

June 7, 2021

**T**HE CITY COUNCIL OF THE CITY OF LEWISTON, IDAHO, met in a Work Session on Monday, June 7, 2021, at 3:00 p.m. at the Lewiston City Library, 411 D Street.

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**COUNCIL MEMBERS PRESENT:** Mayor Pro Tem Schroeder; Councilor Blakey; Councilor Bradbury; Councilor Kelly; Councilor Miller; Councilor Pernsteiner

**COUNCIL MEMBERS ABSENT:** Mayor Collins

**STAFF MEMBERS PRESENT:** Jana Gómez; Kayla Hermann; Travis Myklebust; Budd Hurd; Nikki Province; Jayson Ulrich; Laura Von Tersch; Lynn Johnson; Kari Ravencroft; Brittnie Purington; Tanya Brocke Aaron Butler

**I. CALL TO ORDER**

Mayor Pro Tem Schroeder called the meeting to order at 3:00 p.m.

**II. PLEDGE OF ALLEGIANCE**

Councilor Bradbury led the Pledge of Allegiance.

**III. CITIZEN COMMENTS**

*This is an opportunity for members of the public to address the City Council on agenda items or any issue of City business; provided, however, members of the public shall not address matters that are the subject of a public hearing or provide additional testimony or information on a quasi-judicial matter (e.g., Planning and Zoning matter) after the official record of such matter has been closed. Persons commenting may request that items be placed on a future agenda for further discussion; such requests are subject to approval by the City Manager or a majority vote of the City Council. Comments regarding the performance of a specific City employee are not appropriate during Citizens' Comments; instead, a meeting should be scheduled with the City Manager. The presiding officer may determine that comments regarding matters that have been previously heard and/or decided by the City Council are not appropriate for Citizens' Comments.*

*A person shall not provide comment unless and until recognized by the presiding officer. Persons providing comment shall identify themselves by their names and cities of residence, but shall not be required to disclose their mailing or home addresses. Persons making comments shall be limited to **3 minutes** each, unless additional time is allowed by the presiding officer.*

*Comments may be made: (1) in-person, (2) by emailing the City Clerk at [kravencroft@cityoflewiston.org](mailto:kravencroft@cityoflewiston.org), or (3) by calling (208) 746-3676 and leaving a message. Comments submitted by email or phone will be forwarded to the City Council. If you would like your comment to be read out loud during the meeting, please so indicate in your message. Members of the public who wish to provide in-person comment, but who are unable to secure a seat in the designated meeting space and/or overflow room(s) due to occupancy or gathering limits, will be rotated in and out of the designated meeting space in order to provide comment. While not in the designated meeting space and/or overflow room(s), such persons may watch and listen to the livestream of the meeting on their own devices by visiting the City of Lewiston's Facebook page or the City's website at [cityoflewiston.org](http://cityoflewiston.org). The City will not provide a means for listening to the meeting outside of the designated meeting space and/or overflow room(s).*

There were no citizen comments.

#### IV. PRESENTATIONS AND PUBLIC HEARINGS

A. PUBLIC HEARING - 2021 CDBG ACTION PLAN: *Accepting testimony on the 2021 CDBG Action Plan* (Brocke)

Stating that this was the time and place advertised for the public hearing regarding the 2021 CDBG Action Plan, Mayor Pro Tem Schroeder opened the hearing and asked that a staff report be provided.

Ms. Brocke explained that each year the U.S. Department of Housing and Urban Development (HUD) provides funding to cities for housing and community development programs that benefit persons of low or moderate income or eliminate blight. To continue to receive these funds, the city must develop an annual action plan which programs the funds to be awarded that program year for specific activities. The City was notified that it would be receiving \$242,653 in CDBG funding for the 2021 program year. Proposed activities include:

- \$ 95,000 - YWCA Structure Repair - Repair and stabilization of beams on the exterior of the YWCA building
- \$ 5,000 - Willow: Grief Peer Support Groups & Resources - Public services for low to moderate income persons)
- \$ 9,500 - The Green Apple Scholarship Project - Public services for low to moderate income families
- \$100,000 - Affordable Housing - Residential rehabilitation or assistance with permit fees for an affordable housing complex
- \$ 33,153 - 2021 Program Administration - Administration of the CDBG Program

Ms. Brocke noted that the public comment period for the Action Plan began on May 10<sup>th</sup> and concludes June 10, 2021. She said it is staff's recommendation that the Council approve the proposed 2021 Action Plan.

Councilor Bradbury asked if there was a census of the homelessness count within the City of Lewiston. Ms. Brocke stated she believes the Census Bureau performs a point and time count in January, but was unsure of that number. Mr. Bradbury asked if the YWCA serves only victims of domestic violence and not the general homeless population. Ms. Brocke confirmed. He asked for information regarding the Green Apple Project. Ms. Brocke explained that the Green Apple Project provides funding for families with children with certain disabilities in the form of scholarships. With CDBG funding, the Project is required to track the amount of low income households. Mr. Bradbury noted that the Willow Center provides support for families experiencing grief and/or loss, but not the general homeless population. Ms. Brocke noted that Community Development did not receive any applications for CDBG funding in direct relation to the general homeless population, therefore there are no funds delegated for that purpose. Mr. Bradbury stated that it is his understanding that the city relies on identifying low income households and the homeless population when they present themselves to the Community Development office. He then asked if there were any persons that presented themselves as homeless to the Community Development Department within the previous year. Ms. Brocke replied by stating not to her knowledge.

Councilor Bradbury then asked if there had been any effort to identify the lead paint issue within the low income housing community. Ms. Brocke explained that when citizens apply for the Home Repair Program and the house was built prior to 1978, the city would reach out to Geo Professional Inc. in Pullman to perform a risk assessment for lead based paint. If there is lead based paint identified, an EPA certified contractor would have to be hired to perform the repairs on the home. She noted that there are not funds allocated this year for the Home Repair Program unless the Affordable Housing grant falls through. If the Affordable Housing project does not take place, those funds would then go towards the Home Repair Program. Councilor Bradbury asked if there had been an assessment by the city or on the city's behalf to determine the extent of the lead paint issue within the City of Lewiston or what it would cost to have that assessment done. Ms. Brocke replied that she was not aware of any assessment and the cost of an assessment would depend on the number of houses identified as low income.

Councilor Bradbury continued by asking why the Snake River Clinic or the Idaho Food Bank was not listed as a resource to determine low income and/or the homeless population. Mr. Brocke stated that the city could reach out to those organizations for information and could add them as a contact.

Councilor Blakey asked Police Chief Hurd if the Police Department has an idea of the number of the homeless population within the city limits. Chief Hurd noted that the numbers tend to vary, but he could pull the information from the previous census and bring that information back to the Council.

In response to Councilor Blakey's question, Ms. Brocke stated that the city is allowed to create its own program as long as it meets the national objectives and is an eligible activity. Councilor Blakey asked if CDBG funds would be able to be used as a possible source of funding for a warming shelter, if ran by the city. Ms. Brocke explained that it would be an eligible source of funding because the homeless population is presumed to be made up of low income individuals.

Councilor Miller noted that the Idaho Food Bank does not collect data regarding the patrons that use the facility.

Gabe Iacaboni, Executive Director of the Willow Center, said he serves on the Green Apple Project Board and is the Vice Chair of the Lewis Clark Valley Adult Resource Center. He explained that the Willow Center provides support for children, teens and families that have lost a loved one and is the first year the Center has applied for funding through CDBG. The focus for the use of funds is to help prevent the detrimental impacts of grief. He noted there is a new organization in the valley called the Adult Resource Center and the hope for that organization for the first year is to utilize it as a warming shelter. The organization was not quite ready this year to apply for CDBG funding, but do plan to apply next year.

Councilor Bradbury stated that the lack of mental health care within the state is horrible. The State of Idaho is one of the few states that does not offer long-term care facilities for the mentally ill. He indicated that there are no funds going towards the general homeless population and there is \$600,000 from CARES Act funding that could be used for such an issue.

**V. ACTIVE AGENDA**

- A. **MUTUAL ASSISTANCE COMPACT**: *Considering approval of a Mutual Assistance Compact between the City of Lewiston and Garfield County – Action Item (Klone)*

Police Chief Hurd stated that Garfield County reached out to the Police Department requesting to place a department member or two on the Lewiston SWAT team. In order to achieve that, there has to be a mutual aid agreement established with them. He noted the agreement is the same as other surrounding counties and provides the guidelines as to when response is needed.

Councilors Bradbury and Blakey offered a motion and a second, respectively, to approve the Mutual Assistance Compact between the City of Lewiston and Garfield County. *ROLL CALL VOTE: VOTING AYE: Schroeder; Blakey; Bradbury; Kelly; Miller; Pernsteiner. VOTING NAY: None. EXCUSED: Collins.*

- B. **CDBG ACTION PLAN**: *Considering approval of the 2021 CDBG Action Plan – Action Item*

A motion was made by Councilor Blakey to approve the 2021 CDBG Action Plan. Councilor Bradbury provided a second and the motion carried 6 to 0, with Mayor Collins excused.

**VI. WORK SESSION ITEMS**

- A. **WATER TREATMENT PLANT UPDATE**: *Presentation on design and progress to date (Bailey)*

Engineering Projects Supervisor Bailey reported that the Water Treatment Plant project is on schedule and on budget. She indicated that the Council should expect the early works package amendment at the June 28<sup>th</sup> Council meeting.

Councilor Blakey asked about the issues with the water intake located up the Clearwater River that were reported by the Lewiston Morning Tribune. Ms. Bailey explained that the intake project was budgeted at \$3.2 million and was planned to reuse the existing structure. A condition and evaluation assessment of material was completed and findings showed the concrete used does not meet current standards. The outcome was that the cost to reuse the current structure would cost more than to construct a new intake. Councilor Blakey asked if the City of Lewiston is dependent on that intake structure to supply water to the city. Ms. Bailey indicated that the temporary intake, downriver from the paper mill, is being utilized and has been since the 80's. Councilor Blakey asked if there would be a risk for contamination. She confirmed.

Santack Design Manager Black presented the Council with a virtual tour of the design and upcoming construction for the Water Treatment Plant. He explained that in order to conserve funds, the design includes replacing older sections and retaining the newer portions of the Plant.

Councilor Kelly asked if repairing parts and components would be easier to access with the new design and expansion. Todd Pike with IMCO General Contracting confirmed.

In response to Councilor Bradbury's question, Mr. Black indicated that there is not a large risk of combustion or explosion. He stated that there is risk of skin or inhalation irritation and there are no hazardous gases on the site. Councilor Bradbury asked if there was an alarm system on site to notify employees if there was potential issue. Mr. Pike confirmed.

Councilor Blakey asked if the chemicals being used are already located on site. Mr. Pike explained that there is currently an onsite hyper chloride system, but the plan for the future is to have the chlorine hauled to the facility. Councilor Blakey asked if the construction of this new plant would be dependent on the water intake site. Mr. Pike replied that the intake is not dependent on the design for this building and would work with the current and any future intakes.

**B. COMPENSATION OF MAYOR: Discussion regarding potential pay and benefits for the mayor in the event the city's form of government changes to a strong mayor form of government (Gómez)**

City Attorney Gómez updated the Council on House Bill 319 and Senate Bill 1111. She explained that neither bill was passed into law and election terms will remain as they are.

Ms. Gómez then moved on to the possible change in the form of government. She stated that her recommendation would be to draft and pass an ordinance regarding the compensation for mayor by the end of July. She noted that if Council chooses to change the compensation for mayor, if the initiative is successful, the ordinance must be passed and published in the Lewiston Morning Tribune by August 19, 2021. She reminded the Council that there is potential to hire a chief of staff, which would serve as an assistant to the mayor and could affect the overall compensation for mayor. As an elected official, the mayor would be expected to work a sufficient amount of time to get the job done and serve the city.

City Attorney Gómez worked with Human Resources Director Province to provide the Council with a breakdown of what the actual compensation would be dependent on the pay and benefits chosen.

Councilor Bradbury asked if State Statute requires the Council to draft and pass an ordinance for the mayor's compensation prior to the election. Ms. Gómez explained that the mayor and council compensation is set by ordinance. Therefore, if the form of government were to change and the council chooses to change the compensation, the ordinance is required. The ordinance must be published so many days in advance of the election to go into effect January 1, 2022, and would not be able to be changed for two years or until prior to the next city election.

Councilor Bradbury suggested that the mayor's salary be set around \$100,000 to attract candidates qualified to run for office. Ms. Gómez followed up by noting that the qualifications needed to run for mayor are that the person must be 18 years of age, live within the City of Lewiston for 30 days prior to the election, and be registered to vote.

Councilor Blakey asked to see the total budgets for the comparable cities. He stated that some cities operate with assistance from many districts and the City of Lewiston is all inclusive.

Councilor Blakey then proposed a \$2000 per month salary for the mayor.

In response to a question raised by Councilor Miller, Councilor Bradbury stated that his view is that the elected mayor would replace the city manager and their duties. Councilor Miller said that it is important to have someone with management capability to be able to handle personnel policies and she feels that there is a value in having an administrator.

Councilor Kelly agreed that if the initiative is successful, the mayor would need to be a full-time position that manages the city alongside the department managers and is properly compensated. He stated that he fully believes in the city manager form of government, however if the citizens vote for the strong mayor form of government, the voters should have a distinct separation to vote on.

Councilor Blakey responded by stating that he also supports a city manager form of government. Regardless of the outcome of the initiative, there will be someone in charge that will need to make the decisions and there is not a guarantee that the public will elect the most qualified person running for the mayor position.

Councilor Miller responded to Mayor Pro Tem Schroeder indicating that she feels that having constant turnover at the leadership position is not a good direction to go for the city employees. Having a more permanent management position managing the day-to-day duties, in her opinion, would be safer for the employees and citizens of the city.

Councilor Bradbury said he believes that the current council after the election should make the decision to hire an administrator if the mayor feels it is needed. He noted that the city does have talented and capable staff running each division of the city. The person needed to run the city would need to be one who can coordinate with each department, work together, understand budgeting, and be a leader. He stated that the citizens of the City of Lewiston deserve the chance to decide on who they believe best belongs in the position of mayor.

Councilor Pernsteiner stated that he is not a proponent of the strong mayor form of government; however, he stated he is a proponent of a livable wage for the position. He recommended setting a salary that would not preclude a future council from hiring an administrator if they make the decision to do so. He proposed a salary of \$80,000.

City Attorney Gómez replied to Councilor Kelly explaining that if the initiative was successful, there could be six new councilors and a new mayor. The terms for the elected councilors would vary depending on the outcome of the election. Per state statute, the top three councilors would serve the first four year terms, while the final three would serve a two-year term. Once the two-year term is complete, the cycle would then return to every four years.

Councilor Blakey asked Councilor Pernsteiner if his proposal of an \$80,000 salary would include benefits. Councilor Pernsteiner replied by stating that decision would be up for council discussion, but he would make the benefit package in addition to the salary. He noted that the first year of office would be a very important transition year if the initiative is successful and he feels that it would not be beneficial if the person elected had to perform the job of mayor while still having to work elsewhere to provide for their family. In two years, the council, at that time, could best determine what the next steps would be.

Councilor Bradbury agreed that a salary of \$80,000 plus benefits would attract qualified people to run for the mayor position.

Councilor Blakey stated that he had researched strong mayor cities in Idaho regarding benefits provided and found that the cities providing benefits to the mayor also provided benefits for the city councilors.

Ms. Gómez explained that she would draft an ordinance to come before the Council that will include the salary of \$80,000 plus benefits. When the ordinance comes before the Council for reading, it can then be discussed and amended.

Ms. Gómez said the City of Lewiston is self-funded with regard to health care, so if the mayor were to receive benefits, there would be steps that need taken to provide health benefits. The Department of Insurance would have to review the additional members, an actuarial report would need to be acquired for the new group, and the Health Trust would have to approve adding the mayor to the self-funded plan. If the Health Trust did not approve the additional members, the city would have to find an insurance provider to provide benefits.

The consensus of the Council was for the mayor to have the same benefits as the current city manager.

Human Resources Director Province explained that the Council could decide for the mayor to have an option of receiving health coverage or not. She noted that city employees are required to enroll with benefits in order to have a greater population to financially secure the Health Trust. She said that where we are talking about one person or one family, it would not affect the Health Trust enough financially to offer for the coverage to be optional. Councilor Blakey asked if the elected mayor were eligible for Medicare due to their age, would that make a difference in coverage. Ms. Province replied by indicating that the age does not prevent them from participating in coverage, however the city's insurance would become primary.

The consensus of the Council was for the mayor to have the option to accept or deny health benefits, as well as offer health coverage to immediate family members.

Councilor Blakey asked if there would need to be a separate group if the future council wanted to include health coverage for all councilmembers. Ms. Province replied by explaining that if all eligibility is the same, the councilmembers could be included in the same sub-group as the mayor.

City Attorney Gómez asked if the form of government changes, would the Council like to implement additional compensation for an acting mayor. The consensus of the Council was to have the next set of councilmembers decide if there should be compensation and if so, what that compensation would be.

**VII. UNFINISHED AND NEW BUSINESS**

**A. *CITY COUNCILOR COMMENTS***

Councilor Kelly thanked the American Legion Post 13, Captain Klone, and all those involved for the Memorial Day celebration and speech that took place at the Normal Hill Cemetery.

Councilor Bradbury thanked the Veterans of Foreign Wars (VFW) Mountain View Post for their Memorial Day gathering. He reiterated that he feels that there is action that needs taken with regard to the lead based paint issue within low-income housing and that some of the \$600,000 funding received for low-income housing should be used towards that issue.

Councilor Pernsteiner said that Valley Vision, Clearwater Economic Development Association, CEDA, and Beautiful Downtown Lewiston would be presenting their findings from the feasibility study for the incubator program on Thursday, June 10, 2021. The presentation will be at the Lewiston Library at 4 p.m.

Councilor Miller stated that CEDA is working on a housing symposium for this upcoming fall to research the housing crisis and to develop a plan and solution. CEDA's executive director Christine Fry is retiring this year, so they are actively recruiting for that director position. The job description is posted on the CEDA website and available nationwide.

**B. *CITY MANAGER COMMENTS***

There were no City Manager comments.

**C. *ADVISORY BOARD OR COMMISSION APPOINTMENTS* – Action Item**

There were no Board/Commission appointments.

**D. *PROPOSED WORK SESSION TOPICS* – Action Item**

Councilor Kelly proposed to have the evaluations for the city manager and city attorney performed by the Council.

**VIII. ADJOURNMENT**

There being no further business to come before the Lewiston City Council, Mayor Collins adjourned the June 7, 2021, Work Session at 4:45 p.m.