



**LEWISTON CITY COUNCIL
SPECIAL WORK SESSION MEETING MINUTES**

JANUARY 13, 2020 – 3:00 PM

City Hall, Main Conference Room, 1134 F Street, Lewiston, Idaho 83501

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

STAFF MEMBERS PRESENT: Alan Nygaard; Jana Gómez; Kayla Hermann, Laura Von Tersch, Dan Marsh, Kari Ravencroft, Nikki Province, Alannah Bailey, Budd Hurd, Tim Barker, Travis Myklebust, Lynn Johnson, Joel Plaskon, Mark Weigand, Pat Severence

I. CALL TO ORDER

Mayor Collins called the meeting to order at 3:00 p.m.

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.

There were no citizen comments.

IV. ACTIVE AGENDA

- A. NORTHEAST CROSSING ADDITION PHASE IIIA FINAL PLAT: *Considering approval of the Northeast Crossing Addition Phase IIIA Final Plat for 21 residential lots on 7.98 acres – Action Item (Weigand)***

City Engineer Weigand explained that approval of this Final Plat is based on several conditions. To date, all conditions have been met except for the sewer lift station which requires approval of COSD and should be complete within the next day or two. Therefore, the developer is asking that the Council conditionally approve the Northeast Crossing Addition Phase IIIA final plat.

Councilor Blakey asked if Idaho State statutes allow for cities to charge impact fees to developers. City Planner Plaskon indicated that Idaho Code does have a provision through

an established process that would allow for this. He noted that since he has worked for the City of Lewiston, this has never been done.

A motion and a second were made by Mayor Pro Tem Schroeder and Councilor Pernsteiner, respectively, to conditionally accept and approve the Northeast Crossing Addition Phase IIIA final plat with the condition that the plat will not be recorded until the following items are completed: all Phase IIIA subdivision improvements, including punch list items, are installed, inspected and approved by City staff or an approved financial surety is received by the City to cover minor construction items specifically approved by the City Engineering for bonding; record drawings are received, reviewed and approved by City staff; all applicable Transportation Mitigation Fees have been paid; all property pins and centerline monuments are installed, inspected and approved by the City Surveyor; and City Public Works staff receive written approval from the Central Orchards Sewer District certifying the completion and approval of all wastewater improvements. The motion carried unanimously.

B. LICENSES

Councilor Pernsteiner moved to approve the renewal licenses for retail liquor, retail wine by the drink and bottle, and retail beer on and off premises for the Alibi Sports Edition 3rd Wheel, Bojacks Broiler Pit, Jollymore's, Pals, Strike and Spare Bar and Grill, Red Lion Hotel and the Eagles Lodge #631. Mayor Pro Tem Schroeder seconded the motion. With a 7 to 0 vote, the motion carried.

V. WORK SESSION ITEMS

**A. MPO POLICY BOARD UPDATE: *Presentation on the MPO and current activities*
(Shannon Grow)**

MPO Director Grow provided a brief overview of the Lewis Clark Valley Metropolitan Planning Organization (LCVMPO). She noted that all MPO's are formed beginning with a census and require a population of 50,000 and a designation as an urbanized area. This could mean many things to an area and in our case allocation of transportation dollars for roads and transit. In our case MPO was formed in 2003. Initially started with 4 agencies and Clarkston joined later. Funding comes from Federal government. Don't come directly to us, but through Idaho and Washington State DOT's. We match those funds from our member agencies, Nez Perce County, Asotin County, City of Asotin, City of Lewiston and City of Clarkston. Now we have two councilors from the City of Lewiston and one staff member on our board. We also have an MPO Technical Advisory Committee comprised of ...

Ms. Grow said the mission of the Lewis Clark Valley MPO is to plan, prioritize, and facilitate funding opportunities for the regional transportation system in the Lewis Clark Valley through collaboration, coordination and leadership. MPO activities include long range planning, corridor and circulation studies, multi-modal planning, data collection, award and program of regional FHWA funds, technical assistance, and local strategy and they serve as a neutral political platform.

Due to population, Ms. Grow said approximately \$370,000 in funding is provided to the Idaho side, with about \$600,000 to the Washington side. The next big projects that will be constructed with these funds is 9th Street Grade and Bryden Avenue design. The MPO does not design or construct projects, but is responsible for the award of funds through Federal Highways. It does not force projects or designs, lobby for funds or create stormwater regulations.

Ms. Grow indicated the MPO has regional and local transportation plans in place and has performed an Airport Circulation Study, Gun Club Corridor Study, Urban Human Services Transportation Plan, Bike Master Plan, Bike map, traffic counts and mapping, the North Clarkston Study and Southway Bridge assistance.

B. LEWISTON CITY CODE, CHAPTER 40, INCENTIVE PROGRAMS - AMENDMENT:
Discussion regarding amendments to various Sections in Chapter 40 regarding the Economic and Community Development Incentive Program (Plaskon)

City Planner Plaskon explained that this is a City Code amendment draft proposal related to a goal within Community Development's Strategic Plan to have a vibrant waterfront. The objective is that the waterfront property will be developed with uses supporting and encouraging pedestrian activities. The strategy to accomplish this is to create an incentive program to facilitate relocation of certain existing uses and establishment of new uses in their place that attract people to the waterfront. Seven different geographic areas along the waterfront were established, with the idea that it could be expanded to include the Clearwater South area if Council so chooses. Originally the program was thought to be proactive whereby the city would identify businesses that were thought to be ones that should be targeted. The City would establish criteria, do the research, conduct a risk assessment, etc. After further review, it was determined that a voluntary program would work more effectively. What is before the Council is an incentive program to accomplish this through the City Code. The incentives are primarily waivers of fees of various kinds of applications, expedited permit processing and staff support for new businesses and business relocation.

Councilor Pernsteiner asked how the incentive of assisting new businesses is above and beyond what is already being performed by City staff. Mr. Plaskon replied that maybe it is not so much above and beyond, but rather a commitment outlined in the City Code indicating that staff is committed to providing assistance.

With the Corps of Engineers soon releasing an Environmental Impact Statement regarding whether or not to breach the dams, Councilor Bradbury asked if this Ordinance is premature. Planner Plaskon explained this is an element of the Strategic Plan and pursuit of implementation. It has only to do with private properties.

Councilor Kelly asked if there is a monetary designation as to the amount of assistance the City would provide. Mr. Plaskon explained it is determined on a case-by-case basis and has to do primarily with fees.

With regard to what is compatible, Mayor Collins asked who would be making that determination. Mr. Plaskon replied it would be up to the Council and would be reviewed on

a case-by-case basis for each application. The type of business would be weighed against the regulations for the waterfront area. Businesses would approach the City as to why they think they are not compatible and staff would provide goals and objectives, provide an assessment and make suggestions as to what may be successful in getting an approved application.

Councilor Pernsteiner said it is important to remember that any application would have to be approved by the City Council before any fees could be waived. He questioned the purpose of the language at the end of Section 6 stating that in no case shall the purpose of a business be changed except for those businesses approved under relocation. Planner Plaskon explained the exception is for those applications specific to relocation from the waterfront plan area. The idea is that the business is probably not relevant to the waterfront area.

City Manager Nygaard said the idea is to be proactive rather than reactive. The business owners would approach the City and then be reviewed on a case-by-case basis.

Councilor Bradbury questioned the constitutionality of these standards. Councilor Miller replied this concept isn't new; the City has approved incentives in the past. Councilor Bradbury said if he was representing somebody who wants an incentive and they don't get it because the Council says it is incompatible, that is subjective by the Council. He stressed that he would want to know the standards before applying for the application. The Council cannot pick and choose winners. Councilor Miller explained that there are standards in place that outline very specific items that must be met. Councilor Blakey said he believes the Council does have some latitude to make discretionary decisions and that there needs to be some sideboards in place.

Councilor Pernsteiner said that it would be helpful to identify compatible and incompatible uses within the Waterfront Plan. He asked if there are additional standards the Council could refer to. Mr. Plaskon indicated that additional standards could be created that are more specific. As the Ordinance is drafted now, it simply refers to the Waterfront Plan which contains identified goals and objectives for each of the two geographic areas. This is what would be utilized by the Council in making its decision. Mr. Plaskon noted that if this is not clear or specific enough, additional elements could be created to judge the applications.

Mayor Collins said he would like to have a detailed list in which the Council would refer to in making its decisions. He said it is important to be as objective as possible.

Councilor Pernsteiner indicated that this applies to roughly 10 to 20 businesses and a possible waiver of fees. He said it is not a significant tax reduction and doesn't believe that people are going to come running for these incentives. The program is for only those businesses that want to move out of the Waterfront Plan area. He noted it would probably be prudent to place some level of cap on the number of staff hours per application to ensure that the process does not drag out for months.

C. LIBRARY ROOFTOP GALLERY: *Update on the project* (Johnson)

It was reported by Library Director Johnson that the Council approved the 5th amendment with CKA on December 2nd which allowed design plans for the rooftop gallery to

move forward. Two designs were presented, one with a performance space and the other without. Currently CKA is working on bid documents to be reviewed by both Community Development and Purchasing before being put out to bid. The hope is to have the bids out in February with potential acceptance in early March. Upon bid acceptance, a committee would be formed that would provide weekly updates from CKA to keep track of the actual construction project. At this time, the Library Foundation is looking for additional funding to pay for the entire project which includes the multi-purpose space. Library Director Johnson said the Foundation is asking for Council support to include the entire project. With program attendance up 149 percent and 700 people attending an event for the Reptile Man, for example, the multi-purpose space is greatly needed.

Responding to a question raised by Councilor Bradbury, Ms. Johnson explained the project would utilize zero City funds and would be provided completely from donations to the Foundation. Discussions have been held with Facilities about maintaining the space and utilizing materials that take very little maintenance. Ms. Johnson also added that the current staffing level at the Library is sufficient to cover the added space.

Mayor Pro Tem Schroeder said she is in full support of this project. Councilor Blakey agreed, suggesting that portable sun shades be added. Library Director Johnson noted that the architect drawings do show shade umbrellas on the picnic tables. Further, the Foundation is hoping to raise an additional \$50,000 to fully furnish the space.

Councilor Kelly asked if the rooftop space will increase liability. Ms. Johnson indicated that she has met with the Risk Manager and will also meet with Police and Fire to ensure everything is safe. She noted that there will be an 8-foot setback from the roof's edge wherein the railing will be installed.

Councilor Bradbury saluted the Foundation for raising a substantial amount of money, but said he believes the project is misguided as it doesn't facilitate learning. He noted that he opposes the project and believes the money would be better directed at purchasing books to advance the core purpose of the library. Library Director Johnson expressed the importance of learning through interaction.

The Council expressed its support for the architects to move forward.

D. COUNCIL ASSIGNMENTS TO ADVISORY BOARDS/COMMISSIONS AND VARIOUS ORGANIZATIONS: *Discussion regarding the appointment of Councilors to serve as liaisons or representatives to various boards and commissions and other organizations* (Collins)

Mayor Collins said his goal was to not spread the councilors too thin with the assignments and said he made every effort to honor requests for participation. He provided the below list and indicated that he is certainly open to any suggested changes the councilors may have.

<i>Disability Advisory Commission</i>	<i>Bradbury</i>
<i>EMSAB</i>	<i>Collins</i>
<i>Historic Preservation Commission</i>	<i>Schroeder</i>
<i>Library Board</i>	<i>Pernsteiner - Blakey</i>
<i>Parks & Recreation Commission</i>	<i>Kelly</i>
<i>Planning & Zoning Commission</i>	<i>No Council Rep.</i>
<i>Public Works Advisory Commission</i>	<i>Schroeder & Bradbury</i>
<i>Urban Forestry/Cemetery Commission</i>	<i>Bradbury</i>
<i>Youth Advisory Commission</i>	<i>Miller</i>
<i>CEDA</i>	<i>Miller</i>
<i>MPO Policy Board</i>	<i>Blakey and Kelly</i>
<i>Urban Renewal Agency</i>	<i>Blakey</i>
<i>Valley Vision</i>	<i>Pernsteiner</i>
<i>Airport Authority</i>	<i>Collins</i>
<i>E-911 Board</i>	<i>Collins</i>
<i>Police Retirement Board</i>	<i>All Councilors</i>
<i>Police Retirement Finance Committee</i>	<i>Blakey</i>
<i>Beautiful Downtown Lewiston</i>	<i>Pernsteiner</i>
<i>Audit Committee</i>	<i>Schroeder and Miller</i>

Councilor Blakey noted that the Airport Authority's meetings have been on different days and times. He noted that he was going to request a set schedule be established in order for the Council liaison and public to attend.

Mayor Pro Tem Schroeder asked if the Council liaisons should be bringing updates of their respective boards and commissions to the Council. Mayor Collins noted items of importance could be shared at the end of each meeting.

Councilor Pernsteiner noted that he is unable to serve as the representative for the Library Board as he has a conflict on Wednesdays. Councilor Blakey volunteered to take this position.

Discussion ensued about the number of elected representatives on the Urban Renewal Agency and the need to review the bylaws.

Councilor Bradbury expressed concern for information overload and recommended committees of two be established in an effort to be provided more in-depth knowledge about each department. Mayor Collins stated this could be scheduled for future work session discussion.

VI. UNFINISHED AND NEW BUSINESS

A. CITY COUNCILOR COMMENTS

Councilor Blakey said two people asked him if material had been put down on the roadway at the top of Bryden Canyon Road this morning. City Manager Nygaard indicated that deicer had been applied to the on and off ramps on the road, but he would check as to when it was done.

B. CITY MANAGER COMMENTS

City Manager Nygaard said he would be contacting the Council in an effort to schedule additional community meetings for the end of February and the end of March. The first Strategic Plan report will be brought to the Council at its February work session and portions will then be shared with the citizens at the community meetings. To date, there have been over 1,200 responses to the city's recent survey. The goal is to have these results synthesized by the end of the month and to share them with the community.

Councilor Miller reported that the Youth Advisory Commission met last week and discussed strategic planning. A goal is to schedule a future meeting that would engage the youth of Lewiston to participate in determining what they would like to see for the future of this City.

C. ADVISORY BOARD OR COMMISSION APPOINTMENTS

Mayor Pro Tem Schroeder reported that a member is still needed to serve on the Planning & Zoning Commission.

D. PROPOSED WORK SESSION TOPICS

City Manager Nygaard asked the Council if they have received any feedback on the City's newsletter that is being prepared and distributed by Public Information Officer Maurer. Councilor Miller said this is a great tool and looks forward to it gaining momentum in the future.

Councilor Bradbury said he would like to see committees formed wherein the Council can learn more about each City department.

Councilor Blakey indicated he would like a presentation on the warming station.

At 4:20 p.m., Mayor Pro Tem Schroeder moved to go into Executive Session to discuss items pertaining to Acquisition of Property. The motion was seconded by Councilor Pernsteiner. *ROLL CALL VOTE: VOTING AYE: Collins; Schroeder; Blakey; Bradbury; Kelly; Miller; Pernsteiner. VOTING NAY: None.*

VII. EXECUTIVE SESSION RE: ACQUISITION OF PROPERTY: Idaho Code Section 74-206(1)(c)

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

VIII. ADJOURNMENT

There being no further business to come before the Lewiston City Council, Mayor Collins adjourned the January 13, 2020, Special Work Session at 4:35 p.m.

Kari Ravencroft, City Clerk

Date approved by City Council

The City of Lewiston is committed to providing access and reasonable accommodation in its services, programs, and activities and encourages qualified persons with disabilities to participate. If you anticipate needing any type of accommodation or have questions about the physical access provided at this meeting, please contact City Clerk Kari Ravencroft at least forty-eight (48) hours in advance of the meeting at (208) 746-3671 x 6203.