dogs are owned, harbored, controlled, or kept, except where the dog or dogs are secured by a leash. ~~kept under control by means of a leash or chain not exceeding eight (8) feet in length by the owner or other person.~~ A leash ~~or chain~~ shall not be required for a dog ~~which that~~ is securely confined in any vehicle. Every female dog in heat shall be confined in a building or secure enclosure in such a manner that such female dog cannot come in contact with another dog except for planned breeding. Any person who violates this provision shall be deemed to have committed a civil infraction and shall be subject to a fine of forty-five dollars (\$45).

(2) In the event a dog exhibits aggressive behavior while at large, as described in subsection (1) of this section, then the owner, custodian, or keeper of said dog shall be deemed to have committed a civil infraction and shall be subject to a fine of one hundred dollars (\$100).

SECTION 3: Lewiston City Code § 8-43(a) is hereby amended as follows:

Sec. 8-43. Offenses; civil infractions and misdemeanors; penalties.

(a) Any person or entity ~~which that~~ violates the provisions of sections:

...

~~8-31, Dogs at large~~

...

shall be deemed to have committed a civil infraction and for each violation shall be fined ~~not to exceed the sum of forty-five dollars (\$45.00).~~ In lieu of a court appearance, any person or entity charged with having committed a civil infraction prohibited by the provisions set forth in this subsection may forfeit to the Nez Perce County Court a penalty in the sum of forty-five dollars (\$45.00).

...

SECTION 4: Lewiston City Code § 8-45 is hereby amended as follows:

Sec. 8-45. Vicious dogs.

...

(b) *Recommendation of vicious dog.* The code enforcement officer or a police officer may provide a written recommendation to the support services commander recommending that a dog be declared a vicious dog if the code enforcement animal control officer or police officer has probable cause to believe that ~~the a~~ dog falls within the definition of

vicious dog, pursuant to section 8-22 of this ~~code~~ article. Such written recommendation shall be based on:

- (1) The ~~written complaint information received from~~ of a person who is willing to testify that the dog acted in a manner causing it to fall within the definition of vicious dog;
- (2) Actions by the dog witnessed by the code enforcement officer or a police officer; and/or
- (3) Other evidence admissible in court.

(c) *Declaration of vicious dog and notice.* Within ~~five (5) business~~ ten (10) calendar days following receipt of such written recommendation, the support services commander shall review the code enforcement officer or police officer's recommendation and determine whether the dog should be declared a vicious dog. If the support services commander declares that the dog is a vicious dog, then written notice of such declaration shall be served on the dog's owner. Service may be accomplished by hand-delivery, mail, or email. If such notice is hand-delivered or emailed, it shall be deemed received immediately. If such notice is mailed, it shall be deemed received seventy-two (72) hours after depositing the same in the U.S. mail, certified or registered, addressed to the dog owner's last known address.

...

(d) *Appeal to the mayor.* The dog's owner may appeal the support services commander's declaration of vicious dog to the mayor by filing a written notice of appeal with the city clerk within five (5) calendar days from the date of receipt of the support services commander's written declaration. The notice of appeal shall specify the grounds for appeal. If an appeal is not filed within five (5) calendar days from the date of receipt of the support services commander's written declaration, then the support services commander's declaration shall be final.

The mayor shall hold a hearing on the appeal within ~~seven (7)~~ ten (10) calendar days of receipt of the notice of appeal. The appellant shall have the right to be represented by legal counsel at the hearing and rebut any evidence that is submitted. The formal rules of evidence shall not apply. The mayor's review of the support services commander's declaration shall be de novo.

...

SECTION 5: This ordinance shall take effect and be in full force from and after its passage and publication.

PASSED this _____ day of _____, 2023.

CITY OF LEWISTON

By: _____
Daniel G. Johnson, Mayor

ATTEST:

Kari J. Ravencroft, City Clerk

City of Lewiston

APPLICATION FOR ADVISORY COMMISSION/BOARD

Date: 3/8/23
 Commissions/Boards applying for: City Council/mayor Benefit review
 Name: Blakey Bob
 Last First MI

Telephone (Home): 208 816 8764

Work Telephone: _____

E-Mail Address: bblakey55@yahoo.com

Address 601 23rd Ave Lewiston ID 83501
 Number Street City State Zip

If residing in Lewiston, for how long? 33

Employer: retired

Occupation: _____

Do you have any activities, commitments, or responsibilities that may prevent you from meeting commission or board attendance requirements? No -?

Comments: Rotary Wednesdays at Noon

Please note any paid or volunteer work, hobbies, special interests, or offices held that may relate to the position(s) for which you have applied (use extra paper if needed).

8 year serving on the Lewiston City Council.

What strengths do you feel you could bring to the boards/commissions for which you are applying?

I understand numbers.

Please list below the names and telephone numbers of two persons who can serve as a personal reference for you:

Bob Blakey 208 816 8764
 Name Telephone

 Name Telephone

Send completed application to the attention of Kari Ravencroft, City Clerk, City of Lewiston, City Hall, 1134 "F" Street, P. O. Box 617, Lewiston, ID 83501. For more information, please call 746-3671, Ext. 6203. Thank you for your interest!

City of Lewiston

APPLICATION FOR ADVISORY COMMISSION/BOARD

Date: April 3, 2023

Commissions/Boards applying for: Compensation Review Board

Name: Christianson, Emily S

Last

First

MI

Telephone (Home): 208-305-7135

Work Telephone: 509-495-7363

E-Mail Address: eschristianson@gmail.com

Address 1013 Burrell Ave #5 Lewiston, ID 83501

Number

Street

City

State

Zip

If residing in Lewiston, for how long? 20 years

Employer: Avista Corp

Occupation: HR Recruiter

Do you have any activities, commitments, or responsibilities that may prevent you from meeting commission or board attendance requirements? _____

Comments: I will be taking a vacation/honeymoon sometime in 2023, dates tbd

Please note any paid or volunteer work, hobbies, special interests, or offices held that may relate to the position(s) for which you have applied (use extra paper if needed).

I work with our Compensation team at work to determine salaries for new employees and to benchmark compensation for different roles. We ensure that new employees are hired in a way that promotes equitable compensation to them and existing employees.

What strengths do you feel you could bring to the boards/commissions for which you are applying?

HR background and experience. Analytical skills. Excellent written communication skills with knowledge of equitable compensation practices.

Please list below the names and telephone numbers of two persons who can serve as a personal reference for you:

Katie Hollingshead 208-790-8776

Name

Telephone

Kristi Ottmar 208-305-1434

Name

Telephone

Send completed application to the attention of Kari Ravencroft, City Clerk, City of Lewiston, City Hall, 1134 "F" Street, P. O. Box 617, Lewiston, ID 83501. For more information, please call 746-3671, Ext. 6203. Thank you for your interest!

City of Lewiston

APPLICATION FOR ADVISORY COMMISSION/BOARD

Date: 3/9/2023

Commissions/Boards applying for: Compensation Review Committee

Name: Hosking Matt K
Last First MI

Telephone (Home): 208-816-9892

Work Telephone: 208-816-9892

E-Mail Address: hoskingholsters@outlook.com

Address 1827 Grelle Ave Lewiston ID 83501
Number Street City State Zip

If residing in Lewiston, for how long? 27 years

Employer: Self Employed

Occupation: I own Hosking Holsters , I also teach for LCSC Workforce Training

Do you have any activities, commitments, or responsibilities that may prevent you from meeting commission or board attendance requirements? No

Comments: As long as I'm given prior notice, I can adjust my schedule to attend meetings, on any given day. The only issue, is if I was to be on vacation.

Please note any paid or volunteer work, hobbies, special interests, or offices held that may relate to the position(s) for which you have applied (use extra paper if needed).

I'm a successful business owner, and a strong advocate for support of small businesses. I've become very interested in trying to help promote growth in our city, along with ways to manage excess spending, and reduce taxes. I've been a volunteer leader in our 4H community for the past 4 years, along with holding leadership positions for the 4H committee.

What strengths do you feel you could bring to the boards/commissions for which you are applying?

I feel I could bring an honest and unbiased view on compensation for all parties, based upon the impact of their performance, how it affected our city's bottom line, what it did to improve areas inside our city, and what they did to help the citizens of our community. Being a self employed business owner, I can bring in a perspective of how the leadership of our city council and mayor, has impacted small business in the valley.

Please list below the names and telephone numbers of two persons who can serve as a personal reference for you:

Name: Meena Cole

Telephone: 208-413-4877

Name: Brian Ward

Telephone: 208-792-7993

Send completed application to the attention of Kari Kuchmak, City Clerk, City of Lewiston, City Hall, 1134 "F" Street, P. O. Box 617, Lewiston, ID 83501. For more information, please call 746-3671, Ext. 203. Thank you for your interest!

City of Lewiston

APPLICATION FOR ADVISORY COMMISSION/BOARD

Date: 3/7/23

Commissions/Boards applying for: Compensation Review Committee.

Name: Lambert, Darlene L.
Last First MI

Telephone (Home): 503-680-8049

Work Telephone: 208-503-1000

E-Mail Address: darlene_lambert78@protonmail.com

Address 3512 8th Street C, Lewiston, ID 83501
Number Street City State Zip

If residing in Lewiston, for how long? 3.5 years in Lewiston, 8 years in Clarkston

Employer: Big Country News

Occupation: Journalist/Reporter

Do you have any activities, commitments, or responsibilities that may prevent you from meeting commission or board attendance requirements? no

Comments: I do make trips to Portland every 6 months for a week or so to help my elderly parents.

However, I am always availbe via Zoom or virtual.

Please note any paid or volunteer work, hobbies, special interests, or offices held that may relate to the position(s) for which you have applied (use extra paper if needed).

I founded and served as a boardmember on a nonprofit group. I also have helped other nonprofits apply and recieve thier 501c3 status.

My occupation allows me to see trends happening, and keep current on events. I have previous experience in the legal field as a legal assisant.

What strengths do you feel you could bring to the boards/commissions for which you are applying?

I am a very practical and analytical thinker. I am able to think outside the box and as neutral party.

I am able to work well with others and understand what it takes to serve on a board.

Please list below the names and telephone numbers of two persons who can serve as a personal reference for you:

Alicia Bramlet	208-816-2456
Name	Telephone
Amanda Behler	208-553-3064
Name	Telephone

Send completed application to the attention of Kari Ravencroft, City Clerk, City of Lewiston, City Hall, 1134 "F" Street, P. O. Box 617, Lewiston, ID 83501. For more information, please call 746-3671, Ext. 6203. Thank you for your interest!