

August 28, 2023
Corrected September 11, 2023

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

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

Brian Shinn led the Pledge of Allegiance.

III. ORDER OF BUSINESS

Pursuant to Lewiston City Code § 2-26(f), considering changing the normal order of business to hold the public hearing regarding forgone taxes and consider the related Resolution 2023-45 after the Active Agenda because such public hearing must be held, and related Resolution 2023-45 considered, following adoption of the fiscal year 2024 budget - Action Item

Councilors Schroeder and Tousley moved and seconded, respectively, to change the order of business to hold the public hearing regarding forgone taxes and consider Resolution 2023-45 after the Active Agenda. The motion carried 6-0.

IV. CITIZENS COMMENTS

Bob Blakey, a resident of Lewiston, informed Council that it is not fair to cut the cost of living allowance (COLA) for non-represented employees and explained that the discussion should have happened weeks ago. Mr. Blakey reminded Councilors that the non-represented employees depend on the Council to represent them, and the Council should support its employees.

Mike Cannon, current president of the Lewiston Civic Theater, thanked the City Council, staff and citizens of Lewiston for all the support they have received throughout the years.

William Stickler, a resident of Lewiston, questioned the levy on the school district that was showing up on the news and in the paper. Mr. Stickler also expressed concern about

the dried grass on Nez Perce drive being a fire hazard.

Andrew Hanson, representing the Board of Trustees for the Lewiston Library, informed Council on the process of the budget and how the funding is used for the Library. Mr. Hanson asked the Council to strongly review and consider accepting the library budget as presented.

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".

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

A. CITY COUNCIL MINUTES: 8/7/2023 Work Session; 8/14/2023 Regular - Action Item

B. ADVISORY BOARD AND COMMISSION MINUTES: 8/1/2023 Emergency Medical Services Advisory Board (EMSAB); 6/14/2023 & 7/12/2023 Public Works Advisory Commission (PWAC); 3/9/2023, 4/13/2023, 5/11/2023, 6/8/2023 & 7/13/2023 Disability Advisory Commission; 9/3/2020 Code Board of Appeals; 6/8/2023 & 7/13/2023 Business Improvement District - Action Item

C. VOUCHER'S PAYABLE: Considering approval of the Voucher's Payable dated 07/28/2023 - 08/10/2023 in the amount of \$2,326,487.64 - Action Item

VI. ACTIVE AGENDA

A. RESOLUTION 2023-36: Action Item

Mayor Johnson moved to approve Resolution 2023-36 appointing Tanya Brocke as City Clerk for the City of Lewiston with an effective date of September 1, 2023. Council President Liedkie seconded. *ROLL CALL VOTE: VOTING AYE: Liedkie; Tousley; Forsmann; Schroeder; Kleeburg; Spickelmire. VOTING NAY: None.*

B. RFP-23-013 LIBRARY MATERIALS & SERVICES: Action Item

Councilors Schroeder and Tousley moved and seconded, respectively, to award RFP-23-013 to Ingram Library Services LLC and authorize the Mayor to execute the agreement between the City of Lewiston and Ingram Library Services LLC. *ROLL CALL VOTE: VOTING AYE: Liedkie; Tousley; Forsmann; Schroeder; Kleeburg; Spickelmire. VOTING NAY: None.*

C. RESOLUTION 2023-48: Action Item

Councilors Schroeder and Forsmann moved and seconded, respectively, to approve Resolution 2023-48. *ROLL CALL VOTE: VOTING AYE: Forsmann; Liedkie; Kleeburg; Schroeder; Tousley. VOTING NAY: Spickelmire.*

D. STAFF INFORMATION REGARDING POTENTIAL BUDGET AMENDMENTS:

Finance Director Gordon provided a presentation outlining the options for the FY24 2.5% Tax Reduction that was requested by Councilors on August 21, 2023.

E. ORDINANCES

1. SECOND AND THIRD READINGS

a. ORDINANCE 4893: Action Item

Councilors Schroeder and Forsmann moved and seconded, respectively, to combine the second and third readings and waive the third reading in full of Ordinance 4893. The motion carried 6-0.

Councilors Schroeder and Liedkie moved and seconded, respectively, to approve the second and third readings 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.

2. THIRD READINGS

a. ORDINANCE 4892: Action Item

Councilors Tousley and Forsmann moved and seconded, respectively, to waive the third reading in full of Ordinance No. 4892. The motion carried 5-1 with Councilor Spickelmire opposed.

Councilors Schroeder and Tousley moved and seconded, respectively, to approve the third reading of Ordinance No. 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 Kleeburg moved and seconded, respectively, to waive the third reading in full of Ordinance 4894. The motion carried 6-0.

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

Councilor Tousley moved to amend Ordinance 4895 to decrease the tax certification amount from \$23,476,970 to \$23,300,800; reducing the amount of General Fund levy from \$16,389,290 to \$16,213,120 and increase the amount of personal property tax replacement funds from \$298,767 to \$387,014. Councilor Forsmann seconded. After City Attorney Hermann clarified the agenda item was Ordinance 4894, Councilors Tousley and Forsmann withdrew their motion and second, respectively.

Councilor Tousley moved to amend Ordinance 4894 by decreasing the General Fund Legislative from \$1,056,270 to \$1,051,270; decreasing General Fund Executive from \$527,120 to \$459,790; decreasing General Fund Fire Protection from \$9,893,290 to \$9,877,700; decreasing the total General Fund from \$38,614,600 to \$38,526,680; decreasing the total Government Funds from \$52,377,670 to \$52,289,750; decreasing the Subtotal from \$107,392,940 to \$107,305,020; and decreasing the Grand Total, which is the Subtotal less Transfers (\$50,000) and less Depreciation (\$5,770,190), from \$101,572,750 to

\$101,484,830. Councilor Forsmann seconded and the motion passed 6-0.

Returning to the motion to approve the third reading of Ordinance 4894, the motion carried 6-0.

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

Council President Liedkie and Councilor Kleeburg moved to waive the third reading in full of Ordinance 4895. The motion carried 5-1 with Councilor Schroeder opposed.

Council President Liedkie moved to approve the third reading of Ordinance 4895. Councilor Tousley seconded.

Councilor Tousley moved to amend Ordinance 4895 to decrease the tax certification amount from \$23,476,970 to \$23,300,800; reducing the amount of General Fund levy from \$16,389,290 to \$16,213,120 and increase the amount of personal property tax replacement funds from \$298,767 to \$387,014. Councilor Forsmann seconded and the motion passed 5-1 with Councilor Spickelmire opposed.

Returning to the motion to approve the third reading of Ordinance 4895, 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 THREE HUNDRED THOUSAND EIGHT HUNDRED DOLLARS (\$23,300,800); 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.

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

a. **ORDINANCE 4893:** - Action Item

Councilors Tousley and Forsmann, moved and seconded, respectively, to adopt Ordinance 4893 and approve the related ordinance summary. *ROLL CALL VOTE: VOTING AYE: Liedkie; Tousley; Forsmann; Schroeder; Kleeburg; Spickelmire. VOTING NAY: None.*

4. **ADOPTION**

Councilors Schroeder and Forsmann moved and seconded, respectively, to adopt Ordinance numbers 4892, 4894, and 4895. *ROLL CALL VOTE: VOTING AYE: Liedkie; Tousley; Forsmann; Schroeder; Kleeburg. VOTING NAY: Spickelmire.*

a. **ORDINANCE 4892:** - Action Item

b. **ORDINANCE 4894:** - Action Item

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

F. **REASONED STATEMENT: ZNC23-5:** Action Item

Councilors Schroeder and Tousley moved and seconded, respectively, to approve the Reasoned Statement for ZNC23-5. The motion carried 6-0.

VII. **PUBLIC HEARINGS AND RELATED ACTION ITEMS**

A. **PUBLIC HEARING: FORGONE TAXES:**

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

Finance Director Gordon provided a summary regarding the Forgone Taxes, which equates to the amount of property tax the Council elects to not levy for amounts that are less than the three percent (3%) increase as permitted for the 2024 fiscal year, pursuant to Idaho Code § 63-802(1)(f). The amount for fiscal year 2024 is \$708,204.

There being no citizen comments, Mayor Johnson closed the public hearing.

B. RESOLUTION 2023-45: Action Item

Councilors Schroeder and Kleeburg moved and seconded, respectively, to approve Resolution 2023-45.

Council President Liedkie offered a substitute motion to approve Resolution 2023-45 with the amendment that they do not reserve the right to recover the forgone tax revenue of \$708,204 and redraft the Resolution to reflect a zero dollar (\$0) amount. Councilor Spickelmire seconded. *ROLL CALL VOTE: VOTING AYE: Liedkie; Tousley; Forsmann; Spickelmire. VOTING NAY: Schroeder; Kleeburg.*

VIII. ITEMS MOVED FROM THE CONSENT AGENDA - Action Item

None.

IX. UNFINISHED AND NEW BUSINESS

A. CITY COUNCILOR COMMENTS:

Councilor Forsmann commended the Police Officers and Fire Department for their assistance on the first day of school. She also commended the city staff for their hard work and expressed appreciation for their diligence. Councilor Forsmann also noted she would do better next year, and suggested having a few additional budget sessions prior to the first readings.

Councilor Tousley expressed his appreciation to the city staff for all the hard work they do.

Council President Liedkie explained the role of the city council and reminded persons interested in running their role is to represent the city. She commended Finance Director Gordon, her team and the directors for their work and expressed how proud she is of the staff.

B. CITY BOARDS AND COMMISSIONS LIAISON UPDATES

None.

C. MAYOR COMMENTS

Mayor Johnson encouraged people to pick up a council candidate packet as the filing period started August 28th and ends September 8th.

D. ADVISORY BOARD AND COMMISSION APPOINTMENTS: - Action Item

None.

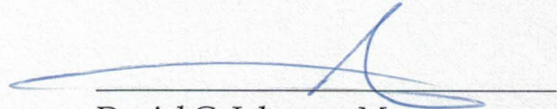
E. AGENDA TOPICS: - Action Item

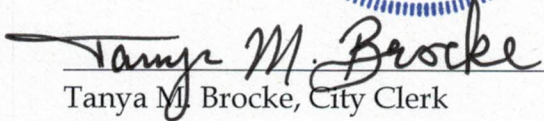
Council President Liedkie asked to add the personnel policy to a work session for review.

X. ADJOURNMENT - Action Item

There being no further business to come before the Lewiston City Council, Councilors Kleeburg and Forsmann moved and seconded, respectively, to adjourn the August 28, 2023 Regular Meeting. The motion carried 6-0 and the meeting adjourned at approximately 8:23 p.m.




Daniel G. Johnson, Mayor


Tanya M. Brocke, City Clerk