

AUGUST 3, 2020

THE CITY COUNCIL OF THE CITY OF LEWISTON, IDAHO, met in a Work Session on Monday, August 3, 2020, in a virtual setting and Lewiston City Hall Back Conference Room, 1134 "F" Street. Mayor Collins called the meeting to order at 3:00 p.m.

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

STAFF MEMBERS PRESENT: Alan Nygaard; Chris Davies; Budd Hurd; Jana Gómez; Kayla Hermann; Laura Von Tersch; Travis Myklebust; Dan Marsh; Tim Barker; Lynn Johnson; Nikki Province; Carol Maurer; Aimee Gordon; Brittne Purington; Aaron Butler; Wendy LaVoie; Gaylon Waits

I. 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. Due to the Governor's Stay Home Order, citizen comments can be provided by calling [208-746-3676](tel:208-746-3676) and leaving your message. Your comments will then be forwarded to the City Council.

Public Information Officer Maurer read letters submitted by Glenn Anderson and Tim Trottier, CEO of St Joseph Regional Medical Center, both in support of the Business Improvement District.

IV. ACTIVE AGENDA

- A. **BID AWARD - WELL 7 SITE ACCESS:** *Considering award of the bid for IFB-20-014 Well No. 7 Site Access to M.L. Albright & Sons, Inc., in the amount of \$348,413 - Action Item (Davies)*

Public Works Director Davies provided the Council with information regarding the possible bid award for Well 7 site access. He stated that there were three bids submitted with only two qualifying from Debco Construction and M.L. Albright & Sons, Inc. The Public Works

Department recommended the award be given to the lowest bidder, M.L. Albright & Sons, Inc.

Councilor Kelly questioned the difference in dollar amounts for excavation and site grading submitted by the two bidding companies. Mr. Davies stated that the difference is how the company bids the project and where they feel that money should go.

Councilor Bradbury stated he feels that awarding this contract is premature considering the well has yet to be approved by the Council.

A motion was offered by Mayor Pro Tem Schroeder and seconded by Councilor Blakey to approve the bid award for Well 7 Site Access to M.L. Albright & Sons, Inc.

Councilor Bradbury stated that he understands Lewiston Orchards Irrigation District (LOID) has a well and reservoir capable of supplying the Community Park and school site with ample water supply. City Manager Nygaard confirmed that LOID does have a well in the Community Park and school site service area. However, for LOID to service their current customer base, as well as the high school and Community Park, they would have to drill 2 or more wells and install an additional reservoir.

Councilor Miller stated that she will be voting yes on Well 7 based on the approval of the Water Master Plan from the previous year. She said that she would like to see the City continue to move forward with development of the water system to support growth and the current infrastructure.

Councilor Blakey stated that Well 7 was a component of the bond measure that was voted on and passed by the citizens.

Councilor Bradbury stated that there was no language within the bond measure education information stating that money would be spent on Well 7. He said that the City is currently only using 65 percent of the allowed amount of water from the river and feels that the funds being spent on the Well 7 project should go towards aging and failing water lines throughout the City.

Councilor Blakey stated that he reached out to Joann Hansen, Chief Financial Officer at LOID, regarding the topic of the nearby well and reservoir in LOID's district. He stated that she indicated that the well in

question, within LOID's jurisdiction, is rarely used due to the line hitting a sulfur vein. This essentially causes the water to be sour and unusable. Councilor Blakey stated that Ms. Hansen informed him LOID could provide the water if necessary, but they do not have the storage capacity to do so. He said that LOID would be willing to discuss having the City build and fund a new water tank in that area.

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

B. ORDINANCE 4778 - SECOND READING: *Establishing a Business Improvement District pursuant to Chapter 26, Title 50, Idaho Code - Action Item (Gómez)*

Councilors Kelly and Blakey moved and seconded, respectively, approval of the second reading of Ordinance 4778. The motion carried unanimously. *ROLL CALL VOTE: VOTING AYE: Collins; Schroeder; Blakey; Kelly; Miller; Pernsteiner; Bradbury. VOTING NAY: None*

C. ORDINANCE 4779 - FIRST READING - *Amending various sections of Chapter 12 of the Lewiston City Code related to disasters and civil defense - Action Item (Hermann)*

Assistant City Attorney Hermann stated that after reviewing Ordinance 4779, it was discovered that an appeal process needed to be added for appealing a civil penalty citation. She said that Chapter 12 of this ordinance needed updated, as some sections had not changed since 1960.

A motion was moved by Mayor Pro Tem Schroeder to approve the first reading of Ordinance 4779 by title only. Councilor Miller provided a second.

Councilor Miller made a motion to remove Section 12-6 and 12-7 of Chapter 12 of the Lewiston City Code regarding blackouts, air raids and special police procedures. Councilor Bradbury seconded the motion. *ROLL CALL VOTE: VOTING AYE: Collins; Schroeder; Blakey; Kelly; Miller; Pernsteiner; Bradbury. VOTING NAY: None*

Councilor Bradbury moved to amend Chapter 12, Section 1-7(c) of Lewiston City Code by removing the language (and/or issue a misdemeanor citation, punishable as provided in this section). Mayor

Collins seconded the motion. *ROLL CALL VOTE: VOTING AYE: Collins; Schroeder; Blakey; Kelly; Miller; Pernsteiner; Bradbury. VOTING NAY: None*

Councilor Blakey made a motion to amend Section 12-1(2), of the Lewiston City Code by adding Mayor in the definition with city manager. Councilor Kelly provided a second. Ms. Hermann stated that this section should remain as is, so not to cause confusion throughout the ordinance. She said that this section should state specifically who the director is. If the form of government changes in the future, then an amendment could be made. Councilor Blakey withdrew his amendment.

Councilor Bradbury made a motion to amend Chapter 12 Section 12-1(3)(4), by adding the full definitions rather than just referring directly to Idaho Code. Councilor Pernsteiner seconded the motion. Ms. Hermann replied to a question by Mayor Collins stating that the definitions could be listed solely with the Idaho State Code being monitored for changes. City Attorney Gómez stated that the City's authority comes from the Idaho State Code §46-1011 which states when a local disaster emergency can be declared. *ROLL CALL VOTE: VOTING AYE: Collins, Kelly; Pernsteiner; Bradbury. VOTING NAY: Schroeder, Miller, Blakey*

Councilor Bradbury offered a motion to amend Chapter 12, Section 12-4(b)(2)(4)(6) by reducing the dollar amount in Subsection (2)(4) to \$10,000 and removing Subsection (6) in its entirety. The motion failed due to the lack of a second.

The motion to approve the first reading of Ordinance 4779 passed. *ROLL CALL VOTE: VOTING AYE: Collins; Schroeder; Blakey; Kelly; Miller; Pernsteiner. VOTING NAY: Bradbury.*

V. WORK SESSION ITEMS

A. YOUTH ADVISORY COMMISSION: *Discussion on the structure of the Youth Advisory Commission (Barker)*

Parks and Recreation Director Barker opened a general discussion regarding the current and future structure of the Youth Advisory Commission (YAC). He covered a range of activities YAC provides throughout the community and said the group acts as a contact between the youth in the community and the City Parks and Recreation Department. Mr. Barker provided possible restructure ideas for the program and asked for feedback from the Council.

Councilor Bradbury stated that it is important to encourage the youth of the community to participate in groups like YAC and feels that there should not be a limit to the number of participants allowed on the committee.

Councilor Miller stated that future committees could share government job opportunities with other youth in the valley. She said she is in support of eliminating the number limit and would like to create more of a club atmosphere to encourage participation.

Councilor Blakey said he supports as much participation as possible from the youth in the community, but feels that the potential participants should continue with the interview process and have an attendance requirement.

Councilors Pernsteiner and Kelly were in full support of the program and indicated their desire to allow as many participants as can be recruited.

Councilor Miller stated that the current members of YAC have expressed their excitement about being able to gain knowledge and perform community services as a group. She said that the group will convene once school begins and a proposal could be worked up and presented at the September work session.

Mayor Pro Tem Schroeder stated she feels that there should be more discussion regarding the members of Council and their children being able to participate without conflict of interest.

Assistant City Attorney Hermann stated that the membership numbers for the commission are set in the bylaws, which allows the YAC to choose the number of members allowed to participate.

There was a consensus of the Council to move forward with gathering information and ideas regarding the restructure of the YAC membership and participation.

B. EMS SERVICES: *Discussion regarding the transport of patients without medical necessity (Waits)*

Mr. Waits provided the Council with information regarding Emergency Medical Services (EMS) transport of patients without medical necessity. He stated that the EMS feels that it would be helpful to have a

policy in place that allows denial of medical transport when non-medical necessity exists. He stated that this type of policy is legal for EMS to implement, but would like to get input from the Council prior to creating the policy.

Councilor Kelly asked how readily available alternative transport systems are. Mr. Waits indicated that resources for alternate transportation vary with each situation. He clarified that the decision to deny medical transport for non-medical necessity would be a collaboration between multiple staff on scene and online medical control personnel.

Councilor Blakey asked for the cost of transport through the dial-a-ride bus system. Community Development Director VonTersch stated that the cost of a ride is two dollars each way. Councilor Blakey asked what the average cost of an ambulance transport was. Mr. Waits responded that a transport from the hospital to the Lewiston Orchards averages approximately \$600.

Councilor Pernsteiner stated he would be supportive of researching how to prevent the use of ambulances when there is not a medical necessity or immediate attention needed.

Councilor Miller stated that there has been a lot of work done to educate the community on who and when to call when there is an emergency. She said she is supportive of this policy and feels that it is a very logical step.

There was a consensus of the Council to move forward with the development of the new EMS policy.

C. **DIRECT HAUL COSTS:** *Discussion on the comparison costs of direct haul versus going through the transfer station (Davies)*

Public Works Director Davies provided information regarding direct haul costs for the Council. He stated that based on data from FY'19, the average cost to direct haul from the residents to Asotin County Landfill would have been an additional cost of \$185,000. If the recycling program was discontinued, the City would see a savings of approximately \$500,000. This would be a total savings for the taxpayers of approximately \$300,000. Mr. Davies said that if the City chose not to recycle, the contract with Sunshine Disposal Inc., which expires December 31, 2021, would have to be renegotiated.

Councilor Bradbury asked if the numbers provided included the totals for the transfer station operations. Mr. Davies confirmed. He stated that a total of two staff members have to be onsite at all times and the transfer station operates seven days a week.

D. BUDGET DISCUSSION: *General discussion regarding the FY'21 budget (Nygaard/Marsh)*

City Manager Nygaard stated that he, Mayor Collins and Administrative Services Director Marsh met with Airport Manager Isaacs, Gary Peters and Katie Seekins to discuss and make some suggestions on the budget request and COVID-19 grant money. He noted that it was suggested a large portion of the grant funding be used to finish the major projects and to spread the smaller projects out over time.

Administrative Services Director Marsh stated a main concern is that the requests continue to escalate. He said that he does not feel that the budget request presented is sustainable for the future.

Councilor Bradbury stated he feels that the full budget request should be honored by the City as the airport is a large part of the community's economic development.

Councilor Miller requested the actual budget amount requested by the airport. Mr. Marsh stated that the total dollar amount has been submitted but is still a work in progress following the meeting that was held. Mr. Nygaard stated the overall request was \$459,000. Mr. Marsh added that there is also \$100,000 delegated to the second floor renovation that would bring the total budget request amount to \$559,000.

Councilor Blakey stated that he is in full support of the airport and what they need to do to be FFA compliant. He does not feel the City or County should be paying for construction preparation of personal hangers. Mr. Blakey suggested the Council look into the Stout Flying lease termination situation. He stated prior to voting on the airport budget he would like to have an explanation from the Airport Board regarding Stout Flying's lease agreement being terminated.

Councilor Bradbury said that because the Airport Board is chosen by the City and County to manage the airport, the Council should trust what they are doing.

Councilor Pernsteiner asked if there was a timeline for the Airport to respond to suggestions made by the City. Mr. Nygaard replied that he would follow up with the Airport and said there could be a need for another meeting with the County Commissioners to discuss the proposals.

Mr. Marsh responded to Councilor Pernsteiner stating that the levy rate is currently .000959. Councilor Pernsteiner verified that the rate will be 2.5 to 3 percent less than the previous year.

Councilor Miller asked how the CARES Act money affects the total revenue budget. Mr. Marsh stated that the budget reflected currently does not include the CARES Act funding. He said that if the City were to choose to participate in the payroll replacement funding program, the 3 percent tax increase would be forfeited. Mr. Nygaard stated that the numbers for the City health insurance are being finalized and should show a savings.

VI. UNFINISHED AND NEW BUSINESS

A. *CITY COUNCILOR COMMENTS*

Councilor Blakey stated that a taxpayer contacted him asking if the transfer station employees are required to wear face masks if they are unable to social distance. Mr. Nygaard stated he would look into the situation and remind employees that they should be wearing face masks when necessary.

Councilor Bradbury stated he believes the City should not be increasing spending while in an economic downfall.

B. *CITY MANAGER COMMENTS*

City Manager Nygaard stated an email was recently sent out to the Council regarding rescheduling of the upcoming work session from September 7, 2020 to September 8, 2020, due to the Labor Day holiday.

C. *ADVISORY BOARD OR COMMISSION APPOINTMENT*

There were no new appointments.

D. *PROPOSED WORK SESSION TOPICS*

There were no new topics offered for future work sessions.

VII. ADJOURNMENT

There being no further business to come before the Lewiston City Council, Mayor Collins adjourned the August 3, 2020, Work Session at 5:04 p.m.

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.