

*September 12, 2022*

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

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

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**COUNCIL MEMBERS PRESENT:** Mayor Johnson; Council President Liedkie (via Zoom); Councilor Forsmann; Councilor Kleeburg; Councilor Schroeder; Councilor Spickelmire; Councilor Tousley.

**I. CALL TO ORDER**

Mayor Johnson called the meeting to order at 6:00 p.m.

**II. PLEDGE OF ALLEGIANCE**

Ms. Mary Krempasky led the Pledge of Allegiance.

**III. OATH OF OFFICE - NEWLY APPOINTED COUNCILOR JOHN SPICKELMIRE**

**IV. CITIZEN COMMENTS**

Mr. Kyle Harris spoke to the September 14<sup>th</sup> meeting wherein the Council will be discussing its service contracts. He said he believes that written comments have not been provided by each organization as outlined in the contracts, therefore making them void. Mr. Harris said he does not think that government should spend taxpayer money to support private business or tourism in another State. He recommended the Council thoroughly review Valley Vision, Beautiful Downtown Lewiston and the Hell's Canyon Visitor's Bureau and explain to the taxpayers why their money is being spent on these organizations. Mr. Harris then recommended continuation of the contracts with the Boys and Girls Clubs, Civic Theater and Public Health.

Pat Wilson, member of the Technician's Union, thanked the Council for allowing staff to enter into negotiations with the hope of coming to a mutual agreement. He added that it is very important for both parties and ultimately provides the best service to the community.

Public Information Officer Maurer read a letter submitted by Darlene Lambert outlining her concerns with the process used to fill the vacant City Council position.

**V. PRESENTATIONS**

**A. PROCLAMATION - CONSTITUTION WEEK: *Declaring September 17-23, 2022, as Constitution Week and presenting the Proclamation to Mary Krempasky, Regent, NSDAR***

Mayor Johnson read aloud the Proclamation declaring September 17-23, 2022, as Constitution Week and presented it to Mary Krempasky, Regent, DSDAR.

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

- A. **PUBLIC HEARING: REVISED FY'23 WASTEWATER FEES:** *Accepting testimony on the consideration of restating and amending fees for wastewater for FY'23 (D. Johnson)*

Mayor Johnson announced that this was the time and place advertised for the public hearing regarding amended FY'23 wastewater fees. He opened the hearing and asked that a staff report be provided.

Public Works Director Johnson reported that due to a clerical error, the revised rates for Commercial Wastewater Collections Equity Buy-Ins approved previously through Resolution 2022-27 do not match the approved FCS Study (Res. 2021-40) due to a clerical error. Staff is recommending approval of Resolution 2022-40 to remedy this error.

Responding to a comment raised by Councilor Tousley, Mr. Johnson indicated that commercial rates will be evaluated again in two to three years due to issues with the supply chain and inflation, in hopes of bringing the fees closer to where they need to be.

Mayor Johnson called for testimony. There being none, the hearing was closed.

- B. **RESOLUTION 2022-40:** *Considering restating and amending wastewater fees, effective October 1, 2022 (D. Johnson)*

A motion and second were offered by Councilors Tousley and Kleeburg to approve Resolution 2022-40. *ROLL CALL VOTE: VOTING AYE: Liedkie; Forsmann; Kleeburg; Spickelmire; Tousley. VOTING NAY: None. EXCUSED: Schroeder.*

**VII. 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".

Council President Liedkie moved and Councilor Kleeburg seconded, respectively, adoption of the Consent Agenda. *ROLL CALL VOTE: VOTING AYE: Liedkie; Forsmann; Kleeburg; Spickelmire; Tousley. VOTING NAY: None. EXCUSED: Schroeder.*

- A. **LEWISTON CITY COUNCIL MEETING MINUTES:** *08/08/22 Regular; 08/22/22 Regular – Action Item*
- B. **ADVISORY BOARD/COMMISSION MEETING MINUTES:** *05/12/22 and 06/09/22 Disability Advisory Commission; 08/24/22 Historic Preservation Commission – Action Item*

- C. **RE-PLAT - LINDSAY CREEK ESTATES P.U.D.**: *Considering accepting the re-plat of Lots 1 and 2 of Block 1 of the Lindsay Creek Estates Planned Unit Development (one Administrative Plat) - Action Item*
  
- D. **ACCESS EASEMENT - SEEKINS PROPERTY HOLDINGS, LLC**: *Considering accepting the granting of a new Access Easement from O'Connor Road to property owned by Seekins Property Holdings, LLC north of the west end of the Lewiston-Nez Perce County Regional Airport in order to access their property - Action Item*
  
- E. **RESOLUTION 2022-34**: *Considering accepting a dedication of right-of-way from McCann Ranch & Livestock Co. to the City of Lewiston - Action Item*
  
- F. **RESOLUTION 2022-35**: *Considering authorizing the Mayor to sign all applications, funding agreements and other documents related to Drinking Water Planning grants from the Idaho Department of Environmental Quality - Action Item*
  
- G. **VOUCHERS PAYABLE**: *Considering approval of the Voucher's Payable dated 08/05/22 through 08/18/22 - \$4,766,534.93; and 08/19/22 through 09/01/22 - \$1,605,741.03 - Action Item*

**VIII. ACTIVE AGENDA**

- A. **INTERGOVERNMENTAL COOPERATION AGREEMENT FOR EMS**: *Considering an Intergovernmental Cooperation Agreement between the City of Lewiston and the Whitman County Fire District 14 for EMS services - Action Item (Myklebust)*

Fire Chief Myklebust explained that over the past three years, the EMS contracts have been modified with all of the EMS contracted providers except for Whitman County Fire District 14. This new agreement brings all EMS contracts into the new format and formula to adequately represent the cost of EMS for their fire district. Mr. Myklebust reported that the City of Lewiston has been providing EMS to Whitman County Fire District 14 for over 20 years, with the last agreement established in 2010 and not modified since.

After a question from Council President Liedkie, Fire Chief Myklebust explained the process by which the contract amount is determined. In order to come up with this fee, complete cycles have to be reviewed, with billing beginning in November. This system works very well, but it is hoped that within the next couple of years, a system that charges true costs will be in place.

A motion was offered by Councilor Tousley to approve the Intergovernmental Cooperation Agreement between the City of Lewiston and the Whitman County Fire District 14 for EMS services. The motion was seconded by Councilor Kleeburg.

Councilor Kleeburg stated the Fire Department has had agreements with several jurisdictions for many years. With the necessary fleet and personnel available, these agreements benefit the Valley and the entire area.

ROLL CALL VOTE: VOTING AYE: *Liedkie; Kleeburg; Forsmann; Spickelmire; Tousley.*  
VOTING NAY: *None.* EXCUSED: *Schroeder.*

**B. AWARD/AGREEMENT - DOWNTOWN TRANSMISSION MAIN REPLACEMENT:**  
*Considering approval of the agreement between Mountain Waterworks, Inc. and the City of Lewiston for RFQ-22-009 Downtown Transmission Main Replacement in the amount of \$637,895 - Action Item (Bailey)*

Public Works Director Johnson reported that four Statements of Qualifications were received. After initial scoring, the evaluation committee interviewed the three highest ranked firms: Mountain Waterworks, J-U-B, and Horrocks. Following interviews, an agreement was negotiated with Mountain Waterworks. The current agreement is for the first phase of multiple phases and will be funded in whole or part by American Rescue Plan Act funds.

Mr. Johnson explained that the award is for the design of everything that can be afforded. When the money is gone, staff will reevaluate. Mr. Johnson provided an overview of the priorities and those areas that will be affected through the use of the ARPA funding.

Councilor Spickelmire asked where monies will come from and if they will be appropriated? Mr. Johnson replied that ARPA notified the City about 18 months ago that it would be receiving \$5.7 million. The City has more than established a need in water, sewer, streets and stormwater and the injection of these monies into the downtown area offsets fees to the ratepayers.

Council President Liedkie asked if Project 1A covers the area where the new courthouse is proposed to be built. Mr. Johnson indicated that it does, explaining that staff is working closely with the County's design team in an effort to keep each other informed.

Councilor Tousley asked if the \$637,585 outlined for the area between Jefferson and 9<sup>th</sup> will place new water line. Public Works Director Johnson indicated that this is just for design. He noted that typically, in the engineering realm, design services run about 15 to 20 percent of the project.

Councilor Kleeburg noted that one of the biggest problems in the downtown area is that there are pipes in the ground that are over 100 years old. This issue prohibits development in this area of the City. When there is not water available to service potential projects, it is hard to put up a "for rent" sign.

Councilor Kleeburg moved to approve the Professional Services Agreement between the City of Lewiston and Mountain Waterworks, Inc., for RFQ-22-0009 in the amount of

\$637,895. Councilor Forsmann seconded the motion. *ROLL CALL VOTE: VOTING AYE: Liedkie; Kleeburg; Forsmann; Spickelmire; Tousley. VOTING NAY: None. EXCUSED: Schroeder.*

**IX. ITEMS MOVED FROM THE CONSENT AGENDA**

None.

**X. UNFINISHED AND NEW BUSINESS**

- A. CITY COUNCILOR COMMENTS:** *Comments shall not be related to an item currently before the City Council or an item that may come before the City Council in the foreseeable future, and shall be limited to comments, not discussion.*

Councilor Tousley thanked Carolyn Eads for her wonderful donation of brownies and milk prior to the meeting this evening.

He then reported on the first Homelessness Subcommittee meeting held on Thursday, September 8<sup>th</sup>, noting that the next meeting is scheduled for September 22<sup>nd</sup> at 3:00 p.m. in the Bell Building. Everyone was encouraged by the discussion and is looking forward to more input. Representatives from Asotin County, the City of Clarkston and Nez Perce County will be invited to attend. Councilor Kleeburg said he received an email from the Director of Family Promise regarding this meeting and asked if they had been invited. Mr. Tousley confirmed.

Councilor Kleeburg talked about infrastructure problems in Jackson, Mississippi. In looking at the City of Lewiston's fees for delivering water and stormwater, there is a pretty solid foundation in place for replacing the infrastructure. Jackson couldn't keep up with its annual maintenance or projected needs for the future. Water isn't cheap, but if the Council continues to approve small increases, it will ensure that the residents of the city will have water in their future.

Council President Liedkie said last year at this time she came before the Council to ask them to recognize Direct Support Professionals Week. These are the individuals who provide care to those with disabilities, serving both children and the elderly. Ms. Liedkie gave a shout out to her staff, noting that they have been spending time away from their families and own children in order to assist a child with disabilities who became homeless last week. She said it has been awe inspiring to watch her staff provide the love and care this child deserves and thanked them for making her job one of the best things about her day.

Councilor Forsmann announced that citizens are invited to attend the Homelessness Subcommittee meetings to listen. She encouraged anyone interested to attend. Secondly, she commended those involved in making the Roundup Parade and 911 Tribute successful.

**B. CITY BOARDS AND COMMISSION LIAISON UPDATES**

Councilor Kleeburg noted that the MPO Board was able to get a quorum at its last meeting wherein they accomplished a great deal of business. Things are looking good and the group is moving forward with many projects for this area.

**C. MAYOR COMMENTS**

Mayor Johnson welcomed Brianne Drury, new Assistant City Attorney. Ms. Drury said she is sad to see Shelby Sieracki leave, but is very excited and looks forward to working with everyone.

Mayor Johnson reported that LCSC will be holding some events with regard to Constitution Day on September 15<sup>th</sup>.

Finally, Mr. Johnson encouraged the Council and staff to submit any legislative proposals that they would like to have the Association of Idaho Cities review by September 30<sup>th</sup>. AIC will then draft an analysis for the board and present it to them at their board meeting on October 27<sup>th</sup>. The board will determine if they want to support, oppose, or remain neutral, and will notify each submitter of their decision.

**D. ADVISORY BOARD OR COMMISSION APPOINTMENTS**

Mayor Johnson moved to appoint Jessica Grainger to the Disability Advisory Commission. Councilor Tousley provided the second. Council President Liedkie said she knows Ms. Grainger through the disability work force and believes she would be a solid voice for the Commission.

The motion carried with Councilor Schroeder excused.

**E. AGENDA TOPICS**

None.

**XI. ADJOURNMENT**

There being no further business to come before the Lewiston City Council, Councilors Schroeder and Tousley moved and seconded, respectively, adjournment of the September 12, 2022, Regular Meeting at 6:58 p.m.