

*April 10, 2023*

**T**HE 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>

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**COUNCIL MEMBERS PRESENT:** Mayor Johnson; Councilor Forsmann; Councilor Schroeder; Councilor Spickelmire; Councilor Tousley.

**COUNCIL MEMBERS EXCUSED:** Council President Liedkie; Councilor Kleeburg.

**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**

Mr. John Michael said that every decision the Council makes should be based solely on what is best for the City. Every person should be heard, regardless of status, and he suggested that Citizen Comments be set at five minutes rather than three minutes. Mr. Michael expressed a need for events that draw people together, a need for a solid transportation system, and an understanding of environmental issues that poison the land and water.

Maliik Prior addressed the need for additional public transit routes and his desire to see more things for youth to do in the Valley.

**IV. MOTION TO AMEND AGENDA: *Considering a motion to amend the agenda to include the potential appointment of Kevin Jades to the Compensation Review Committee under Item X.D.(2)***

It was moved and seconded by Councilors Spickelmire and Forsmann to amend the agenda to include the potential appointment of Kevin Jades to the Compensation Review Committee. The motion carried 4 to 0, with Council President Liedkie and Councilor Kleeburg excused.

**V. PRESENTATIONS**

**A. VALLEY BOYS AND GIRLS CLUB: *Presentation by Jon Evans regarding the activities financed with City funds***

Jon Evans, Executive Director for the Valley Boys and Girls Club, reported that for the current contract with the City of Lewiston, the following services were provided: flag football, fall soccer, basketball, spring soccer, summer sports camp and cheerleading/dance. With 2,317 club members, participants in the mentioned activities totaled 2,190. The \$18,000 award provided by the City

equates to \$8.21 per participant. Mr. Evans noted that the Club never turns a child away due to financial hardship. Last year, 1,752 financial scholarships were provided in the amount of \$60,690.

Councilor Spickelmire questioned the number of busses utilized by the Club. Mr. Evans replied that they currently have two school busses and four vans. He noted that they are trying to get away from the large school busses as CDL drivers are very hard to find.

Mayor Johnson reported that he has met with Director Evans a few times to discuss the use of the City's funding, as well as visited their campus.

**B. CIVIC THEATER:** *Presentation by Nancy McIntosh describing the activities financed with City funds*

Civic Theater Executive Director Nancy McIntosh introduced Amy Baker Stout and Mike Cannon, President and Vice President, respectively. She expressed her pleasure that the theater is thriving and invited everyone to the upcoming production of *Almost Maine* that begins on Thursday.

Amy Baker Stout, President, reported that the theater has one full-time employee and one part-time staff member. There are 8 board members, and 70 individual members. It takes about 10,000 volunteer hours for one production. Ms. Stout noted that every production last year overshot the projected number of attendees. The Board is working to improve what the theater offers with the funds provided by the City. Theater dance instruction was provided to about 50 participants, the Acting Out Youth Company held two 8-week courses and summer camp had 79 participants. Collaboration with other entities and the entire community continue in an effort to come up with new ways to work together. Ms. Stout said that they performed at the lighting ceremony at Locomotive Park, collaborated with the YWCA, provided entertainment for OUI's fundraiser, and really want to be a part of any group that will have them. The Civic Theater has experienced new audience members, new cast members and new volunteers and is committed to continually growing and getting people excited about theater.

Mike Cannon, Vice President, addressed the physical investments made with the funds provided by the City. He noted that they have been able to purchase a new microphone system that is compatible with their current system, replace 10-year-old laptops, purchase new ticketing software, and digitally design sets that can be used in multiple shows. Discussions have been held on adding staff, updating some equipment, and providing more improvements to the sound system.

Councilor Forsmann reported that her mom volunteers for many productions and is always broadcasting the amazing work of all the volunteers. Seeing the number of people getting involved in theater in the community is amazing and she is thankful for the opportunities provided to youth and adults alike.

Councilor Spickelmire asked if the theater's website provides information about youth camps, etc. Ms. Stout replied that it does, noting that future classes are always posted. Additionally, sign-ups for "Matilda" are also available online.

Councilor Tousley thanked everyone for the tremendous work they are doing. There were some very dark days for the theater, and now being able to pay off next year's shows is amazing. Ms. Stout indicated that royalties alone can cost up to \$20,000.

Mayor Johnson stated that he has met with both Nancy McIntosh and Amy Baker Stout to talk about where the city dollars are being spent.

## **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 22<sup>nd</sup> 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 (Hollingshead)*

Mayor Johnson announced that this evening was the date and time advertised for the public hearing regarding ANX23-000001, CPA23-000001, AND ZNC23-000001 - Skyview Estates Phase III. He declared the hearing open and asked that a staff report be provided.

Assistant Planner Hollingshead explained that the City entered into an Irrevocable Consent to Annexation and Utility Service Agreement with Greco Land Development 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 year from the effective date of the agreement, whichever occurs first. The Nez Perce County Commissioners approved the final plat on February 3, 2023.

Continuing, Ms. Hollingshead reported that 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 and the proposed zoning is Suburban Residential. The 36 proposed lots meet the minimum lot size and dimensional standards set forth in the R-1 Zone. The proposal includes an extension of city sewer from Powers Avenue and the installation of a LOID water booster station. Ms. Hollingshead noted that the Planning & Zoning Commission held two public hearings and unanimously recommended approval.

Mayor Johnson emphasized that this is a Class A Annexation. City Attorney Hermann expounded by indicating that Class A means that private landowners have consented to annexation.

Councilor Spickelmire asked if all of the property owners on 22<sup>nd</sup> Street have been asked if they would like to annex into the City. Ms. Hollingshead said she is not sure, but noted there is

currently not City sewer on 22<sup>nd</sup> Street. She noted that all the Council is being asked to approve this evening is Phase III of the project.

Testimony, both in favor and in opposition, was sought by Mayor Johnson. There being none, Mayor Johnson closed the public hearing.

**B. ORDINANCE 4877 - FIRST READING:** *Implementing the City Council's decision in ANX23-000001 to annex land into the Lewiston City limits (Hollingshead)*

A motion was made by Councilor Forsmann to read Ordinance 4877 for the first time. Councilor Schroeder provided the second. The motion carried 4 to 0 with Council President Liedkie and Councilor Kleeburg excused.

ORDINANCE 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"

**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 (Hollingshead)*

It was moved and seconded by Councilors Schroeder and Forsmann to approve the first reading of Ordinance 4878. The motion carried 4 to 0, with Council President Liedkie and Councilor Kleeburg excused

ORDINANCE 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"

**D. ORDINANCE 4878 - FIRST READING:** *Amending Section 39-1 of the Lewiston City Code to update the City of Lewiston Area of City Impact Boundary Map (Hollingshead)*

Upon a motion and second from Councilors Forsmann and Schroeder, respectively, and a vote of 4 to 0, Ordinance 4878 was read for the first time, with Council President Liedkie and Councilor Kleeburg excused.

ORDINANCE 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"

**VII. 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”.

Councilor Tousley asked that the following amendments be made to the minutes:

- March 13<sup>th</sup> and March 27<sup>th</sup>: Change the spelling of Monique to Maliik.
- March 27<sup>th</sup> – Page 9 – Change the word “chick” to “check”.

Councilor Spickelmire requested that the Vouchers Payable be moved to the Active Agenda for discussion.

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

- A. **LEWISTON CITY COUNCIL MEETING MINUTES**: 02/27/23 Regular; 03/13/23 Regular; 03/27/23 Regular – Action Item
- B. **ADVISORY BOARD AND COMMISSION MEETING MINUTES**: 03/08/23 Planning & Zoning Commission - Action Item
- C. **VOUCHERS PAYABLE**: Considering approval of the Vouchers Payable dated 03/10/23 through 03/23/23 in the amount of \$3,113,265.21 – Moved to Item IX.A.

**VIII. ACTIVE AGENDA**

- A. **RESOLUTION 2-23-21**: Considering declaring various items of City of Lewiston property to be surplus (Gordon)

Councilor Forsmann moved and Councilor Schroeder seconded approval of Resolution 2023-21. The motion carried 4 to 0, with Council President Liedkie and Councilor Spickelmire excused.

**B. ORDINANCES**

**1. FIRST READING**

- a. Ordinance 4873

Assistant City Attorney Drury explained that Captain Jeff Klone reached out to the Legal office to add an aggressive dog at large section to Lewiston City Code Section 8-31, which currently governs dogs at large. With this addition, the dog at large provision will remain, but with an added aggressive dog at large provision. Captain Klone received various complaints regarding dogs at large acting aggressively. This new provision would impose a higher fine than just any dog running at large. Both provisions will be infractions. Further, Ms. Drury indicated that the proposed Ordinance also makes some minor changes to the vicious dog process.

Councilor Spickelmire asked about repeat offenses. Ms. Drury explained that the Code used to utilize a leveled system, but has moved away from that. She said that the hope is the higher fine will help to get people to comply. Mr. Spickelmire then asked if the aggressive dogs at large are retained by their owners. Assistant City Attorney Drury indicated that Animal Control can usually find the owner, but in cases they cannot, the dog is taken to the animal shelter. She noted, however, that if a dog is deemed vicious, it will be required to be moved out of the City limits.

A motion to read Ordinance 4873 for the first time was made and seconded by Councilors Forsmann and Schroeder, respectively. The motion carried 4 to 0, with Council President Liedkie and Councilor Kleeburg excused.

ORDINANCE 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"

**IX. ITEMS MOVED FROM THE CONSENT AGENDA**

- A. **VOUCHERS PAYABLE**: *Considering approval of the Vouchers Payable dated 03/10/23 through 03/23/23 in the amount of \$3,113,265.21*

Councilor Spickelmire questioned the payment to Global Equipment Company in the amount of \$5,860 for a dishwasher for the golf course. Finance Director Gordon replied that this was paid for from the city's Facilities budget which is responsible for improvements and repairs to City buildings.

Councilor Schroeder moved and Councilor Tousley seconded, approval of the Vouchers Payable. *ROLL CALL VOTE: VOTING AYE: Forsmann; Schroeder; Spickelmire; Tousley. VOTING NAY: None. EXCUSED: Liedkie; Kleeburg.*

**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.*

Councilor Tousley said its spring in Lewiston and he is happy to see so many people utilizing the city's parks and the levee system.

Councilor Forsmann thanked all those who have volunteered for various boards and commissions, adding it is great to see citizens getting involved in their local government.

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

Councilor Schroeder said she recently attended the Valley Vision meeting and a lot of great things are happening.

Councilor Forsmann noted that as the liaison for the Parks and Recreation Commission, she is grateful for all of the youth programs provided by the City. She encouraged people to participate.

Councilor Tousley noted he serves as the liaison to the Library Board and there has been a lot of stress related to the library during this legislative session. The Library is an amazing resource for the City of Lewiston and he is extremely proud to be a part of it.

- C. **MAYOR COMMENTS**

Mayor Johnson read an email from Chief Kuzik regarding national telecommunications week designed to honor the hard work and dedication of public safety dispatchers.

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

1. **E-911 Board**

A motion was offered by Councilor Forsmann to appoint Deputy Fire Chief Rightmier to the E-911 Board as the City of Lewiston representative. Councilor Schroeder provided the second and the motion carried 4 to 0, with Council President Liedkie and Councilor Kleeburg excused.

2. **Compensation Review Committee**

It was moved by Mayor Johnson to appoint Bob Blakey, Emily Christianson, Matt Hosking, Darlene Lambert and Kevin Jades to the Compensation Review

Committee for terms through December 2023 pursuant to City Code Section 2-42(2). Councilor Schroeder provided a second and it carried 4 to 0, with Council President Liedkie and Councilor Kleeburg excused.

**E. AGENDA TOPICS**

Councilor Forsmann offered a motion to place an update regarding a potential warming shelter on the May 8, 2023, regular Council meeting agenda. Councilor Spickelmire seconded the motion and it carried 4 to 0, with Council President Liedkie and Councilor Kleeburg excused.

**XI. ADJOURNMENT**

There being no further business to come before the Lewiston City Council, Councilors Schroeder and Forsmann moved and seconded, respectively, adjournment of the April 10, 2023, Regular meeting at 7:17 p.m.