

JULY 12, 2021

T HE CITY COUNCIL OF THE CITY OF LEWISTON, IDAHO, met in a Regular meeting on Monday, July 12, 2021, at the Lewiston City Library, 411 D Street. Mayor Collins called the meeting to order at 6:00 p.m.

I. ROLL CALL

Councilors Present: Collins; Blakey; Bradbury; Kelly; Miller; Pernsteiner.

Councilors Excused: Schroeder.

II. PLEDGE OF ALLEGIANCE

Mayor Collins led the Pledge of Allegiance.

III. CITIZEN COMMENTS: *Provides an opportunity for citizens to address the council on agenda items or other items they wish to bring to the attention of the council. Citizens are encouraged to discuss operational issues in advance with the city manager. In consideration of others wishing to speak, please limit your remarks to three minutes.*

Public Information Officer Maurer read a letter submitted by Gabe Iocoboni regarding his opposition to adoption of Ordinance 4819. He noted the unnecessary monetary cost of a run-off election and the perception that the Council is rigging the “game” as reasons for his stance on this issue. Mr. Iocoboni indicated he has heard the Council mention the mayor would have unprecedented power under a Mayor/Council form of government, but questioned this assertion. Further, he noted that cities with elected mayors do not suffer from a lack of management or professionalism within their cities. Mr. Iocoboni urged the Council to leave the decisions up to the next Council. Should the voters of Lewiston support a change in government, the next mayor can decide what course the city should chart in its electoral and managerial system.

Steve Martin reminded all those running for the office of City Councilor or Mayor that they must establish a treasurer prior to beginning their campaigns, as well as file the appropriate financial disclosure reports.

IV. PRESENTATIONS AND PUBLIC HEARINGS

A. PUBLIC HEARING - EMPEROR OF INDIA: *Accepting testimony regarding whether the building at 854 and 858 Main Street (former location of Emperor of India Restaurant) continues to be a public nuisance that threatens the public health or safety of persons or property (Hermann)*

Mayor Collins announced that this was the time and place advertised for the public hearing regarding the Emperor of India. He opened the hearing and asked that a staff report be provided.

Assistant City Attorney Hermann said Council declared this building a nuisance in 2019. Building has not been demolished and given lapse in time, purpose tonight is to receive information from public regarding current condition of building and whether it threatens the public health and safety of persons.

Councilor Bradbury noted that the City Council has already declared this building a nuisance, and questioned the reason for bringing it back to the Council as a Public Hearing. Assistant City Attorney Hermann reported that it has been a year-and-a-half since that determination and staff believed it would be prudent for Council to receive information from the public and employees on its current condition. Councilor Bradbury said he believes there has been a lapse in time because nothing has been done to date to remedy the situation.

City Attorney Gómez expounded that the Prosecutor's office has pursued criminal charges which are separate from the city's civil case. Staff has been diligent in trying to work with the insurance company and the owner of the building to get consent to have him clean it up himself or to give the city approval to abate the nuisance and place an assessment on the property. At this point, it is recommended that declaratory judgment be pursued, and this is one step in that process. Tonight's public hearing is so that the council can determine if the building continues to be a nuisance, which gives the city better control of the situation to go to court and ask for declaratory judgment in an effort to reduce the risk to the city.

Councilor Blakey asked if this process will assist with similar situations that may arise in the future. Ms. Gómez explained that each case would have to be considered on its own merits, but at least staff will have this experience to see how the court handles it.

Mayor Collins asked for testimony either in favor or in support of the matter.

City Building Official John Smith showed pictures of 854/858 Main Street dated the day after the fire, as well as new pictures from June 29, 2021. He noted that the building continues to collapse and is structurally unstable. Adjoining walls have pulled away and the fire escape door of Wells Fargo is no longer accessible. There was damage sustained to the adjoining building, there is loose metal from the wind, bricks have come loose and fallen to the sidewalk, and the sidewalk has had to be cordoned off three times for pedestrian safety. Mr. Khurana has been informed numerous times that the building is unsafe and is completely aware that the situation is dangerous.

Eric Hasenoehrl, Keltic Engineering, reported that he viewed the building the day after the fire and prepared a letter summarizing the damage. Engineers are not advocates for clients, but rather take the position of protecting public welfare and safety. As a structure comes apart, the stability comes into question. Buildings are meant to work as a full composite unit. Many parts of the building are unstable and have allowed weathering of the neighboring buildings, causing additional wear over time. There are safety issues with the structure as it currently sits and it will only get worse as they continue to go unprotected.

In response to a question from Councilor Bradbury about the building posing a safety risk, Mr. Hasenoehrl noted that because the building is not stable and pieces continue to fall in and out, it will continue to deteriorate and safety is a huge concern.

Vicky Ross, owner of several buildings in the downtown area, expressed concern that 854/858 Main Street has not yet been taken care of. She said she doesn't understand why public testimony and discussion continues when condemnation stickers were placed on the building a year-and-a-half ago. City Inspector Smith replied that a sticker on the door does not mean that the city automatically takes possession. The owner was granted six months, plus an extension, to take care of the building to no avail, and now receives misdemeanor offenses of \$1,000 per day. The Prosecutor has sent a letter to the owner, but received no response. Unfortunately, Mr. Smith noted that there are other examples of fire damaged structures within the community that have taken up to 4 years to remedy.

Ed King, owner of Kings Corner, emphasized that the Emperor of India building is ugly and dangerous. He noted that Mr. Khurana has had problems with the City of Lewiston since 2007. He was allowed to keep his restaurant open until 2019, putting citizens at risk. Mr. King said he hopes things can move forward to remedy this mess.

Julian Sorrell, Fire Marshal, mirrored what Mr. Hasenoehrl and Building Official Smith had to say with regard to the building's structural integrity. He noted that that the fire had a significant fuel load containing mattresses, clothing, etc. in the basement. He said the department would be hard pressed to take care of another fire if it were to happen.

There being no further testimony, Mayor Collins closed the public hearing.

V. CONSENT AGENDA

Mayor Collins 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 Bradbury requested that Item E, Vouchers Payable, be moved to the Active Agenda.

Councilor Blakey requested that Item C, Preliminary Plat for Valley Vista Heights, Block 18, also be moved to the Active Agenda for discussion.

A motion was offered by Councilor Miller and seconded by Councilor Pernsteiner to approve the Consent Agenda, as amended. *ROLL CALL VOTE: VOTING AYE: Collins; Blakey; Bradbury; Kelly; Miller; Pernsteiner. VOTING NAY: None. EXCUSED: Schroeder.*

- A. **CITY COUNCIL MEETING MINUTES:** 05/24/21 Regular; 06/21/21 Joint City/Nez Perce County; 06/28/21 Regular - Action Item
- B. **ADVISORY BOARD AND COMMISSION MEETING MINUTES:** 11/12/21, 12/10/21, 01/14/21, 02/11/21, 03/11/21 and 04/08/21 Disabilities Advisory Commission; 03/24/21, 04/14/21, 04/28/21 and 06/09/21 Planning & Zoning Commission - Action Item
- C. **PRELIMINARY PLAT - VALLEY VISTA HEIGHTS, BLOCK 18:** Considering the plat or re-plat of approximately 0.71 acres of property located within Stages 2 and 5 of Valley Vista PUD into 2 lots - Action Item - Moved to Active Agenda Item G.1.
- D. **RESOLUTION 2021-24:** Considering accepting a public water utility and access easement from Sandra J. Berg to the City of Lewiston - Action Item
- E. **VOUCHERS PAYABLE:** 06/11/21 through 06/24/21 - \$2,204,106.77 - Action Item - Moved to Active Agenda Item G.2.

VI. **ACTIVE AGENDA**

- A. **EMPEROR OF INDIA:** Considering whether to direct staff to prepare a resolution declaring that the building at 854 and 858 Main Street continues to be a public nuisance and whether to require abatement of such nuisance within a certain period of time - Action Item (Hermann)

Councilor Kelly questioned the potential results of Thursday's jury trial and the city's options. Assistant City Attorney Hermann reminded the group that tonight's process is completely separate from the criminal process. In terms of the criminal case, the jury will ultimately decide if Mr. Khurana is guilty or not guilty. If found guilty, then he would then go to sentencing wherein potential jail time, a

fine, or both could be imposed. Ms. Hermann noted that judges typically only impose fines in these types of cases, but that will be up to the judge to decide. City Attorney Gómez added that if found guilty, Mr. Khurana could also be placed on probation and as a condition could be ordered to clean up the property.

Councilor Bradbury said the council is talking about an individual who has destroyed his own building and coming up with his own resources to clean it up isn't going to happen. He stressed that the decision is up to the council and the owner of the building has been ignoring orders for over a year and a half.

Councilor Pernsteiner said that though he never wants to put the community in danger, he does want to be very slow about seizing and destroying a public property. Due to COVID, the city did not receive the Idaho State Fire Marshal's investigation until January 2021. This has been a long and painful process, but in reality, it has only been six months since the investigation report was received. Councilor Pernsteiner said he wishes the property owner would have cleaned up his property on his own volition as he was given enough time. He noted that he is in favor of moving ahead to remedy this safety issue, as well as getting a judge to review to provide clear direction. Mr. Pernsteiner stressed that he wants to make sure any action is in line and that the landowner has every right to fight the decision if he deems fit and can determine that in a court of law.

A motion and second were offered by Councilors Miller and Pernsteiner, respectively, to direct staff to prepare a resolution declaring that the building located at 854 and 858 Main Street continues to be a public nuisance and requiring abatement of such nuisance within 30 days.

Councilor Bradbury said the topic is not about infringing on people's personal property rights as the building is already destroyed. If the Council waits for a judge to give declaratory judgment, it will be at least another 6 months to a year before anything is done. Mr. Bradbury emphasized that it is time to have this nuisance abated. For that reason, he said he will be opposing the motion.

Councilor Blakey said he does agree that the Council should have moved on this issue sooner and expressed concern for waiting another 30 days. He said he believes the Council should take immediate action and for that reason, would be voting against the motion.

Councilor Pernsteiner noted that approval of the motion would create a resolution that lets the property owner know the city would take action within 30 days. City Attorney Gómez clarified that the motion is to draft a resolution that declares the property a public nuisance and orders the property owner to clean up the property within a certain period of time. If that doesn't happen, the Council can then decide how to proceed.

Councilor Miller withdrew her motion, and offered a new motion to prepare a resolution declaring that the building located at 854 and 858 Main Street continues to be a public nuisance and requiring abatement of such nuisance within 10 days. Councilor Kelly provided the second.

Upon further discussion, City Attorney Gómez indicated she would prepare a Resolution and bring it back for Council consideration at its July 26, 2021, regular meeting.

The motion on the floor carried. *ROLL CALL VOTE: VOTING AYE: Collins; Blakey; Kelly; Miller; Pernsteiner. VOTING NAY: Bradbury. EXCUSED: Schroeder.*

B. RESOLUTION 2021-23: *Considering authorizing the General Fund to make a payment of \$250,000 to the Sanitation Fund as partial repayment of the transfer of money authorized in 2012 from the Sanitation Fund to the Library Capital Fund (Marsh)*

Administrative Services Director Marsh explained that in 2012, the Sanitation Fund loaned to the Library Capital Fund monies to allow the Library construction to proceed. The City also matched the Library Foundation's \$2 million over five years to complete the first floor and partial second floor. The agreement outlined that the transfer was "callable" if needed by the Sanitation Fund and that early repayment by the Library Capital (General Fund) would be allowed with no pre-payment penalties. City best practices regarding debt are to repay as soon as practical. Due to the completion of the Police Retirement debt, the timing is ideal.

Continuing, Mr. Marsh noted that the repayment would be as follows: \$250,000 in FY'21 with passage of this resolution and a budget amendment in August; \$51,481 regularly scheduled Library annual payment in October 2021; and final payment in October 2021 (FY'22) via the city's normal budgeting process. Funding for the \$250,000 payment would come from surplus reserves and the \$230,000 from property taxes available with the completion of the Police Retirement debt.

Councilor Bradbury noted that City Code prohibits the act of transferring money from one city fund to another unless an emergency is established by a majority of the Council. He requested an explanation for this transfer. City Attorney Gómez explained that because there is a contract in place, the city is required to repay the money in accordance with contract law.

A motion and second were offered by Councilors Blakey and Pernsteiner to approve Resolution 2021-23. *ROLL CALL VOTE: VOTING AYE: Collins; Blakey; Bradbury; Kelly; Miller; Pernsteiner. VOTING NAY: None. EXCUSED: Schroeder.*

- C. BID AWARD - IFB-21-008 2021 LIFT STATION IMPROVEMENTS:**
Considering award of the bid to 4J Electric, Inc. in the amount of \$439,588 - Action Item (Kaufman)

Engineering Project Supervisor Kaufman explained that the lift station improvements include the addition of natural gas generators, stand-by power switchboards, step-up transformers, automatic transfer switches, variable frequency drives, motor control system revisions, a retaining wall, minor earthwork, vault modifications and fence installations at four locations. Expenditures for construction and engineering would be paid by wastewater enterprise funds budgeted for this project.

Continuing, Mr. Kaufman noted that two bids were opened on June 10, 2021, with 4J Electric submitting the apparent low bid in the amount of \$439,588. Staff recommends the Council waive two minor errors in 4J's bid regarding the addendum form and signature issues as minor informalities and award the bid to 4J Electric, Inc.

Councilor Pernsteiner moved to waive the two minor irregularities related to the addendum form and signature and award IFB-21-008 to 4J Electric, Inc. Councilor Blakey provided a second. *ROLL CALL VOTE: VOTING AYE: Collins; Blakey; Bradbury; Kelly; Miller; Pernsteiner. VOTING NAY: None. EXCUSED: Schroeder.*

- D. RFP AWARD - RFP-21-013 FUEL:** *Considering award of the request for proposals (RFP) to Coleman Oil Company, LLC - Action Item (Schwank)*

A motion and second were provided by Councilors Blakey and Pernsteiner, respectively, to award RFP-21-013 to Coleman Oil Company, LLC and authorize the Mayor to execute a contract between the City and Coleman Oil provided that no challenges are received during the comment period. *ROLL CALL VOTE: VOTING AYE: Collins; Blakey; Bradbury; Kelly; Miller; Pernsteiner. VOTING NAY: None. EXCUSED: Schroeder.*

- E. BID AWARD: IFB-21-012 SNAKE RIVER AVENUE DEMOLAY TRAIL:**
Considering award of the bid to M.L. Albright & Sons, Inc. in the amount of \$457,998.16 - Action Item (Bailey)

Engineering Project Supervisor Bailey reported there were two bidders for this project, both of which were within 4 percent of each other. The bid has been reviewed by both city and state staff and it is being recommended for award.

Councilor Miller asked to abstain due to a potential conflict of interest with her employer. There were no objections of the Council.

Councilor Blakey reported that he discussed this project in length with former Public Works Director Davies and learned that the sidewalk entering Prospect will be ADA compliant.

Councilor Kelly moved to award IFB-21-012 to M.L. Albright & Sons, Inc. The motion was seconded by Councilor Pernsteiner.

Mayor Collins suggested the speed limit along Snake River Avenue be reviewed as this project moves forward.

ROLL CALL VOTE: VOTING AYE: Collins; Blakey; Bradbury; Kelly; Pernsteiner. VOTING NAY: None. EXCUSED: Schroeder. ABSTAINING: Miller.

F. ORDINANCES

1. Second and Third Readings

- a. Ordinance 4821: Amending Section 2-34 of the Lewiston City Code to fix the compensation of the Mayor in the event the city reverts to a Mayor-Council Form of Government – Action Item (Gómez)

A motion to combine the second and third readings and to waive the third reading in full of Ordinance 4821 was made by Councilor Pernsteiner. Councilor Blakey offered a second and the motion carried 5 to 0 to 1, with Mayor Pro Tem Schroeder excused and Bradbury voting nay.

Councilor Pernsteiner then offered a motion to approve the second and third readings of Ordinance 4821 by title only. Councilor Miller seconded the motion.

Councilor Bradbury expressed concern for the \$80,000 salary for the potential Mayor, noting that it is less than every Department Manager within the city other than one. He said he believes this rigs the system and discourages applicants from applying as they would be required to supervise others who will be making more money. He noted he opposes Ordinance 4821.

Councilor Blakey indicated that he would be voting against this Ordinance on the basis that he believes the \$80,000 salary is too high. He noted that it is not uncommon for Mayor's salaries to not be the highest paid positions and reported that in Boise, the Mayor is the 12th highest paid person on staff. Councilor Miller pointed out that the Mayor's position is elected rather than appointed.

ROLL CALL VOTE: VOTING AYE: Collins; Kelly; Miller; Pernsteiner. VOTING NAY: Blakey; Bradbury. EXCUSED: Schroeder.

ORDINANCE 4821: "AN ORDINANCE OF THE CITY OF LEWISTON AMENDING SECTION 2-34 OF THE LEWISTON CITY CODE TO FIX THE COMPENSATION OF THE MAYOR IN THE EVENT THE CITY REVERTS TO A MAYOR-COUNCIL FORM OF GOVERNMENT; AND PROVIDING AN EFFECTIVE DATE"

2. Third Reading

- a. Ordinance 4819: *Enacting Section 13-25 of the Lewiston City Code which provides that, in the event the city reverts to a Strong-Mayor form of government, the Mayor of the City of Lewiston shall be elected by a majority of the votes cast for any candidate running for the Office of Mayor- Action Item (Gómez)*

A motion and second to waive the third reading in full of Ordinance 4819 were made by Councilors Bradbury and Pernsteiner respectively. The motion carried 6 to 0, with Mayor Pro Tem Schroeder excused.

Councilor Pernsteiner then moved to approve the third reading of Ordinance 4819. Councilor Kelly provided the second.

Councilor Bradbury explained that under this ordinance, if an individual running for the position of Mayor does not receive a majority of the votes on election day, then a second "run-off" election would be required to determine who gets the most amount of votes. This will cost the City an additional \$50,000 to \$60,000. He said this process is not required for any other office within Nez Perce County.

Councilor Pernsteiner explained that a runoff election is merely to make the process more palatable. Additionally, he pointed out that almost every election of any significance of authority has a winnowing process through the primaries. The city's current process doesn't have this, so there is the potential for ending up with many candidates for the position of Mayor. As was already pointed out, oftentimes a runoff election shows somewhere between 22 and 25 percent of the original voter turnout. Having a scenario where somebody could win with less than 5 percent of the votes is concerning. Mr. Pernsteiner continued by explaining that should a change in government occur, the mayor should represent the majority of the citizens of Lewiston. Although he agrees there is a cost, but that is trivial compared to somebody gaining ground in a minority state.

Councilor Bradbury said it doesn't matter if an individual wins by 1 vote or 1,000 votes. A runoff election still adds an additional \$60,000 to the process.

Councilor Kelly explained a situation wherein a Mayor, under the Mayor/Council form of government, fired three department managers without consulting with the Council. He stressed that if citizens want the council to be good stewards of their tax dollars, then a runoff election is well worth the money.

The motion on the floor carried 5 to 1 to 0 with Councilor Bradbury voting nay and Mayor Pro Tem Schroeder excused.

ORDINANCE 4819: "AN ORDINANCE OF THE CITY OF LEWISTON ENACTING SECTION 13-25 OF THE LEWISTON CITY CODE, WHICH PROVIDES THAT, IN THE EVENT THE CITY REVERTS TO A MAYOR-COUNCIL FORM OF GOVERNMENT, THE MAYOR OF THE CITY OF LEWISTON SHALL BE ELECTED BY A MAJORITY OF THE VOTES CAST FOR ANY CANDIDATE RUNNING FOR THE OFFICE OF MAYOR; AND PROVIDING AN EFFECTIVE DATE"

3. *Adoption and Approval of Ordinance Summaries*

a. *Ordinance 4821* - Action Item

b. *Ordinance 4819* - Action Item

It was moved and seconded by Councilor Pernsteiner and Councilor Miller to adopt Ordinances 4821 and 4819. *ROLL CALL VOTE: VOTING AYE: Collins; Blakey; Kelly; Miller; Pernsteiner. VOTING NAY: Bradbury. EXCUSED: Schroeder.*

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

1. *PRELIMINARY PLAT - VALLEY VISTA HEIGHTS, BLOCK 18*: *Considering the plat or re-plat of approximately 0.71 acres of property located within Stages 2 and 5 of Valley Vista PUD into 2 lots - Action Item*

Councilor Blakey expressed some issues with a contractor not completing a project on Crestline Circle Drive and asked what tools the city has to require contractors to finish their projects and make them safe for emergency vehicle access. City Surveyor Weigand explained that Block 17 was extended and is currently scheduled for paving in the next few weeks.

This will complete the cul-de-sac turnaround on the upper end of the road. With regard to tools, Mr. Weigand reported that city staff will not approve plats until the required roads are installed and paved to standard.

Councilor Kelly moved to approve the Preliminary Plat for Valley Vista Heights, Block 18. The motion was seconded by Councilor Pernsteiner. *ROLL CALL VOTE: VOTING AYE: Collins; Bradbury; Kelly; Miller; Pernsteiner. VOTING NAY: Blakey. EXCUSED: Schroeder.*

2. **VOUCHERS PAYABLE:** 06/11/21 through 06/24/21 - \$2,204,106.77 - Action Item

Councilor Bradbury questioned the expenditure for COVID on the Vouchers Payable. City Manager Nygaard replied this is for the ongoing COVID testing being done through the Wastewater Treatment Plant. He noted that each test costs approximately \$1,500, so the expenditure of \$13,000 is for testing over a significant amount of time.

Councilor Blakey asked for an update on the continuing costs of Councilor Bradbury's lawsuit against the City of Lewiston. He expressed his opinion that this is extremely frivolous spending of taxpayer dollars. Administrative Services Director Marsh indicated that costs are at about \$42,000 at this point. Staff will be bringing an amendment to the Council in August for the purpose of considering additional funding from Reserves so the lawsuit expenses can continue to be budgeted. City Attorney Gómez added that expenses are estimated to certainly be higher for purposes of discovery and possible motions.

Councilor Blakey moved and Councilor Pernsteiner seconded a motion to approve the Vouchers Payable. *ROLL CALL VOTE: VOTING AYE: Collins; Blakey; Bradbury; Kelly; Miller; Pernsteiner. VOTING NAY: None. EXCUSED: Schroeder.*

VII. UNFINISHED AND NEW BUSINESS

A. CITY COUNCILOR COMMENTS

Councilor Kelly thanked Parks & Recreation staff for getting Bert Lipps Pool open this summer. He noted that it is being well used, especially in the heat.

Councilor Pernsteiner thanked Police and Fire personnel for their efforts over the 4th of July holiday. He also commended City staff for getting the word out regarding the ban on fireworks. He asked for an update on

what the City plans to do, or is doing, with regard to assisting those who must be evacuated due to fire.

B. CITY MANAGER COMMENTS

City Manager Nygaard also thanked Police and Fire, as well as the entire community. He noted that community members displayed a phenomenal level of cooperation over the holiday in an effort to keep the city safe.

Further, Mr. Nygaard reported that the Red Cross does have a shelter open in Lewiston available for potential evacuees, and the City has established the Community Center as an additional site if needed.

We have set teams out to fires...one team and one piece of equipment at a time so responding to our neighbors as well as we can while keeping our community safe.

Councilor Miller expressed her appreciation to all those who have supported the firefighters by dropping off water, food and other supplies. She asked those that want to donate to pause their efforts in order for the firefighters to determine what is needed and where items can be distributed.

Mayor Collins also thanked the community for all of their amazing donations and assistance.

C. ADVISORY BOARD AND COMMISSION APPOINTMENTS

There were no advisory board or commission appointments.

D. AGENDA TOPICS - ACTION ITEM

Councilor Bradbury reported that the Council received a request from Marvin Dugger and Dick Sherwin asking that they take a position on dam breaching, by means of a Resolution. He noted that this is a very important topic for this city and suggested it be discussed at a future work session as to whether the Council would like to potentially hold a town hall meeting or a public hearing to provide an opportunity for citizens to express their views. The Council agreed.

Councilor Kelly noted that the UGM Rescue Shelter was originally scheduled for the August Work Session, but has since been moved. He asked that it be placed back on the agenda for discussion.

At 7:40 p.m., Councilor Kelly moved to go into Executive Session to discuss items pertaining to Preliminary Negotiations Involving Matters of Trade or Commerce and Labor Negotiations. The motion was seconded by Councilor Blakey. *ROLL CALL VOTE: VOTING AYE: Collins; Blakey; Kleeburg; Miller; Pernsteiner; Randall. VOTING NAY: None. EXCUSED: Schroeder.*

VIII. EXECUTIVE SESSION RE: PRELIMINARY NEGOTIATIONS INVOLVING MATTER OF TRADE OR COMMERCE AND LABOR NEGOTIATIONS: *Idaho Code Section 74-206(1)(j) to consider labor contract matters authorized under Section 74-206(A) (1) (a) and (b), Idaho Code; and Idaho Code Section 74-206(1)(e) to consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations – Action Item*

Following a short recess, the Council met to discuss the item noted above. Councilors Kelly and Blakey moved and seconded to retire from Executive Session. There were no objections.

IX. ADJOURNMENT

There being no further business to come before the Lewiston City Council, Councilors Pernsteiner and Blakey moved and seconded adjournment of the July 12, 2021, Regular Council Meeting at 8:25 p.m.

Kari Ravencroft, Recording Secretary

Date approved by City Council