

Administrative Committee



Regular Meeting ~Agenda~

www.ci.moscow.id.us

Laurie M. Hopkins
City Clerk

208.883.7015

Monday, May 13, 2019

4:30 PM

Council Chambers
206 E. Third St.

REGULAR AGENDA

1. Approval of March 25, 2019 Administrative Committee Minutes (ACTION ITEM) - Caylee Birge

Minutes presented for approval.

PROPOSED ACTIONS: Approve minutes, or provide staff further direction.

2. Moscow Charter School (MCS) Request for HIRC Rental Fee Waiver for the 2019-2020 school year (ACTION ITEM) - Dwight Curtis / Tony Bonuccelli

Moscow Charter School (MCS) is requesting a rental fee waiver for use of the HIRC facility for their physical education and movement classes for the 2019-2020 school year. The request is the same as last year, except fewer hours requested. The MCS would use one half-gym space, leaving the other half open for public use. The present school year's use alternates between 9-15 hours per week. The new request is for 8 hours per week. This has not negatively affected public use or City programs in the past and the MCS reciprocates with our use of their facilities for recreation programs during breaks and summer. The Parks and Recreation Commission reviewed the request on April 25, 2019, recommending Council approval.

PROPOSED ACTIONS: Recommend approval of the HIRC Rental fee waiver request by Moscow Charter School for the 2019-2020 School year, or provide staff further direction.

3. Authorization for Parks and Recreation Director to Administratively Approve Annual Moscow Charter School Request for HIRC Rental Fee Waiver (ACTION ITEM) - Dwight Curtis

Staff is seeking authorization for the Parks and Recreation Director to administratively approve the annual Moscow Charter School (MCS) request for HIRC rental fee waiver, provided the requests are for the same or less hours than the previous year's approved request. The MCS utilizes half of the gym for their physical education classes. The MCS requests have become routine through the years and unless there is an increase in the usage being sought, having the Parks and Recreation Director administratively approve the request is a more efficient use of time and resources. Should there be an increase in time used request, it would simply be brought through for a City Council decision. The request for the 2019-2020 school year is for 8 hours per week. There has been no negative affect on public use or City programs in the past.

PROPOSED ACTIONS: Recommend authorization of the Parks and Recreation Director to administratively approve the annual Moscow Charter School requests for HIRC rental fee waiver, provided the requests are for the same or less hours than the previous year's approved request, or provide staff further direction.

4. Artwalk Beer and Wine Garden Resolution And Artwalk Sidewalk Cafe Temporary Expansion Resolution (ACTION ITEM) - Megan Cherry

Artwalk 2019 is scheduled for June 21, 2019. Since 2016, Council has permitted beer and wine gardens within the City streets and rights-of-way in the Moscow Central Business District for select events by way of Council Resolution. The current proposal will allow appropriate City staff to issue permits for beer and wine gardens during Artwalk June 21st, 2019. An establishment interested in participating in Artwalk by hosting a beer/wine garden would contact the Community Events Manager to coordinate participation in accordance with this resolution and the authorized street closure permit process. Approved participating establishments are required to apply for a catering permit with the City of Moscow in accordance with State Liquor regulations. Additionally, the City regulates sidewalk cafes in the downtown central business to the area immediately in front of an establishment. In an effort to add to the festive and enticing atmosphere of Artwalk businesses may opt to expand their currently permitted sidewalk cafe to the abutting neighboring business property lines with the neighboring business' permission. An establishment wishing to temporarily expand its sidewalk cafe for Artwalk, pursuant to Resolution, would be required to file an amended Sidewalk Cafe Licensed Area diagram to the City Clerk with written permission from the neighboring business allowing the extension of the area in front of the neighboring business. Those establishments permitted to serve alcohol would be required to apply for a catering permit with the City of Moscow in accordance with State alcohol regulations.

PROPOSED ACTIONS: Recommend approval of the Resolution related to beer and wine gardens and the Resolution related to temporary expansion of sidewalk cafes, or provide staff further direction.

5. Waiver of McConnell Mansion re-roof permit fees (ACTION ITEM) – Gary J. Riedner

The Latah County Historical Society is replacing the roof on the McConnell Mansion. The LCHS is proceeding with roof replacement this summer and is requesting the Council to waive the building permit fees for the project. The amount of the permit fee is \$675.50.

PROPOSED ACTIONS: Recommend waiver of permit fees in the amount of \$675.50 for McConnell Mansion roof replacement project, or provide staff further direction.

6. Consideration of City of Moscow Mayor and City Council Salary Adjustments (ACTION ITEM) - Gary J. Riedner

Moscow City Code 1-8-1 states that "the salary for elective officers shall be fixed by ordinance. Salary adjustments for such elective officers shall be made every two (2) years from the date of the previous adjustment in accordance and in proportion with adjustments in the Consumer Price Index as published by the United States Department of Labor. Such adjustments must be specifically approved by ordinance at least six (6) months prior to the effective date of such adjustments. Ref. Idaho Code, § 50-203." The proposed Ordinance amends the Mayor and City Council salaries by the CPI adjustment of the past 24 months: January 1, 2017 to December 31 2018. The calendar year 2017 Consumer Price Index (CPI) was 0.12% while the calendar year 2018 CPI was 1.3%. In accordance with Moscow City Code 1-8-1 the salary adjustment would be appropriated during the budget considerations and final adoption and effective salary would begin January 1, 2020.

PROPOSED ACTIONS: Recommend approval of the attached Ordinance making salary

adjustments for Mayor and City Council effective January 1, 2020 or provide staff further direction.

ADJOURN

NOTICE: Moscow City Council and committee meetings are televised, videotaped and/or recorded. Individuals attending the meeting who require special assistance to accommodate physical, hearing, or other impairments, please contact the City Clerk, at (208) 883-7015 or TDD 883-7019, as soon as possible so that arrangements may be made.

COMMITTEE STAFF REPORT

DATE: Monday, May 13, 2019



RESPONSIBLE STAFF

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

AGENDA ITEM TITLE

Approval of March 25, 2019 Administrative Committee Minutes (ACTION ITEM) - Caylee Birge

DESCRIPTION

STAFF RECOMMENDATION

PROPOSED ACTIONS

PROPOSED ACTIONS: Approve minutes, or provide staff further direction.

FISCAL IMPACT

PERSONNEL IMPACT

ATTACHMENTS

None

COMMITTEE STAFF REPORT

DATE: Monday, May 13, 2019



RESPONSIBLE STAFF

Dwight Curtis, Parks & Recreation Director

ADDITIONAL PRESENTER(S)

Tony Bonuccelli

OTHER RESOURCES

AGENDA ITEM TITLE

Moscow Charter School (MCS) Request for HIRC Rental Fee Waiver for the 2019-2020 school year (ACTION ITEM) - Dwight Curtis / Tony Bonuccelli

DESCRIPTION

Moscow Charter School (MCS) is requesting a rental fee waiver for use of the HIRC facility for their physical education and movement classes for the 2019-2020 school year. The request is the same as last year, except fewer hours requested. The MCS would use one half-gym space, leaving the other half open for public use. The present school year's use alternates between 9-15 hours per week. The new request is for 8 hours per week. This has not negatively affected public use or City programs in the past and the MCS reciprocates with our use of their facilities for recreation programs during breaks and summer. The Parks and Recreation Commission reviewed the request on April 25, 2019, recommending Council approval.

STAFF RECOMMENDATION

Approve HIRC Rental fee waiver request by Moscow Charter School for the 2019-2020 School year.

PROPOSED ACTIONS

PROPOSED ACTIONS: Recommend approval of the HIRC Rental fee waiver request by Moscow Charter School for the 2019-2020 School year, or provide staff further direction.

FISCAL IMPACT

PERSONNEL IMPACT

ATTACHMENTS

1. 2019-2020 School Year HIRC Request 4-18-19



MOSCOW CHARTER SCHOOL

Science • Technology • Engineering • Arts • Math

4/18/2019

Dear Moscow Parks and Recreation Commission,

The Moscow Charter School would like to request the fee waiver to use the Hamilton Indoor Recreation Center for the 2019-2020 school year. The times we would like to use are Wednesday from 8:30 am to 2:50 pm, Monday, Tuesday from 2:00 to 2:50 pm. These times are less than with our current school year. We have a qualified PE teacher to make sure the facility is well maintained, with respectful and appreciative students to use the facility.

In return the Parks and Recreation Department can use our facility for any future needs. We have a large multipurpose room that is generally available in the evenings and Summer, additional playfield space, classrooms, and a portable that can be used for seminars and workshops. Our portable and staff members have been used in the past to provide Summer and other Spring Break classes for Parks and Recreation.

We really appreciate your time and consideration in this process and we are happy to reciprocate the use of our facilities to help the Parks and Recreation Department.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tony Bonuccelli'.

Tony Bonuccelli

Administrator, Moscow Charter School

W 208-883-3195

C 509-336-9307

COMMITTEE STAFF REPORT

DATE: Monday, May 13, 2019



RESPONSIBLE STAFF

Dwight Curtis, Parks & Recreation Director

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

AGENDA ITEM TITLE

Authorization for Parks and Recreation Director to Administratively Approve Annual Moscow Charter School Request for HIRC Rental Fee Waiver (ACTION ITEM) - Dwight Curtis

DESCRIPTION

Staff is seeking authorization for the Parks and Recreation Director to administratively approve the annual Moscow Charter School (MCS) request for HIRC rental fee waiver, provided the requests are for the same or less hours than the previous year's approved request. The MCS utilizes half of the gym for their physical education classes.

The MCS requests have become routine through the years and unless there is an increase in the usage being sought, having the Parks and Recreation Director administratively approve the request is a more efficient use of time and resources. Should there be an increase in time used request, it would simply be brought through for a City Council decision.

The request for the 2019-2020 school year is for 8 hours per week.

There has been no negative affect on public use or City programs in the past.

STAFF RECOMMENDATION

Authorize the Parks and Recreation Director to administratively approve the annual Moscow Charter School requests for HIRC rental fee waiver, provided the requests are for the same or less hours than the previous year's approved request.

PROPOSED ACTIONS

PROPOSED ACTIONS: Recommend authorization of the Parks and Recreation Director to administratively approve the annual Moscow Charter School requests for HIRC rental fee waiver, provided the requests are for the same or less hours than the previous year's approved request, or provide staff further direction.

FISCAL IMPACT

PERSONNEL IMPACT

ATTACHMENTS

None

COMMITTEE STAFF REPORT

DATE: Monday, May 13, 2019



RESPONSIBLE STAFF

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

AGENDA ITEM TITLE

Artwalk Beer and Wine Garden Resolution And Artwalk Sidewalk Cafe Temporary Expansion Resolution (ACTION ITEM) - Megan Cherry

DESCRIPTION

Artwalk 2019 is scheduled for June 21, 2019. Since 2016, Council has permitted beer and wine gardens within the City streets and rights-of-way in the Moscow Central Business District for select events by way of Council Resolution. The current proposal will allow appropriate City staff to issue permits for beer and wine gardens during Artwalk June 21st, 2019. An establishment interested in participating in Artwalk by hosting a beer/wine garden would contact the Community Events Manager to coordinate participation in accordance with this resolution and the authorized street closure permit process. Approved participating establishments are required to apply for a catering permit with the City of Moscow in accordance with State Liquor regulations. Additionally, the City regulates sidewalk cafes in the downtown central business to the area immediately in front of an establishment. In an effort to add to the festive and enticing atmosphere of Artwalk businesses may opt to expand their currently permitted sidewalk cafe to the abutting neighboring business property lines with the neighboring business' permission. An establishment wishing to temporarily expand its sidewalk cafe for Artwalk, pursuant to Resolution, would be required to file an amended Sidewalk Cafe Licensed Area diagram to the City Clerk with written permission from the neighboring business allowing the extension of the area in front of the neighboring business. Those establishments permitted to serve alcohol would be required to apply for a catering permit with the City of Moscow in accordance with State alcohol regulations.

STAFF RECOMMENDATION

Recommend approval of the beer garden and sidewalk temporary expansion resolutions for Artwalk 2019.

PROPOSED ACTIONS

PROPOSED ACTIONS: Recommend approval of the Resolution related to beer and wine gardens and the Resolution related to temporary expansion of sidewalk cafes, or provide staff further direction.

FISCAL IMPACT

PERSONNEL IMPACT

ATTACHMENTS

1. ArtWalk;Beer-Wine(2019)pm3(002);mv

2. Beer-Wine-SidewalkCafeExpansionResolution(2019)pm1;mv(final)

RESOLUTION NO. 2019 –

A RESOLUTION OF THE CITY OF MOSCOW, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, TO ALLOW FOR THE TEMPORARY VENDING OF BEER AND/OR WINE IN MOSCOW DOWNTOWN CENTRAL BUSINESS ZONING DISTRICT UNDER SPECIFIC REGULATIONS AND UNDER CERTAIN LIMITED CONDITIONS PURSUANT TO MOSCOW CITY CODE SECTION 10-1-12.

WHEREAS, Moscow City Code Section 10-1-12 prohibits the possession of alcoholic beverages while present in a public place or a place where the public has permitted access, including public streets and/or public rights-of-way in the City of Moscow, Idaho (hereinafter “City”) except in accordance with specific regulations adopted by the Council by Resolution; and

WHEREAS, the City of Moscow and the Moscow Chamber of Commerce are sponsoring Artwalk (hereinafter the “Event”), June 21, 2019 in downtown Moscow; and

WHEREAS, Artwalk is an Event promoting the close connections between the Moscow Chamber of Commerce, the City of Moscow, and local artists; and

WHEREAS, Council wishes to encourage and promote downtown businesses during the Event; and

WHEREAS, Moscow Main Street between 6th and “A” Streets in Moscow is a City street (hereinafter “the Event Location”); and

WHEREAS, Council wishes to allow for the vending and responsible consumption of beer and/or wine under certain conditions, contained herein and during limited hours during the Event; and

WHEREAS, Council wishes to prohibit the sale and/or consumption of liquor during the Event; and

WHEREAS, Council wishes to grant authority to appropriate City staff to approve catering permits for Beer and/or Wine Gardens for the Event; and

WHEREAS, Council believes the regulations contained herein are appropriate; and

WHEREAS, Council believes the specific regulations herein balance the health and safety concerns of citizens with the desire to promote downtown businesses; and

WHEREAS, Council believes that the specific regulations contained herein balance health and safety concerns of citizens, with the desire to promote responsible use of alcoholic beverages; and

WHEREAS, nothing contained in this Resolution is intended to waive other laws and regulations applicable to the sale and consumption of alcohol within City limits; and

WHEREAS, nothing contained within this Resolution is intended to endorse or support any particular belief, philosophy, or political position of any Beer and Wine Garden Sponsor permitted at the Event, and/or its affiliates, associations, contributors, supporters, participants, etc.;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Moscow, Idaho as follows:

SPECIFIC REGULATIONS ON THE SALE AND/OR CONSUMPTION OF BEER AND/OR WINE DURING ARTWALK 2019:

Intent:

This Resolution is intended to allow appropriate City staff to approve catering permits for Beer and/or Wine Gardens in City streets or rights-of-way in Moscow's downtown central business zoning district in appropriate locations approved by City staff for the sale and consumption of beer and/or wine only (not liquor), pursuant to these specific regulations and is not intended to amend or expand the Moscow City Code or any other applicable law or regulation beyond the scope of the particulars of this Resolution or beyond the hours of the Event. Other than as specifically provided herein, sanitary, health, litter, police, fire, sidewalk café, alcohol vending, and other laws and regulations shall be unaffected by this Resolution. This Resolution shall not establish precedent nor shall it apply to any event other than the Event held on the 21st day of June, 2019 from 4:00 p.m. to 9:00 p.m. Set-up may begin at 2:30 p.m.; tear-down and clean-up may continue until 10:30 p.m.

Liability, Insurance and Safety:

1. No less than five (5) days prior to the Event at which the licensed vendor will sell beer and/or wine, the Beer and/or Wine Garden Sponsor shall deliver to the City Clerk one (1) copy of written proof that the licensed vendor has current, paid up, off-premise liquor liability insurance or special event insurance in an amount not less than One Million Dollars (\$1,000,000) combined single limits.
2. City shall be named as an additional insured on the insurance policy of the licensed vendor.
3. No less than five (5) days prior to the Event, the Beer and/or Wine Garden Sponsor shall deliver to the City Clerk the signed original of an agreement with City to defend, hold harmless and indemnify City of Moscow, Idaho, its agents, servants, employees, officers and contractors from any and all claims, causes of action or damages which may arise from the Beer and/or Wine Garden Sponsor's use of the Event Location premises.
4. The Moscow Police Chief or designee is hereby empowered to order the immediate cessation of a Beer and/or Wine Garden Sponsor's activities allowed under this Resolution at any time he reasonably determines that it is in the best interest of City to do so. There shall be no appeal from a determination by the Moscow Police Chief or his designee to terminate all or part of any Beer and/or Wine Garden permitted for the Event.

Vendor:

1. There shall be only one (1) licensed vendor of beer and/or wine in the Beer and/or Wine Garden Sponsor's permitted area;
2. All beer and/or wine shall be sold only by a licensed vendor;
3. Every licensed vendor shall comply with all alcohol related laws and regulations, including, but not limited to, the City requirement of a catering permit;
4. The name, address, telephone number, alcohol license permit number of every licensed vendor, and proof of insurance covering the vendor's activities (as required herein) shall be provided to the City Clerk no less than five (5) days prior to the Event at which such licensed vendor shall sell beer and/or wine;
5. The City shall play no role in determining which vendor shall be selected to sell beer and/or wine in the Permitted Area during the Event described herein;
6. The vendor shall provide at least two (2) persons to check proper identification for those who shall be sold beer and/or wine during the Event. These persons shall be clearly identified and shall be stationed within ten feet (10') of the sales and/or dispensing counter between 4:00 p.m. and 9:00 p.m. while alcoholic beverages are being sold and/or consumed;

Sales and Consumption:

1. No less than five (5) days prior to the Event at which the licensed vendor will sell beer and/or wine, the Beer and/or Wine Garden Sponsor shall deliver to the City Clerk one (1) copy of a site map which shall be drawn to show the locations, dimensions of, and relative distances between the following: (a) the beer and/or wine garden within the Street; (b) the barricade, sales and/or dispensing area, consumption area, entry and exit points; (c) identification checking station; and, if any, (d) food sales and service areas. Said site design and any subsequent alterations shall be approved in writing by the Moscow City Supervisor or designee, and by the Moscow Chief of Police or designee prior to the Event;
2. All beer and/or wine sales and consumption shall take place within the area designated by the Beer and/or Wine Garden Sponsor and as shown on the site map required by this Resolution;
3. The designated sales and service area(s) shall be physically separated from the rest of the Event Location by a barricade which is no less than forty four inches (44") tall and which is constructed so no person can pass under, over, or through it except at established entry and exit points located, as shown, on the site map required by this Resolution. All sales, dispensing, service, and consumption shall take place inside the approved barricade area;
4. All food sales and service shall be located outside the approved barricade and have a space of no less than ten feet (10') between the approved barricade and food sales or service area;
5. No person shall be allowed to transport, purchase, consume or possess alcohol in the Permitted Area other than within the area designated for alcohol sales and consumption as shown on the map required by this Resolution;
6. There shall be no more than one (1) entrance and one (1) exit to the area designated for alcohol consumption, as shown on the map required by this Resolution;
7. All beer and/or wine shall be dispensed in and consumed from its original container or a readily identifiable container not more than sixteen ounces (16 oz.) in size which shall not bear a logo for a non-alcoholic beverage;
8. Every occupant within the area(s) designated for beer and/or wine consumption shall provide identification to law enforcement officers or City employees who request it;

9. A sign shall be prominently posted at or near all entrances and exits to any area designated for beer and/or wine sales and/or consumption stating to the effect that no alcohol can be consumed within the Permitted Area unless it is purchased within such Permitted Area and that no person under twenty one (21) years of age may purchase, carry, or consume alcohol within the Permitted Area;
10. Beer and/or wine shall be sold only within the designated Beer and/or Wine Garden Sponsor's Permitted Area only between the hours of 4:00 p.m. and 9:00 p.m. on the 21st day of June, 2019;
11. Beer and/or wine shall be consumed only within the designated Beer and/or Wine Garden Sponsor's Permitted Area only between the hours of 4:00 p.m. and 9:00 p.m. on the 21st day of June, 2019, during the Event;
12. No person shall carry or consume an alcoholic beverage within the Beer and/or Wine Garden Sponsor's Permitted Area which is not purchased or dispensed from a licensed vendor at the Event and consumed within the approved consumption area. Consumption of alcohol not purchased within the Beer and/or Wine Garden Sponsor's Permitted Area and outside of the approved consumption area shall be considered a violation of the City's open container ordinance.

Fee

The Beer and/or Wine Garden Sponsor shall submit to the City Clerk, within five (5) days of the Event, the required fee established by Council that is associated with this Resolution.

Failure To Comply:

Failure to comply with this Resolution shall expose any such person to all relevant civil and criminal consequences and may result in denial of subsequent applications for alcohol permits within Moscow for a period of no less than five (5) years.

PASSED AND APPROVED by the Mayor of the City of Moscow, Idaho, this _____ day of _____, 2019.

Bill Lambert, Mayor

ATTEST:

Laurie M. Hopkins, City Clerk

RESOLUTION NO. 2019 –

A RESOLUTION OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, TO GRANT AUTHORITY TO THE CITY SUPERVISOR OR DESIGNEE TO ALLOW FOR THE TEMPORARY VENDING OF BEER AND/OR WINE AND THE TEMPORARY EXPANSION OF SIDEWALK CAFÉS IN MOSCOW DOWNTOWN CENTRAL BUSINESS ZONING DISTRICT UNDER SPECIFIC REGULATIONS AND UNDER CERTAIN LIMITED CONDITIONS PURSUANT TO MOSCOW CITY CODE SECTION 10-1-12; PROVIDING THIS RESOLUTION TO BE EFFECTIVE UPON ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, Moscow City Code Section 10-1-12 prohibits the possession of alcoholic beverages in an open container while present in a public place or a place where the public has permitted access, including public streets and/or public rights-of-way in the City of Moscow, Idaho (hereinafter “City”) except in accordance with specific regulations adopted by Council by Resolution; and

WHEREAS, Council wishes to encourage and promote downtown businesses during downtown events; and

WHEREAS, Council wishes to allow for the vending and responsible consumption of beer and/or wine under certain conditions; and

WHEREAS, Council wishes to prohibit the sale and/or consumption of liquor during downtown events; and

WHEREAS, Council wishes to grant authority to the City Supervisor or Designee to allow for the temporary vending of beer and/or wine and the temporary expansion of sidewalk cafés during events (hereinafter the “Permitted Events”) in Moscow downtown Central Business Zoning District under specific regulations; and

WHEREAS, Council believes the regulations contained herein are appropriate; and

WHEREAS, Council believes the specific regulations herein balance the health and safety concerns of citizens with the desire to promote downtown businesses; and

WHEREAS, nothing contained within this Resolution is intended to waive other laws and regulations applicable to Alcoholic Beverages or Sidewalk Cafés; and

WHEREAS, nothing contained within this Resolution is intended to endorse or support any particular belief, philosophy, or political position of any Beer and Wine Garden Sponsor or of the Permitted Events, and/or its affiliates, associations, contributors, supporters, participants, etc.;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Moscow as follows:

SPECIFIC REGULATIONS ON THE SALE AND/OR CONSUMPTION OF BEER AND/OR WINE AND THE EXPANSION OF SIDEWALK CAFES DURING PERMITTED EVENTS IN THE MOSCOW DOWNTOWN CENTRAL BUSINESS ZONING DISTRICT:

Intent:

This Resolution is intended to grant authority to the City Supervisor or Designee, to approve the temporary vending of Beer and/or Wine in Sidewalk Cafes and for the temporary expansion of Sidewalk Café's in City streets or rights-of-way in Moscow's downtown Central Business Zoning District in appropriate locations approved by City staff, for the sale and consumption of beer and wine only (not liquor), pursuant to these specific regulations, and is not intended to amend or expand the Moscow City Code or any other applicable law or regulation beyond the scope of the particulars of this Resolution or beyond the hours of the Event. Other than as specifically provided herein, sanitary, health, litter, police, fire, sidewalk cafe, alcohol vending, and other laws and regulations, shall be unaffected by this Resolution. This Resolution, is not a waiver of any State, County or local requirement of a permit of licensure related to sales and/or distribution of alcohol, including a requirement for a catering permit.

Liability, Insurance and Safety:

1. No less than five (5) days prior to the Permitted Event at which the licensed vendor will sell beer and/or wine, the Beer and/or Wine Garden Sponsor shall deliver to the City Clerk one (1) copy of written proof that the licensed vendor has current, paid up, off-premise liquor liability insurance or special event insurance in an amount not less than One Million Dollars (\$1,000,000) combined single limits.
2. City shall be named as an additional insured on the insurance policy of the licensed vendor.
3. No less than five (5) days prior to the Permitted Event, the Beer and/or Wine Garden Sponsor shall deliver to the City Clerk the signed original of an agreement with City to defend, hold harmless and indemnify City of Moscow, Idaho, its agents, servants, employees, officers and contractors from any and all claims, causes of action or damages, which may arise from the Beer and/or Wine Garden Sponsor's use of the Event Location premises.
4. The Moscow Police Chief or designee is hereby empowered to order the immediate cessation of a Beer and/or Wine Garden Sponsor's activities allowed under this Resolution at any time he reasonably determines that it is in the best interest of City to do so. There shall be no appeal from a determination by the Moscow Police Chief or designee to terminate all or part of any Beer and/or Wine Garden permitted for the Event.

Vendor:

1. There shall be only one (1) licensed vendor of beer and/or wine in the Beer and/or Wine Garden Sponsor's permitted area;
2. All beer and/or wine shall be sold only by a licensed vendor;
3. Every licensed vendor shall comply with all alcohol related laws and regulations, including, but not limited to, the City requirement of a catering permit;
4. The name, address, telephone number, alcohol license permit number of every licensed vendor, and proof of insurance covering the vendor's activities (as required herein) shall be provided to the City Clerk no less than five (5) days prior to the Event at which such licensed vendor shall sell beer and/or wine;
5. The vendor shall provide at least two (2) persons to check proper identification for those who shall be sold beer and/or wine during the Event. These persons shall be clearly identified and

shall be stationed with ten feet (10') of the sales and/or dispensing counter while alcoholic beverages are being sold and/or consumed during the hours of the event.

Sales and Consumption

1. No less than five (5) days prior to the Permitted Event at which the licensed vendor will sell beer and/or wine, the Beer and/or Wine Garden Sponsor shall deliver to the City Clerk one (1) copy of a site map which shall be drawn to show the locations, dimensions of, and relative distances between the following: (a) the beer and/or wine garden within the Street; (b) the barricade, sales and/or dispensing area, consumption area, entry and exit points; (c) identification checking station; and, if any, (d) food sales and service areas. Said site design and any subsequent alterations shall be approved in writing by the Moscow City Supervisor or designee, and by the Moscow Chief of Police or designee prior to the Event;
2. All beer and/or wine sales and consumption shall take place within the area designated by the Beer and/or Wine Garden Sponsor and as shown on the site map required by this Resolution;
3. The designated sales and service area(s) shall be physically separated from the rest of the Permitted Event Location by a barricade which is no less than forty four inches (44") tall and which is constructed so no person can pass under, over, or through it except at established entry and exit points located, as shown, on the site map required by this Resolution. All sales, dispensing, service, and consumption shall take place inside the approved barricade area;
4. All food sales and service shall be located outside the approved barricade and have a space of no less than ten feet (10') between the approved barricade and food sales or service area;
5. No person shall be allowed to transport, purchase, consume or possess alcohol in the Permitted Area other than within the area designated for alcohol sales and consumption, as shown on the map required by this Resolution;
6. There shall be no more than one (1) entrance and one (1) exit to the area designated for alcohol consumption, as shown on the map required by this Resolution;
7. All beer and/or wine shall be dispensed in and consumed from its original container or a readily identifiable container not more than sixteen ounces (16 oz.) in size which shall not bear a logo for a non-alcoholic beverage;
8. Every occupant within the area(s) designated for beer and/or wine consumption shall provide identification to law enforcement officers or City employees who request it;
9. A sign shall be prominently posted at or near all entrances and exits to any area designated for beer and/or wine sales and/or consumption stating to the effect that no alcohol can be consumed within the Permitted Area unless it is purchased within such Permitted Area and that no person under twenty one (21) years of age may purchase, carry, or consume alcohol within the Permitted Area;
10. Beer and/or wine shall be sold only within the designated Beer and/or Wine Garden Sponsor's Permitted Area only between the hours specified on the Catering Permit and only during the Permitted Event;
11. Beer and/or wine shall be consumed only within the designated Beer and/or Wine Garden Sponsor's Permitted Area only between the hours specified on the Catering Permit and only during the Permitted Event; and

12. No person shall carry or consume an alcoholic beverage within the Beer and/or Wine Garden Sponsor's Permitted Area which is not purchased or dispensed from a licensed vendor at the Event and consumed within the approved consumption area. Consumption of alcohol not purchased within the Beer and/or Wine Garden Sponsor's Permitted Area and outside of the approved consumption area shall be considered a violation of the City's open container ordinance.

Conditions of Sidewalk Cafe License:

1. A licensed Sidewalk Cafe operator, with written permission from an abutting business operator, and, if said establishment serving alcohol obtains a proper catering permit, may expand the Sidewalk Cafe operation to include the unobstructed portion of the abutting sidewalk in front of the neighboring business up to, but not including, the doorway to the neighboring business;
2. Any Sidewalk Cafe wishing to expand its Sidewalk Cafe business during the event shall be required to file an amended Sidewalk Cafe Licensed Area Diagram to the City Clerk along with the written permission from the neighboring business allowing the extension of the area in front of the neighboring business;
3. Any Sidewalk Cafe establishment permitted to serve alcohol shall apply for and pay for a catering permit with the City of Moscow in accordance with state Alcohol Regulations;
4. Any Sidewalk Cafe establishment permitted to serve alcohol shall provide delineation of the Licensed Area, consisting of a non-permanent physical barrier such as a railing, potted plants, decorative chain, fence, rope or other physical barrier, as required and approved by the City; and
5. Any Sidewalk Café's expanded Licensed Area shall be returned to the condition it was prior to the approved amended Sidewalk Café Licensed Area for the Permitted Event.

Fee:

The Beer and/or Wine Garden Sponsor shall submit to the City Clerk, within five (5) days of the Event, the required fee established by Council.

Failure to Comply:

Failure to comply with this Resolution shall expose any such person to all relevant civil and criminal consequences and may result in denial of subsequent applications for alcohol permits or catering permits within Moscow for a period of not less than five (5) years.

PASSED AND APPROVED by the Mayor of the City of Moscow, Idaho, this ____ day of _____, 2019.

Bill Lambert, Mayor

ATTEST:

Laurie M. Hopkins, City Clerk

COMMITTEE STAFF REPORT

DATE: Monday, May 13, 2019



RESPONSIBLE STAFF

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

AGENDA ITEM TITLE

Waiver of McConnell Mansion re-roof permit fees (ACTION ITEM) – Gary J. Riedner

DESCRIPTION

The Latah County Historical Society is replacing the roof on the McConnell Mansion. The LCHS is proceeding with roof replacement this summer and is requesting the Council to waive the building permit fees for the project. The amount of the permit fee is \$675.50.

STAFF RECOMMENDATION

No recommendation.

PROPOSED ACTIONS

PROPOSED ACTIONS: Recommend waiver of permit fees in the amount of \$675.50 for McConnell Mansion roof replacement project, or provide staff further direction.

FISCAL IMPACT

PERSONNEL IMPACT

ATTACHMENTS

1. LCHS Request for Waiver

Gary Riedner

From: Corey O'Brien
Sent: Wednesday, May 8, 2019 4:06 PM
To: Gary Riedner
Subject: FW: Permit Fees Waiver

Gary,

Below is the request from Dulce to waive the permit fee of \$675.50 for the re-roof of the McConnell Mansion. Let me know if anything else is needed.

Thank you,

Corey O'Brien

Permit Coordinator
221 E. Second St/ PO Box 9203
Moscow, ID 83843
E | cobrien@ci.moscow.id.us
P | 208-883-7009
O | 208-883-7022
F | 208-883-7033



From: Dulce Kersting-Lark [mailto:dkersting@latah.id.us]
Sent: Wednesday, May 08, 2019 3:46 PM
To: Corey O'Brien <cobrien@ci.moscow.id.us>
Subject: Permit Fees Waiver

Good afternoon Corey,

As we discussed on the phone today, the Latah County Historical Society and Latah County are preparing to commence the roof replacement project at the McConnell Mansion museum (110 S. Adams Street). We have submitted the paperwork required to secure all proper permits from the City of Moscow to proceed, but are hopeful that the associated fees might be waived. The McConnell Mansion is a museum open to all residents of and visitors to Moscow, free of charge. Our nonprofit organization would be grateful for the fee waiver.

Thank you for your consideration,

Dulce Kersting-Lark
Executive Director
Latah County Historical Society
208-882-1004
dkersting@latah.id.us

COMMITTEE STAFF REPORT

DATE: Monday, May 13, 2019



RESPONSIBLE STAFF

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

AGENDA ITEM TITLE

Consideration of City of Moscow Mayor and City Council Salary Adjustments (ACTION ITEM) - Gary J. Riedner

DESCRIPTION

Moscow City Code 1-8-1 states that "the salary for elective officers shall be fixed by ordinance. Salary adjustments for such elective officers shall be made every two (2) years from the date of the previous adjustment in accordance and in proportion with adjustments in the Consumer Price Index as published by the United States Department of Labor. Such adjustments must be specifically approved by ordinance at least six (6) months prior to the effective date of such adjustments. Ref. Idaho Code, § 50-203." The proposed Ordinance amends the Mayor and City Council salaries by the CPI adjustment of the past 24 months: January 1, 2017 to December 31 2018. The calendar year 2017 Consumer Price Index (CPI) was 0.12% while the calendar year 2018 CPI was 1.3%. In accordance with Moscow City Code 1-8-1 the salary adjustment would be appropriated during the budget considerations and final adoption and effective salary would begin January 1, 2020.

STAFF RECOMMENDATION

Recommend approval of the attached Ordinance making salary adjustments for Mayor and City Council effective January 1, 2020.

PROPOSED ACTIONS

PROPOSED ACTIONS: Recommend approval of the attached Ordinance making salary adjustments for Mayor and City Council effective January 1, 2020 or provide staff further direction.

FISCAL IMPACT

PERSONNEL IMPACT

ATTACHMENTS

1. AdjustingCouncilMayor2020Salary(gjrl)

ORDINANCE NO. 2019 –

AN ORDINANCE AMENDING TITLE 1, CHAPTER 8 OF THE MOSCOW CITY CODE; PROVIDING FOR INCREASES IN THE SALARIES OF CITY ELECTIVE OFFICERS; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE BE DEEMED SEVERABLE; AND PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM THE DATE OF ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, City Council deems it appropriate to increase the salaries of the of the Mayor and City Council in accordance with the Consumer Price Index based upon January to January Index for the past twenty four (24) months (point one two percent [0.12%] for 2017 and one point three percent [1.3%] for 2018), pursuant to Moscow City Code § 1-8-1 and Moscow City Code 50-203; and

WHEREAS, utilizing such Index, the appropriate monthly salary for the office of Mayor shall be two thousand twenty eight dollars and fifty cents (\$2,028.50) per month and the monthly salary for members of the City Council shall be seven hundred three dollars and twenty eight cents (\$703.28) per month; and

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MOSCOW AS FOLLOWS:

SECTION 1. That Title 1, Chapter 8, Section 2 of the Moscow City Code be, and the same is hereby amended to read as follows:

...

Sec. 8-2. Salaries of Elective Officers.

The salary for elective officers shall be as follows:
Effective January 1, ~~2018~~2020:

Mayor	\$2,007.24 <u>2028.50</u>	per month
Council	\$ 695.84 <u>703.28</u>	per month

...

SECTION 3. SEVERABILITY. Provisions of this Ordinance shall be deemed severable and the invalidity of any provision of this Ordinance shall not affect the validity of remaining provisions. The remaining sections of Title 1 shall be in full force and effect.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after the date of its passage, approval and the publication thereof as aforesaid.

PASSED by the Council and APPROVED by the Mayor this ____ day of _____, 2019.

Bill Lambert, Mayor

ATTEST:

Caylee Birge, Deputy City Clerk