

JUNE 21, 2021

T HE CITY COUNCIL OF THE CITY OF LEWISTON, IDAHO, met in a Joint Special Meeting with the Nez Perce County Commissioners on Monday, June 21, 2021, in the Bell Building, 215 D Street, Lewiston, Idaho.

COUNCIL MEMBERS PRESENT: Collins; Schroeder; Blakey; Pernsteiner; Kelly; Bradbury

COUNCIL MEMBERS EXCUSED: Miller

NEZ PERCE COUNTY COMMISSIONERS PRESENT: Zenner; Havens; Beck

STAFF MEMBERS PRESENT: Alan Nygaard; Jana Gomez; Kayla Hermann; Dan Marsh; Dustin Johnson; Laura Von Tersch; Travis Myklebust; Tim Barker; Lynn Johnson; Nikki Province; Suzanne Seignoir; Kari Ravencroft; Brittne Purington; Jacqui Gilbert; Joel Plaskon; Aimee Gordon; Jeff Klone; Carol Maurer

I. CALL TO ORDER

Mayor Collins called the meeting to order at 3:01 p.m.

II. PLEDGE OF ALLEGIANCE

Mayor Collins led the Pledge of Allegiance.

III. CITIZEN COMMENTS

Comments may be made: (1) in-person, (2) by emailing the City Clerk at 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. The City will not provide a means for listening to the meeting outside of the designated meeting space and/or overflow room(s).

Dan Tippett of Lewiston stated that there are plans to develop 23rd Street between Powers and Grelle Avenues and the residents of that neighborhood are opposed. He asked what the City and/or County would have to gain by spending \$600,000 on development of this road. The road would not provide any additional tax dollars but rather just create more maintenance. He stated that he has lived in Lewiston since 1997. The current city roads are not well maintained, and the money that would be spent on the road would go a long way on existing roads within the City and County. Mr. Tippett reiterated that the residents living on 23rd Street are opposed to this construction project and were never notified or given the chance to voice their opinions. The

driveway leading to the farthest property is already a dedicated fire access road. He said that when he built the road, he was told that the land would never be developed unless he or his neighbor subdivided the land, which they have not done. The development on the south side of Powers Avenue was the reason given for the road to be developed. He stated that it seems that this is being done behind closed doors and when the County had the road surveyed, they sent three officers that stayed for the duration of the survey. In closing, Mr. Tippett stated that he hopes this project is seen as unnecessary as he believes the money could be spent more wisely.

Gordon Zimmer of Lewiston stated he lives on the corner of 23rd Street and Grelle Avenue. He said that he purchased his property while serving in Iraq and asked if the fence he had built is going to have to be moved. He also asked if he would have to have a sidewalk put in and who would have to pay for it. Mr. Zimmer noted that there has been more traffic than usual due to people not seeing the dead end sign at the beginning of the road. He said he is opposed to the construction that would make 23rd Street a through road.

City Manager Nygaard responded by stating that he believes that the residents here today may be testifying to things that are appearing on Facebook and not what the County or the City is actually doing. He said he is unaware of \$600,000 being spent on 23rd Street. The City and the County met with regard to a garage that was being installed in the area, as well as moving a corral that impedes the city right-of-way. He believes that the Facebook page has created some concerns that are unwarranted and not truthful. Mr. Tippett replied by stating that the road department employee told him how much the road would cost and that he granted the person owning the shop an easement to the property.

LouAnn Richie stated that the round pen that has been a topic of discussion is three acres away from the shop being built and a road actually runs directly to the shop from the other side of the property.

Mayor Collins suggested that City Manager Nygaard obtain contact information from the residents at today's meeting so more information could be relayed to them directly.

Steve Martin of Lewiston complimented everyone involved in the revision of the Normal Hill Cemetery. He said it looks much better and he hopes to see the efforts continued. He thanked Mr. Nygaard for his comment regarding the social media cesspool of misinformation that is not verified. He indicated that cell phones are most likely responsible for the demise of our democracy as we have known it. He said his family is looking to relocate due to the contention and lack of action. The citizens have become complacent with the way things are being done and change will not happen until someone has brought the issue before the Council. He stated that it does not benefit anyone to have a bunch of ordinances if no one is willing to regulate or follow them. The people are the government and the Council serves as representatives. He said if the council would work together, they could do something about that airport.

IV. BUDGET ITEMS

A. POLICE STATION AND COURT HOUSE UPDATE (Alan Nygaard/Doug Havens)

City Manager Nygaard presented the Council and County Commissioners with the police station appraisal report and property assessment. As of February 23, 2021, the effective value conclusion was \$2,360,000. The Police Training Center site was utilized to theoretically have a place to put the police station for purposes of creating a cost estimate. The total gross square footage for a two story main building at 20,973 square feet would cost approximately \$15.5 million.

Nez Perce County Commission Chair Havens provided an update on the plans for the new county building. He stated that originally the County looked at a two-story concept for the new courthouse. However, now the County is looking to move the Driver's License Department from its current location at the jail site to the courthouse location. Mr. Havens provided the Council and the Commissioners with a concept for a three-story facility with the entire second floor being strictly court facilities. This concept would not require use of the current Police Station area and would allow the County to save funds without having to purchase the existing Police Station.

Councilor Kelly asked if the existing courthouse building would still be functional during construction. Mr. Havens confirmed. He explained that the only department that would be affected would be the current prosecutor's office.

Councilor Blakey asked if any thought was given to purchasing the CK Architects building. Mr. Havens replied that CK Architects did not want to sell. He noted that the County does plan on discussing the city-owned property located to the north of City Hall for possible parking.

Councilor Bradbury asked if all County offices will be located in the new building. Mr. Havens confirmed.

In response to Councilor Blakey's question, Mr. Havens stated that there is not a basement in the concept design due to the issues they currently have with the flood zones in the area. He noted that the Brammer Building would continue to be utilized.

B. AIRPORT BUDGET (Airport Staff)

Airport Authority Board Member Peters and Airport Director Issacs shared a video with the Council and County Commissioners announcing the addition of United Airlines flights beginning October 5, 2021.

Gary Foss with ArkStar addressed the group stating that there are only three network carriers in the United States: United; American; and Delta Airlines; and the

Lewiston-Nez Perce County Regional Airport now has two of the three. He noted that it is very rare for an airport to have more than one network carrier. This addition is going to lower fares and draw people back to the local airport. Mr. Foss noted that the inbound air traffic would increase from 95 to 280 connections. The outgoing travel connections would increase from 278 to 785 flights per day by using Salt Lake City and Denver airports.

Mr. Isaacs stated that he prepared a budget to be finalized by the Airport Authority Board by August 15, 2021, and revenues are expected to increase by 10 percent. He noted that the airport parking is bringing in approximately \$10,000 per month and is helping support the airport. The projected revenue for the airport for FY'22 is approximately \$1.4 million.

He continued by updating the Council and Commissioners on the airport expenses. He indicated that the expenses were reviewed line item by line item with City Manager Nygaard, Administrative Services Director Marsh, and the Airport Authority Board and expenses were decreased by 2 percent. Mr. Isaacs explained that establishing an in-house fire department could save the airport approximately \$50,000 per year. He said that the airport would not be requesting any support from the City or County for the next two fiscal years, in part due to the CARES Act funding received. There is over \$700,000 remaining, as well as other funding from additional grants, to cover maintenance and operation losses due to COVID-19.

Councilor Blakey thanked everyone involved for the good work and for bringing another airline into the valley. He asked if United Airlines required a guarantee from the airport. Mr. Isaacs indicated that the airport and United is still working on all the details with an increase in flight demand and a pilot shortage.

Councilor Bradbury asked how the airport reduced the expense budget. Mr. Isaacs replied that after review, they were able to remove projects from previous years.

In response to a question from Chairman Havens, Mr. Isaacs stated he believes that the parking spaces will be limited and the airport is looking at expanding the parking area and the airport to compensate for the extra flights.

Councilor Kelly asked if there are any issues with the Federal Aviation Administration on the fire department implementation. Mr. Isaacs stated that there should not be any issues.

Commissioner Zenner asked if there are any new capital projects for FY'22. Mr. Isaacs stated that south side development and continued infrastructure improvements will be on the agenda for FY'22.

Councilor Blakey asked if there was federal funding available, would there be a request for additional funds from the City and County. Mr. Isaacs confirmed.

Mayor Collins commended Mr. Isaacs and the Airport Authority Board on a job well done and stated that news provided today was very exciting for the future of the airport in working towards complete self-funding.

C. EMERGENCY MANAGEMENT/EMERGENCY COMMUNICATIONS/ADDRESSING
(Bill Reynolds)

Nez Perce County Emergency Manager Reynolds updated everyone on the emergency communication services and the associated projects. He stated that there is a fee of \$1.25 charged on all phone lines within the City and County which funds the system software, hardware, maintenance, and training. There will be upgrades to 911 and mapping, as well as the addition of the Latah County Sheriff's office as a remote user. He noted that there is a regional evaluation of cell towers being performed. This allows for each sector to be evaluated to ensure the call is being routed to the correct dispatcher. He provided details with regard to hiring a consolidation consultant and explained that the City and County both budgeted \$40,000 for FY'22 and FY'23 for the position, which will hopefully be filled by the end of summer.

Mr. Reynolds continued by covering the upcoming grant projects for FY'22. He explained that the Next Gen One GIS mapping project would assist in solving the very unique addressing issues within the City. There is a committee that has met several times to discuss the changes that need made and it is imperative for the addressing to be updated for emergency response personnel. He indicated that the County will work with a consultant to evaluate the addresses throughout the community. There are other grant projects being applied for, which include a recording software grant, CAD system mapping grant, and broadband projects with the Port of Lewiston and Community Economic Development Association (CEDA).

Mr. Reynolds thanked the County Commissioners, City Manager Nygaard, Chief Myklebust, Chief Hurd, Sheriff Rodriguez and Sheriff Scrimsher for their efforts and support during the pandemic. He stated that the focus for emergency management has been situational awareness, continuity of operations, personal protective equipment (PPE), and public health support within the community. An after action report will be drafted, with assistance from first responders, allowing for improvement in areas such as training, supply budget prioritization, and identifying upcoming events.

Emergency Manager Reynolds proposed to have an evaluation done on the Emergency Operations Plan, Sheltering Plan, Evacuation Plan, Reception Plan, and Continuity of Operations Plan. These plans would address a variety of situations where shelter options are needed for people in the community, quarantine situations, and fire displacement.

There is a Port Security FEMA Grant for the Police Department and the Sherriff's Office for improvements at the Port of Lewiston. The proposed project budget is \$776,000. FEMA would provide \$582,191 and a match of \$194,064 would be split between the City, County and Port of Lewiston.

Mr. Reynolds stated that the All Hazard Mitigation Plan was updated in FY'21. There were additional items placed in the Plan to allow for more grant options for fire, radios, port security, and emergency operations. He noted that the City and Nez Perce County continue to apply and receive the State Homeland Security Program Grants and Emergency Management Planning Grants.

Commissioner Zenner stated he would like to have other funding options reviewed for the Police Training Center redundancy issue. If both dispatch areas could not function, the training center is the backup site and the connection needs to be updated to fiber. Councilor Blakey asked what it would take to solve that issue. Mr. Reynolds explained that fiber would need to be ran to the building in the ground or aerial. That would have to be connected to the current network downtown where there are several options.

Chairman Havens stated that the County has been very fortunate to have Mr. Reynolds step into the Emergency Manager position. He indicated that the County advertised for the Emergency Manager position and there have been a good number of applications received, which will be reviewed next week.

D. EMS SERVICES (Travis Myklebust)

Fire Chief Myklebust stated that the Fire Department has been providing services to the County since the 1960's. On December 14, 2020, EMS services reached an agreement with the Council and Commissioners to renew the contract and continue service. He said the estimate for the cost of contracted services for FY'22 is apporoximately \$228,000. Chief Myklebust extended his appreciation for being able to provide the service, as it amounts to between 500 and 600 calls per year. The contract not only provides EMS services, but also vehicle extrication.

Chairman Havens said that the County is very pleased with the services provided by the Fire Department. He pointed out that there was a question on how the service calls were tracked with the Nez Perce Tribe on the Reservation. There was a discussion held with Nimiipuu Health and will be discussed at the meeting on Wednesday, June 23, 2021. He noted that for reimbursement purposes the County wanted to be sure the service call totals were accurate.

E. PROSECUTION SERVICES (Justin Coleman/Jana Gómez)

City Attorney Gómez explained there is a contract between the City and County wherein the Prosecutor's Office handles all misdemeanors and infractions that occur within the city limits, as well as public records requests for the Police Department. By statute, those situations are the responsibility of the City, however it is not uncommon to have this type of contract established. She said that the current contract is negotiated through FY'23. There has been some discussion of amending the contract and having the City take back control of the public record requests and prosecution of City Code violations.

Councilor Bradbury asked what the current contract price is with Nez Perce County. Ms. Gómez stated that for FY'21 the contract price was just over \$138,000. Mr. Bradbury asked for the competitive salary rate for an attorney with four or five years of experience. Ms. Gómez indicated that the salary would vary depending on if they were employed with a city or a county. She said that she believes that the salary for a County employee would be approximately \$60,000 - \$70,000 and a city employee would start at approximately \$80,000.

Chairman Havens said that the prosecutors are going to a new type of software program that would enhance the public records request process. He stated that he feels that the process has worked well and the Commissioners will speak again to Prosecutor Coleman. He suggested that the City inform the County its decision as soon as possible so the prosecutor's office can make the changes necessary.

Councilor Blakey said he would like to hear from Police Chief Hurd on how a change would impact his staff.

Ms. Gómez stated that in domestic violence cases it requires a Victim's Rights Coordinator which would create another needed position for the City. The County has a person already trained and performing the duties needed for domestic violence cases.

F. OTHER SHARED PROGRAMS (Marsh/Weeks)

Administrative Services Director Marsh provided an overview of the following shared programs between the City and the County for FY'20 through FY'23.

- Lewiston-Nez Perce County Regional Airport
- E911
- Emergency Management
- Emergency Operations Plan
- The Spillmen System
- Fire/EMS
- The COLA benefits

- Southway Bridge maintenance
- Sanitation
- Prosecution
- Transit
- Parks and Recreation
- Levy Program

Commissioner Zenner asked if there are any major projects at the transfer station that the County will need to reflect in the budget. Public Works Director Johnson stated that the only project slated for Sanitation in FY'22 is resurfacing of the Transfer Station floor.

Transit Manager Seigneur stated that the North Lewiston route is slated to begin in June of 2022 with a budget of approximately \$177,000. Mr. Marsh stated that there will be more detail to come with the budget presentation next week.

Mr. Marsh explained that the County sets the amount of the levy received at 50 percent while the cities within the County split the remaining 50 percent. The levy is a significant item within the street budget at approximately \$300,000.

Councilor Pernsteiner asked if there was any update on the Metropolitan Planning Organization (MPO) designation for the community. Ms. Seigneur explained that MPO Manager Grow was able to meet with representatives from Senator Crapo's office and other legislators, Federal Highway Department, and the Census Bureau to discuss the proposed criteria for an urbanized area. Ms. Grow has identified the City of Lewiston as an area that could be affected by the changes being made by the Census Bureau. She said that final numbers and results will not be available until this fall.

City Manager Nygaard stated that the City placed \$30,000 in the FY'21 budget for shared right-of-ways. He requested to have funds placed in the budgets to hire a survey crew and to try and have the split right-of-ways under one jurisdiction or the other. He said he feels that the areas of concern can cause confusion.

V. UNFINISHED AND NEW BUSINESS

A. CITY COUNCIL COMMENTS

Councilor Blakey gave kudos to everyone who is a part of and promotes this community. He stated that he was on a bike ride in North Dakota and many people from all over the United States had very positive comments on how great this community is.

Councilor Bradbury said that the Airport Authority Board is dedicated and he could not be more pleased with their efforts and the work they put forth. Councilor

Kelly agreed and thanked the Airport Authority Board for their efforts as well. He also thanked the Parks and Recreation Department for their work they have done to have both public pools open and operating.

Mayor Collins suggested the issue with regard to 23rd Street be placed on a future agenda for further discussion.

Councilor Pernsteiner asked for a quote with regard to the urine analysis company. Chairman Havens said he would get that information from the court administrator and forward it to the Council.

Councilor Bradbury said that he strongly recommends City assistance in funding the urine analysis program through the County. He stated that drug testing is a key factor in the outcome of certain cases and losing that program would make a huge difference.

B. NEZ PERCE COUNTY COMMISSION COMMENTS

Chairman Havens stated that there is a shortage of drug testers for urine analysis to collect samples for persons on probation. That drug testing program typically costs Nez Perce County approximately \$20,000 per year. He said that the County is looking to hire an outside firm to handle all the requirements to administer the urine analysis testing. He requested City budget support of \$10,000 as an outside firm is researched. Mr. Havens said that 23rd Street in the East Orchards would be useful as a through road. He noted that the road is a County right-of-way and needs improved. There was a request made for access to the road and the County did grant that access. The plan is to establish the boundaries and improve the surface that is currently there. There is not a plan to reconstruct the road at this time. In response to Councilor Blakey, Mr. Havens said Mr. Tippett lives on the corner of Powers Avenue and 23rd Street and he owns the coral that is sitting in the right-of-way. Public Works Director Johnson said that Public Works is planning to mark exactly where the public right-of-way is so that it is very clear to the residents in the area.

Mr. Havens agreed with City Manager Nygaard that the shared right-of-ways need to be addressed and the Commissioners will review including this in their budget.

Commissioner Zenner suggested using some grant funding to try and figure out the situation with the fiber at the Police Training Center for backup emergency communications.

VI. ADJOURNMENT

There being no further business to come before the City of Lewiston or Nez Perce County Commissioners, Mayor Collins adjourned the June 21, 2021, Joint Special meeting at 4:39 p.m.