August 14, 2023

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

City Council meetings are live-streamed and recorded. To view the full video, go to https://www.youtube.com/channel/UCddnGQVULZU4XqGBhBTeHGg

I. CALL TO ORDER

COUNCILORS PRESENT: Mayor Johnson; Council President Liedkie; Councilor Forsmann; Councilor Kleeburg; Councilor Schroeder; Councilor Spickelmire; Councilor Tousley.

II. PLEDGE OF ALLEGIANCE

Mayor Johnson led the Pledge of Allegiance.

III. CITIZENS COMMENTS

Kerry Daniel, resident of Lewiston, Idaho, expressed concerns related to the entrance road into the parking lot of the golf course.

Mike Lorenz, resident of Lewiston, Idaho, spoke to McCann's feedlot and encouraged Councilors to address the issues. Mr. Lorenz said that the money for Community Park should have gone to fix the Bert Lipps pool.

Ken Krahn, resident of Lewiston, Idaho, commended Mayor Johnson and Public Works Director Johnson for the job they did getting the water back. Mr. Krahn spoke of three things: 1) Lewiston's streets need to be a top priority; 2) the $40/month meter rental fee should be used towards the stormwater payment; and 3) a $100 million Community Park is absolutely not needed.

William Stickler, resident of Lewiston, Idaho, expressed concern regarding the McCann property, the weeds at the golf course posing a fire hazard, and the way money is being spent.

Kerry Daniel, resident of Lewiston, Idaho, said the roundabout on the Intersection of Burrell and 10th was the biggest waste of money and should have been a four-way stop.

IV. PUBLIC HEARINGS AND RELATED ACTION ITEMS

A. PUBLIC HEARING: PUBLIC WORKS WATER FEES, WASTEWATER FEES, SOLID WASTE FEES AND OTHER PUBLIC WORKS FEES, INCLUDING ENCROACHMENT PERMIT FEES:

Mayor Johnson announced the subject of the public hearing, explained the public hearing process and opened the public hearing.

A staff report was provided by Public Works Director Johnson on the Fiscal Year 2024 rate resolutions for water, wastewater, solid waste and other Public Works fees, including encroachment permit fees.

After the staff presentation, Mayor Johnson asked for public testimony. There being none, Public Works Director Johnson answered questions from Councilors and Mayor Johnson closed the public hearing.

B. RESOLUTION 2023-37:

Councilor Schroeder moved and Councilor Tousley seconded, respectively, approval of Resolution 2023-37. *ROLL CALL VOTE: VOTING AYE: Tousley; Schroeder; Kleeburg; VOTING NAY: Liedkie; Forsmann; Spickelmire.*

With the vote being tied, Mayor Johnson voted aye and the motion passed.

C. RESOLUTION 2023-38:

Councilors Schroeder and Spickelmire moved and seconded, respectively, approval of Resolution 2023-38. *ROLL CALL VOTE: VOTING AYE: Liedkie; Tousley; Forsmann; Schroeder; Kleeburg; Spickelmire.*

D. RESOLUTION 2023-39:

Councilors Schroeder and Liedkie moved and seconded, respectively, approval of Resolution 2023-39. *ROLL CALL VOTE: VOTING AYE: Liedkie; Tousley; Forsmann; Schroeder; Kleeburg; Spickelmire.*

E. RESOLUTION 2023-41:

Councilors Schroeder and Forsmann moved and seconded, respectively, approval of Resolution 2023-41. *ROLL CALL VOTE: VOTING AYE: Liedkie; Tousley; Forsmann; Schroeder; Kleeburg; Spickelmire.*

F. <u>PUBLIC HEARING: STORMWATER DRAINAGE SYSTEM SERVICE FEES</u>:

Mayor Johnson announced the subject of the public hearing, explained the public hearing process and opened the public hearing.

Public Works Director Johnson reviewed the stormwater drainage system rates and service areas. After the staff report, Mayor Johnson asked for public testimony.

David Doeringsfeld, resident of Lewiston, Idaho, expressed his concern and disappointment with how the stormwater project/enterprise fund is being implemented. While he supports the need to upgrade the system, he cannot support how the revenue is being derived and the amount. Mr. Doeringsfeld provided a letter from the Stormwater Task Force in 2016 and complimented Public Works Director Johnson and his team.

There being no further public testimony and Councilor's questions ended, Mayor Johnson closed the public hearing.

G. <u>RESOLUTION 2023-43</u>:

Councilors Schroeder and Tousley moved and seconded, respectively, to approve Resolution 2023-43.

Councilor Tousley offered an amendment to reduce the Service Area 1 fee to $7.50 and to reduce the Service Area 2 fee to $5.47 for the first year. The motion died for lack of a second.

Mayor Johnson called a short recess at 7:23 p.m. and the meeting reconvened at 7:27 p.m.

Councilor Tousley made a substitute motion to approve Resolution 2023-43 as amended: Service Area 1 fee per ERU to $7.40; Service Area 1 fee per ERU - Utility Assistance Program to $5.54; Service Area 2 fee per ERU changed to $5.70; Service Area 2 fee per ERU - Utility Assistance Program changed to $4.05; Commercial Properties Service Area 1 fee per ERU changed to $7.40 and Commercial Properties Service Area 2 fee per ERU changed to $5.70. Council President Liedkie seconded. *ROLL CALL VOTE: VOTING AYE: Liedkie; Tousley; Forsmann. VOTING NAY: Schroeder; Kleeburg; Spickelmire.*

With the vote being tied, Mayor Johnson voted aye and the motion passed.

H. PUBLIC HEARING: FISCAL YEAR 2023 BUDGET AMENDMENTS:

Mayor Johnson announced the subject of the public hearing, explained the public hearing process and opened the public hearing.

City Treasurer Gordon presented budget information to the Council and explained the budget is amended to include new revenues, such as funding from the state, grant revenue, and donations. The budget is also amended for emergencies, such as the high reservoir rupture and street repairs. Bond funds ($12,618,890), contributions and donations ($5,342,160), and emergency orders ($3,500,000) are the top three categories which make up 85% of the fiscal year 2023 budget amendment.

There being no public testimony or council questions, Mayor Johnson closed the public hearing.

I. ORDINANCE 4892 - FIRST READING:

Council President Liedkie moved to approve the first reading of Ordinance 4892. Councilor Schroeder seconded and the motion passed 4-2 with Councilors Spickelmire and Forsmann opposed.

ORDINANCE 4892: AN ORDINANCE OF THE CITY OF LEWISTON AMENDING ORDINANCE NO. 4858, THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023, APPROPRIATING ADDITIONAL MONIES THAT ARE TO BE RECEIVED BY THE CITY OF LEWISTON, IDAHO IN THE SUME OF TWENTY-FIVE MILLION FIVE HUNDRED TWENTY-ONE THOUSAND EIGHT HUNDRED TEN DOLLARS ($25,521,810); AND PROVIDING AN EFFECTIVE DATE.

J. PUBLIC HEARING: FISCAL YEAR 2024 BUDGET:

Mayor Johnson announced the subject of the public hearing, explained the public hearing process and opened the public hearing.

City Treasurer Gordon explained the budget ordinances and resolutions that would be presented to Council in the next few weeks, which include the FY23 Budget Amendment Ordinance, FY24 Appropriations Ordinance, FY24 Property Tax Certification Ordinance, and FY24 Forgone Resolution. Ms. Gordon then reviewed the Use of Unassigned Fund Balance (Reserves) - General Fund, Assigned Building Reserve fund, and budget requests, followed by closing comments.

There being no public testimony and no further Council questions, Mayor Johnson closed the public hearing.

K. ORDINANCE 4894 - FIRST READING:

Councilors Liedkie and Schroeder moved and seconded, respectively, to approve the first reading of Ordinance 4894. The motion was withdrawn.

Council President Liedkie made a new motion to approve the first reading of Ordinance 4894 with an amendment to reduce $1,650,000 from the building reserve fund in the general fund and increase the capital projects fund in the capital fund by $1,650,000. Councilor Schroeder seconded.

Councilor Forsmann offered a substitute motion to approve Ordinance 4894 with an amendment to reduce the building reserve fund by 3% ($708,000) and move the difference of the $1,650,000 minus the $708,000 ($942,000) to the capital projects fund which would reduce the grand total of the appropriations ordinance to $100,864,750. Councilor Schroeder seconded.

Mayor Johnson called another recess at 8:44 p.m. and reconvened the meeting at 8:49 p.m.

The substitute motion failed 1-5 with Councilors Liedkie, Tousley, Schroeder, Kleeburg and Spickelmire opposed.

The original motion passed 5-1 with Councilor Forsmann opposed.

ORDINANCE 4894: AN ORDINANCE OF THE CITY OF LEWISTON, TO BE TERMED THE "2024 ANNUAL APPROPRIATION ORDINANCE," APPROPRIATING SUMS OF MONEY AUTHORIZED BY LAW AND DEEMED NECESSARY FOR ALL GENERAL AND SPECIAL MUNICIPAL PURPOSES OF THE CITY OF LEWISTON, IDAHO, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2023 AND ENDING SEPTEMBER 30, 2024; AND PROVIDING AN EFFECTIVE DATE.

L. PUBLIC HEARING: BRYDEN CANYON GOLF COURSE FEES:

Mayor Johnson announced the subject of the public hearing, explained the public hearing process and opened the public hearing.

Parks and Recreation Director Barker provided a report on the proposed fees for the Bryden Canyon Golf Course. Mayor Johnson then asked for public comment.

There being no public comment or council questions, Mayor Johnson closed the public hearing.

M. RESOLUTION 2023-40:

Councilors Tousley and Liedkie moved and seconded, respectively, approval of Resolution 2023-40. *ROLL CALL VOTE: VOTING AYE: Liedkie; Tousley; Forsmann; Schroeder; Spickelmire. VOTING NAY: Kleeburg.*

N. PUBLIC HEARING: NORMAL HILL CEMETERY FEES:

Mayor Johnson announced the subject of the public hearing, explained the public hearing process and opened the public hearing.

Parks and Recreation Director Barker provided a report on the fees for Normal Hill cemetery. Mayor Johnson then asked for public testimony.

There being no public testimony and no further questions from the Council, Mayor Johnson closed the public hearing.

O. RESOLUTION 2023-42:

Councilors Schroeder and Kleeburg moved and seconded, respectively, approval of Resolution 2023-42. *ROLL CALL VOTE: VOTING AYE: Liedkie; Tousley; Forsmann; Schroeder; Kleeburg; Spickelmire. 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 and Councilor Forsmann moved and seconded, respectively, approval of the Consent Agenda. *ROLL CALL VOTE: VOTING AYE: Liedkie; Tousley; Forsmann; Schroeder; Kleeburg; Spickelmire. VOTING NAY: None.*

A. CITY COUNCIL MINUTES: 6/29/23 Budget #6; 7/24/23 Regular - Action Item

B. ADVISORY BOARD & COMMISSION MINUTES: 5/24/23 Planning & Zoning Commission; 6/21/23 Library Board; 6/1/23 and 6/12/23 Historic Preservation Commission - Action Item

C. VOUCHER'S PAYABLE: Considering approval of the Voucher's Payable dated 07/14/2023 through 07/28/2023 in the amount of $1,388,747.77 - Action Item

VI. ACTIVE AGENDA

A. **RESOLUTION 2023-35:**

Community Development Director Grow explained Resolution 2023-35 does three things. 1) It combines Community Development fees into one resolution; 2) it removes language from the CPI increase, which means the fees would not automatically roll up; and 3) it does not increase any fees, except for planning & zoning fees.

Councilors Schroeder and Liedkie moved and seconded, respectively, to approve Resolution 2023-35. *ROLL CALL VOTE: VOTING AYE: Liedkie; Tousley; Forsmann; Schroeder; Kleeburg; Spickelmire. VOTING NAY: None.*

B. **RESOLUTION 2023-44:**

Interim Fire Chief Rightmier informed Council that the item is a surplus item and is no longer used. City of Asotin is a small community and the conveyance would allow them to improve their service level to their citizens.

Councilor Forsmann commended the Fire Department for working collaboratively with other communities.

Councilors Schroeder and Forsmann moved and seconded, respectively, to approve Resolution 2023-44. *ROLL CALL VOTE: VOTING AYE: Liedkie; Tousley; Forsmann; Schroeder; Kleeburg; Spickelmire. VOTING NAY: None.*

C. **RESOLUTION 2023-49:**

Interim Fire Chief Rightmier explained the Emergency Medical Services fees, which are recommended by the Emergency Medical Services Advisory Board (EMSAB). The fee study was completed 2 years ago with the recommendation that the 4% increase be split between fiscal years 2023 and 2024.

Councilors Schroeder and Forsmann moved and seconded, respectively, to approve Resolution 2023-49. *ROLL CALL VOTE: VOTING AYE: Liedkie; Tousley; Forsmann; Schroeder; Kleeburg; Spickelmire. VOTING NAY: None.*

D. **RESOLUTION 2023-47:**

Mayor Johnson reviewed the history of the Bollinger Building and explained Resolution 2023-47 would start the process of declaring the building as surplus and direct staff to schedule a public hearing.

Councilors Tousley and Liedkie moved and seconded, respectively, to approve

Resolution 2023-4, declaring that the real property and building located at 805 6th Avenue is surplus to the City of Lewiston's needs and not used for public purposes and declaring a minimum purchase price of $67,000 that the City Council intends to receive by selling such property at a public auction and directing the City Clerk to schedule a public hearing regarding the proposed sale of such property. *ROLL CALL VOTE: VOTING AYE: Liedkie; Tousley; Forsmann; Schroeder; Kleeburg; Spickelmire. VOTING NAY: None.*

E. ORDINANCES

1. FIRST READING

a. ORDINANCE 4895:

Councilors Schroeder and Liedkie moved and seconded, respectively, to approve the first reading of Ordinance No. 4895. The motion carried 5-1 with Councilor Spickelmire voting nay.

ORDINANCE 4895: AN ORDINANCE OF THE CITY OF LEWISTON FIXING AND ESTABLISHING THE TAX CERTIFICATION ON ALL TAXABLE PROPERTIES SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF LEWISTON FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2023 AND ENDING SEPTEMBER 30, 2024, FOR THE PURPOSE OF PROVIDING AND RAISING MONIES FOR MUNICIPAL AND CORPORATE PURPOSES; PROVIDING FOR THE TAX CERTIFICATION TO THE BOARD OF COUNTY COMMISSIONERS OF NEZ PERCE COUNTY, IDAHO IN THE AMOUNT OF TWENTY-THREE MILLION FOUR HUNDRED SEVENTY-SIX THOUSAND NINE HUNDRED SEVENTY DOLLARS ($23,476,970); PROVIDING A CERTIFIED COPY OF THE 2024 ANNUAL APPROPRIATION ORDINANCE TO THE BOARD OF COUNTY COMMISSIONERS OF NEZ PERCE COUNTY, IDAHO, AS ADOPTED BY THE CITY OF LEWISTON FOR THE 2023-2024 FISCAL YEAR; AND PROVIDING AN EFFECTIVE DATE.

VII. ITEMS MOVED FROM THE CONSENT AGENDA - Action Item

VIII. UNFINISHED AND NEW BUSINESS

A. CITY COUNCILOR COMMENTS:

Councilor Forsmann invited candidates interested in running for City Council to pick up a packet from City Hall. She also encouraged them to reach out to her with questions.

Councilor Tousley explained why he decided not to run for City Council and encouraged people to ask lots of questions, be diligent, do their research and avoid social media feeding frenzies.

Councilor Schroeder congratulated Assistant City Attorney Tengono for receiving an award for her pro bono work.

B. CITY BOARDS AND COMMISSIONS LIAISON UPDATES

Councilor Schroeder noted the Envision Lewiston 2044 Comprehensive Plan survey is out and encouraged participation.

Council President Liedkie commended the Airport Authority board on their recent announcement of direct flights to Seattle, which will provide more access.

Councilor Forsmann provided an update on the Public Works Advisory Committee and a timeline of upcoming topics. She encouraged people to attend meetings and get informed.

C. MAYOR COMMENTS

Mayor Johnson thanked Director Gordon and staff for their hard work on the budget, as well as Public Information Officer Maurer, and also thanked the citizens for attending the meeting.

D. ADVISORY BOARD AND COMMISSION APPOINTMENTS

E. AGENDA TOPICS:

IX. ADJOURNMENT - Action Item

There being no further business to come before the Lewiston City Council, Council President Liedkie and Councilor Forsmann moved and seconded, respectively, to adjourn the August 14, 2023 Regular Session. The motion carried 6-0 and the meeting adjourned at approximately 9:45 p.m.