

March 7, 2022

THE CITY COUNCIL OF THE CITY OF LEWISTON, IDAHO, met in a Work Session at the Bell Building Second Floor Conference Room at 215 D Street. Mayor Johnson called the meeting to order at 3:00 p.m.

City Council meetings are recorded live. To view the full video, go to <https://livestream.com/lewiston/events/3725902/videos/229763909>

I. CALL TO ORDER

COUNCIL MEMBERS PRESENT: Mayor Johnson; Council President Liedkie; Councilor Blount; Councilor Forsmann; Councilor Schroeder; Councilor Tousley; Councilor Kleeburg;

STAFF MEMBERS PRESENT: Luke Antonich; Tim Barker; Brian Birdsell; Tanya Brocke; Aaron Butler; Jana Gómez; Budd Hurd; Dustin Johnson; Lynn Johnson; Carol Maurer; Travis Myklebust; Joel Plaskon; Nikki Province; Erika Stricker; Laura Von Tersch;

II. PLEDGE OF ALLEGIANCE

Councilor Blount led the Pledge of Allegiance.

III. CITIZEN COMMENTS

Mark Havens resident of Lewiston, ID and Executive Director of Interlink Volunteers. Mr. Havens explained that this month Interlink celebrates its 38th anniversary serving the needs of senior citizens and persons with disabilities in the Valley. Mr. Havens said recently the Board commenced a strategic planning process and the information will be shared with City leaders. Continuing, Mr. Havens provided demographic statistics which included Nez Perce County and Asotin County, which make up the metropolitan area. There are about 62,000 citizens in the two counties and about 13,000 are residents ages 65 and older. The State of Idaho 15.4% of the population are 65 and older, whereas in Nez Perce County it's 19.9% and Asotin County is 22.9%, which shows both counties are dramatically older. The Valley is older than the state averages and likely to continue to get older with more senior citizens unless younger residents and family members come into the area. Mr. Havens concluded his comment with noting the question is what can the communities do to provide services for the senior citizens and future presentations will present additional information.

IV. WORK SESSION ITEMS

A. **AVISTA FRANCHISE AGREEMENT UPDATE:** *Brief update on staff's effort to negotiate with Avista on a new franchise agreement.*

Public Works Director Johnson explained that a franchise agreement is any utility company, typically private or public, must have an agreement with the entity (county, city or state) to

operate in the right of way. The current Avista franchise agreement is 25 years and will expire March 10th. The next franchise agreement will consolidate both the gas and electric utilities into one agreement. Mr. Johnson continued that there is currently a working group with Avista that includes Assistant City Attorney Hermann, Public Works Director Johnson, and Administrative Services Director Marsh. The group meets with Mike Tatko from Avista and they go review the agreement line by line and they are in the home stretch. The next step is to finalize the agreement, have it reviewed by both attorneys, and then bring it to Council for adoption by Ordinance.

Councilor Kleeburg questioned if the current contract franchise fee is 1%. Public Works Director Johnson confirmed and said Avista pays 1% of revenue to offset the impact they have on the right of way. This fee has been in place for 23 years, since 1990 and the agreement does not change that.

Mayor Johnson asked if the fees paid from Avista are collected from residents and if so, do the residents know. Public Works Director Johnson explained the residents are notified through language on the bill explaining the costs.

Councilor Kleeburg asked what it would involve if they decide to increase the fee to 3%. City Attorney Gómez said she would have to look it up but there are two ways to raise the franchise fee. The company can raise it, or it can go to the voters but the provision of Avista is not raising it without taking it to a vote.

Mike Tatko, Lewiston-Clarkston Area Manager of Avista explained that to go from 0% to 1% it is a vote by City Council. To go from 1% to either 2 or 3% the utility has the right to do that or go to the voters. Avista has an internal policy that it is up to the taxpayers. Mr. Tatko explained what they have found when municipalities are specific to where the funding is going to go, the results from voters are typically better. Mr. Tatko concluded his comments by saying staff has been wonderful to work with and they are thorough and ask great questions.

B. COMMUNITY PARK/MASTER PLAN UPDATE: *Update of the Community Park Master Plan*

Parks and Recreation Director Barker introduced Kayla Brown with JUB Engineers. Mr. Barker briefly provided history of the project and then gave an update on the project, which includes the entire planning on the site. The primary goal of the City is to serve all age groups and ability levels and to provide a true gathering place for the community. Continuing, Mr. Barker said that last year they advertised for the master plan and JUB was selected by the City through a competitive bid process.

Kayla Brown, Area Manager of Lewis Clark Valley JUB office explained that her assignment started in 2006 and she is excited about the site and the project. They got under contract at the end of July and have several subconsultants that are assisting them in the planning process. A lot of work was done on site in August and completed a design workshop in September. November included a review and selection of a preferred alternative and the presentation of the preferred alternative to City Council in December. January and February consisted of reviewing

comparable facilities and finishing 3D modeling of the park site and initiating cost estimator work. Ms. Brown concluded her presentation by explaining March will consist of finalizing the 3D model rendering, completion of the cost estimate and website, and advertising for public review.

Council President Liedkie asked who the subcontractors were. Ms. Brown responded Clearwater Economic Development Association (CEDA), FCS, Triple C and Water Design.

Mayor Johnson said the sooner they have funding estimates the better, as there are a lot of other projects and Councilors will need to prioritize funding decisions.

C. ALCOHOL LICENSING FEES: Overview of the alcohol licensing process and fees

Business Licensing Coordinator Stricker provided a run-through of the staff report which provides an overview of alcohol licensing provisions, licensing fees, current alcohol licenses and the renewal process, as well as a three-year summary of licensing and revenue data. The staff report also provided a summary of the tasks and responsibilities of the Business Licensing Coordinator.

Councilor Blount explained that he requested the fees be put on the agenda, as the last few years have been pretty tough on restaurants, bars and smaller businesses. Councilor Blount was looking at a 20% reduction to bring the liquor license to an even \$450, which would be his recommendation.

Council President Liedkie stated her concern is there are other businesses that struggle and she would like to see what can be done to help all businesses in general. Councilor Blount agreed.

Mayor Johnson clarified that the reduction would be anywhere from \$8,500 to \$57,000. Ms. Stricker confirmed.

Councilor Schroeder expressed concern in regards to how the 20% reduction in the budget could affect the employees.

After further discussion, Mayor Johnson clarified that the consensus is to direct staff to run different scenarios related to business licensing fees.

City Attorney Gómez recommended that they make a motion and take a vote at the end of the agenda under the Future Topics section.

D. PERSONNEL POLICY AMENDMENTS: Overview of the proposed amendments to the Personnel Policy

Human Resources Director Province presented the personnel policy revisions that presented some concerns from new leadership. Changes included wording modifications to Sections 403,

407, 410 and 510, removal of Section 602, addition of a sentence to Section 604, and clarifying language to Section 615.

Moving on to Section 606, Ms. Province questioned if the City Council wants to continue providing an additional 33% city pay to employees who are off work or allow the employee to utilize accrued leave for 33% of their pay. Ms. Province explained that if the worker's compensation pay is adjusted, the change would only affect non-represented employees until the unions collective bargaining agreements can be negotiated.

After discussion, Councilors agreed to allow the employee to utilize accrued leave for 33% of their pay for Section 606 relating to Worker's Compensation.

E. LEWISTON CITY CODE - CHAPTER 2: Discussion on potential changes to Chapter 2 of the Lewiston City Code regarding City Administration

City Attorney Gómez reviewed the changes that the subcommittee had been working on and noted Public Information Officer Maurer would be providing an update on the public outreach regarding the form of government.

Ms. Gómez explained there is no procedure in Idaho Code outlining how or when power transfers to the Council President so the questions for City Council were if they wanted additional detail, a time and/or distance element, and if the Mayor should be required to provide written notice to the Council President. After discussion, a majority of Councilors were for leaving the section less detailed.

Continuing, Ms. Gómez reviewed the second question related to City Council and Mayor Comments on agendas. The questions for Council were if they were in favor of keeping the agenda as-is, keeping the agenda as-is but adding a reminder, removing councilor comments from the agenda, or adding a City boards and commissions liaison updates section to the agenda. After discussion, Councilors agreed to keep the agendas as-is and add a reminder, along with the addition of a section for City Boards and Commissions Liaison updates.

Ms. Gómez then reviewed the third question and explained the appointed officers of the City includes the City Treasurer/Chief Financial Officer, the City Clerk and the City Attorney. The question for the City Council is whether they would like to designate any other City employees as "appointive officers". After discussion, Ms. Gómez thanked the Council for their feedback and stated the subcommittee would review the section further.

Public Information Officer Maurer put together a handout that provided City Council with information related to a meeting that would gather public input relating to the communities preferred type of election. The different types of elections included at-large, districts, or seats. The meeting would be in April and open for discussion and public input. After the event, an online survey would be prepared and Ms. Maurer would gather feedback.

F. JUNIPER DRIVE CROSSING: Updated on Citizen's concern regarding the pedestrian crossing

Public Works Director Johnson recognized the efforts of a concerned citizen, Ashely Blake and said the concerns were regarding the safety of pedestrians on Juniper Drive. A site visit was conducted and traffic data was collected. Mr. Johnson explained the underlying conditions include ramps not meeting current ADA standards and low visibility due to the location being a hill on a curve. Mr. Johnson provided images of the visibility concerns and explained possible solutions include the upgrade of pedestrian ramps, cleanup of vegetation encroaching site vision, relocate ramps to better match pedestrian demand, provide advanced warning and pedestrian refuge, or increase traffic enforcement.

Concluding his presentation, Mr. Johnson said the next steps would be to determine the cost, continue to monitor the situation and a determination made on the preferred design/layout. Mr. Johnson said they would also coordinate with Schweitzer Engineering and Royal Plaza to see how they would like to participate.

G. UPDATE ON AXON RADIOS: Update on Axon Contract for body cameras, car cameras, Tasers and interview room cameras

Chief Hurd explained that AXON provides a one stop solution to what the public and the court system has grown to expect from officers everywhere. The Police Department has the ability to have an integrated system where Taser activations immediately turn on body cameras and in car cameras, as well as all the other officers in the immediate vicinities cameras as well. The Police Department can leverage AXON with their Tasers, cameras, and robust evidence. Continuing, Chief Hurd commented that Taser is changing the look of the Taser to make it look and feel less like a regular firearm. The body cameras have unlimited video storage and a new microphone to reduce wind noise and improve audio clarity. The new fleet camera systems are forward facing and also have a prisoner compartment camera.

Chief Hurd then provided data relating to the cloud storage. As of April 2017, there are 71,509 videos currently in cloud storage. Additionally, videos shared for discovery and public records requests included 4,900 in 2020, 8,545 in 2021 and 1,052 (so far) in 2022. Lastly, he provided a comparison of prices between the three companies, Axon, WatchGuard, and Body Worn by Utility. The price for Axon is \$104,090.46 per year versus \$99,944 per year for WatchGuard and \$133,104 per year for Body Worn by Utility. Axon is the best option because it includes the 49 body cameras/Tasers, 14 patrol car cameras, and 2 interview rooms. Neither WatchGuard nor Body Worn by Utility provide cameras in the interview rooms and to do so would increase the costs.

H. COUNCIL REQUESTS: Discussion regarding Council expenditures

Mayor Johnson explained some administrative changes relating to the travel policy were in review and facilities put together a pamphlet/booklet for paint and office which will bring efficiency, consistency, and cost savings down the road.

Mayor Johnson then explained that several Councilors had inquired about shirts, phones, etc. and that these expenditure decisions are left up to Councilors. A budget summary was provided in the packet for Councilors to review and if they would like something, they can reach out to City Clerk Ravencroft.

V. UNFINISHED AND NEW BUSINESS

A. CITY COUNCILOR COMMENTS

None.

B. MAYOR COMMENTS

None.

C. ADVISORY BOARD OR COMMISSION APPOINTMENTS

None.

D. PROPOSED WORK SESSION TOPICS

Councilor Forsmann moved to direct staff to provide business license number information for a future meeting. Councilor Tousley seconded. The motion carried 5-0-1 with Councilor Schroeder voting nay.

Councilor Tousley moved to direct staff to set up an open house concerning the pros and cons of the dam removal issue before adopting a resolution. Councilor Kleeburg seconded. The motion carried 5-0-1 with Councilor Schroeder voting nay.

Council President Liedkie asked to direct staff to draft a letterhead formally inviting Representative Simpson or his staff to present his plan on dams and how he proposes the City would be protected.

VI. ADJOURNMENT

There being no further business to come before the Lewiston City Council, Councilors Liedkie and Tousley moved and seconded, respectively adjournment of the March 7, 2022, Work Session at 5:57 p.m. The motion carried 6-0.