

August 21, 2023

THE CITY COUNCIL OF THE CITY OF LEWISTON, IDAHO, in a Special Meeting at the Lewiston Library Second Floor Activity Room at 411 D Street. Council President Liedkie called the meeting to order at 6:00 p.m.

I. CALL TO ORDER

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

COUNCILORS EXCUSED: Mayor Johnson.

II. PLEDGE OF ALLEGIANCE

Council President Liedkie led the Pledge of Allegiance.

III. CITIZENS COMMENTS

None.

IV. PUBLIC HEARINGS AND RELATED ACTION ITEMS

- A. PUBLIC HEARING: ZNC23-5:** Accepting testimony on a proposal to rezone an undeveloped tax parcel RPL 355W0059000 (excepting that portion lying east of Gun Club Road) containing approximately 18 acres of land generally located west of Gun Club Road and north and south (bisected by Nez Perce Drive) of Nez Perce Drive from Agricultural Transitional (F-2) Zone to Regional Commercial (C-6) Zone

Council President Liedkie announced the subject of the public hearing, explained the public hearing process, opened the public hearing and asked for the staff report.

Assistant Planner Hollingshead summarized that ZNC23-5 is a zone change application from Joe & Frances McCann Family Limited Partnership to rezone an undeveloped tax parcel containing approximately 18 acres of land from Agricultural Transitional (F-2) to Regional Commercial (C-6). Ms. Hollingshead provided topography and aerial photographs of the property, as well as property photos.

The property is adjacent to the Nez Perce Terrace Planned Unit Development, which includes commercial uses such as hotels, a movie theater, retail stores and Schweitzer Engineering Laboratories. Concluding her report, Ms. Hollingshead informed Council that the Planning and Zoning Commission held a public hearing on July 12, 2023 and voted unanimously to recommend approval to City Council.

Lewiston City Council
Special Meeting Minutes
August 21, 2023 – 6:00 p.m. – Page 1 of 6

On behalf of the applicant, Eric Hasenoehrl, with Keltic Engineering, explained that the parcel is in the shadow of Nez Perce Terrace Planned Unit Development, is adjacent to additional commercial area and fits best into the commercial zone where the roads and infrastructure have already been built to a higher level. The property is isolated by topography but fits best into the commercial zone, which will provide the highest and best use of the property.

There being no public testimony, Council President Liedkie closed the public hearing.

B. ORDINANCE 4893 - FIRST READING: - Action Item

Councilors Schroeder and Forsmann moved and seconded, respectively, to approve the first reading of Ordinance 4893. The motion carried 6-0.

ORDINANCE 4893: AN ORDINANCE OF THE CITY OF LEWISTON IMPLEMENTING THE CITY COUNCIL'S DECISION IN ZNC23-5, DECLARING THAT CERTAIN REAL PROPERTY BE REMOVED FROM THE AGRICULTURAL TRANSITIONAL (F-2) ZONE TO THE REGIONAL COMMERCIAL (C-6) ZONE; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LEWISTON; AND PROVIDING AN EFFECTIVE DATE.

V. ACTIVE AGENDA

- A. RESOLUTION 2023-50:** Considering amending Resolution 2023-43 to reduce the monthly user fee for residential properties described as "Service Area 2 fee per ERU - Utility Assistance Program" from \$4.05 to \$4.04 in order to comply with the City's utility billing software requirements - Action Item

Councilors Tousley and Forsmann moved and seconded, respectively, to approve Resolution 2023-50. *ROLL CALL VOTE: VOTING AYE: Spickelmire, Kleeburg, Schroeder, Forsmann; Tousley; Liedkie. VOTING NAY: None.*

B. ORDINANCES

1. SECOND READING:

- a. ORDINANCE 4892: - Action Item**

Councilors Tousley and Schroeder moved and seconded, respectively, to approve the second reading of Ordinance 4892. The motion passed 5-1 with Councilor Spickelmire 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 SUM OF TWENTY-FIVE MILLION FIVE HUNDRED TWENTY-ONE THOUSAND EIGHT HUNDRED TEN DOLLARS (\$25,521,810); AND PROVIDING AN EFFECTIVE DATE.

b. ORDINANCE 4894: - Action Item

Councilors Schroeder and Tousley moved and seconded, respectively, to approve the 2nd reading of Ordinance 4894.

Councilor Forsmann moved to request staff prepare numbers removing the 2.5% Cost of Living Allowance (COLA) increase for a year from non-represented employees for Council to review on the August 28th, 2023 meeting. Council President Liedkie seconded. The motion failed 3-3 with Councilors Kleeburg, Schroeder and Tousley opposed.

Councilor Spickelmire moved to reduce the property tax levy by 2.5%. Councilor Forsmann seconded. After City Treasurer Gordon explained that the motion would need to be made with Ordinance 4895, instead of Ordinance 4894, Councilors withdrew their motion.

Councilor Spickelmire moved to amend Ordinance 4894 by reducing the golf fund in the general fund by \$200,000. Councilor Forsmann seconded and the motion failed 2-4 with Councilors Tousley, Forsmann, Schroeder and Kleeburg opposed.

The main motion to approve the second reading of Ordinance 4894 carried 5-1 with Councilor Spickelmire 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.

c. **ORDINANCE 4895:** - Action Item

Councilor Schroeder and Council President Liedkie moved and seconded, respectively, to approve the second reading of Ordinance 4895.

Councilor Spickelmire moved to decrease the property tax levy by 2.5%. Council President Liedkie seconded. A friendly amendment was offered by Councilor Schroeder with acceptance by Councilor Spickelmire.

Councilor Spickelmire restated his motion to request staff to bring back information showing the effects of a 2.5% decrease in the property tax levy. The motion carried 6-0.

Council President Liedkie moved to amend Ordinance 4895 by decreasing line item A. General Fund by \$1,650,000 for a new total of \$16,389,290 and increasing line item B. Special Funds - Streets (Transportation Fund) by \$1,650,000 for a new total of \$4,904,000. Councilor Forsmann seconded and the motion passed 6-0.

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.

2. **FIRST, SECOND, AND THIRD READINGS:**

a. **ORDINANCE 4897:** - Action Item

Councilor Schroeder moved to combine the first, second and third readings and waive one reading in full of Ordinance 4897. Councilor Liedkie seconded. The motion passed 4-2 with Councilors Forsmann and Spickelmire opposed.

Councilors Schroeder and Tousley moved and seconded, respectively, to approve the first, second, and third readings of Ordinance 4897.

Councilor Schroeder moved to amend Ordinance 4897 by removing the amendments to Section 2-22(a) regarding city councilor and council president compensation and leaving Section 2-12(a) regarding the mayor's compensation as proposed. Council President Liedkie seconded. The motion passed 5-1 with Councilor Forsmann opposed.

The main motion then passed 5-1 with Councilor Forsmann opposed.

ORDINANCE 4897: AN ORDINANCE OF THE CITY OF LEWISTON AMENDING SECTION 2-12(a) OF THE LEWISTON CITY CODE REGARDING THE MAYOR'S COMPENSATION; AND PROVIDING AN EFFECTIVE DATE.

3. **ADOPTION AND APPROVAL OF ORDINANCE SUMMARIES:**

a. **ORDINANCE 4897:** - Action Item

City Attorney Hermann read Ordinance 4897 summary with the amendments.

Council President Liedkie and Councilor Schroeder moved and seconded, respectively, to adopt ordinance 4897 and approve the related ordinance summary. *ROLL CALL VOTE: VOTING AYE: Spickelmire, Kleeburg, Schroeder, Tousley; Liedkie. VOTING NAY: Forsmann.*

VI. **ITEMS MOVED FROM THE CONSENT AGENDA** - Action Item

VII. **UNFINISHED AND NEW BUSINESS**

A. **CITY COUNCILOR COMMENTS:**

Councilor Forsmann reminded the public that schools are starting and asked them to be aware when driving in a school zone.

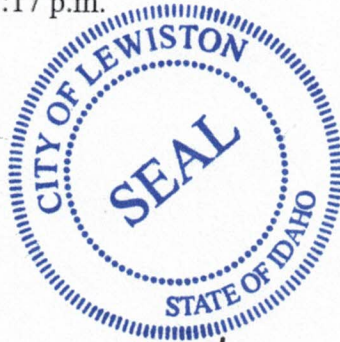
Councilor Schroeder encouraged citizens to participate in the Envision Lewiston survey and to attend a meeting on Saturday.

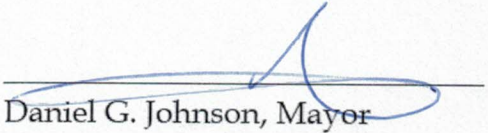
B. **MAYOR COMMENTS**

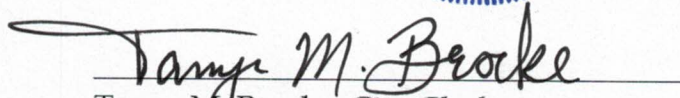
None.

VIII. ADJOURNMENT - Action Item

There being no further business to come before the Lewiston City Council, Councilors Kleeburg and Tousley moved and seconded, respectively, to adjourn the August 21, 2023 Special Session. The motion carried unanimously and the meeting adjourned at approximately 7:17 p.m.




Daniel G. Johnson, Mayor


Tanya M. Brocke, City Clerk