Moscow City Council

Regular Meeting
~Minutes~

Laurie M. Hopkins
City Clerk

www.ci.moscow.id.us

208.883.7015

Monday **April 2, 2018**	**7:00 PM**	**Council Chambers** **206 E. Third St.**

The meeting was called to order at 7:00 PM

PRESENT: Gina Taruscio Council Vice President, Art Bettge Councilmember, Jim Boland Councilmember (7:33 PM), Brandy Sullivan Councilmember, Anne Zabala Councilmember, Bill Lambert Mayor

ABSENT: Kathryn Bonzo Council President (Excused)

STAFF: Gary J. Riedner, David Schott, Dwight Curtis, James Fry, Brian Nickerson, Bill Belknap, Mia Vowels, Laurie M. Hopkins

Pledge of Allegiance
Scout Troop 345 led the Pledge of Allegiance.

Fair Housing Month Proclamation
Mayor Lambert read the proclamation and presented it to Randy Baukol. Baukol thanked the Mayor and Council and invited everyone to the Fair Housing Fair taking place April 27th.

1. Consent Agenda

A. Approval of Moscow City Council March 19, 2018 Minutes – Laurie M. Hopkins

B. 710 Pullman Road Lot Division - Ryan Cash
Whipple Consulting Engineers have requested a lot division of a 62,714 sf parcel of land legally addressed as 710 Pullman Road within the City of Moscow. The applicant proposes to establish two parcels of approximately 21,506 sf and 41,208 sf from the original 62,714 sf parcel. The subject property is located within the Motor Business (MB) Zone where there is no minimum lot area or width for commercial uses. The two proposed parcels will meet all minimum lot requirements for the MB Zone. There are currently two vehicular approaches that provide access to the subject property from Pullman Road and one approach from 'A' Street. The two easterly approaches are shared with the Renaissance Mall development adjacent to the east and have shared access easements across both properties. The applicant is proposing to establish an access easement across the newly created Lot 1 two allow cross access through the site. In accordance with City of Moscow requirements, property owners within 600 ft of the property have been notified of the proposed division and the site had been posted seven (7) days prior to the meeting date. This was presented to Public Works/Finance Committee on March 26, 2018, at which time there was no public comment received. This was reviewed and recommended for approval by the Public Works/Finance Committee.

ACTION: Approve the lot division request.

C. 1912 Center Roof Replacement Project Re-Bid Results - David Schott

Bids for the 1912 Center Re-roofing Project opened on February 22, 2018 with two responsive bidders. The 1912 Center Facility Development Committee recommended the base bid of $178,432 and alternate #1 (seven lower roofs) of $11,300 for a total bid amount of $189,732 from Darden Enterprises. Alternate #2 was not recommend by the 1912 Center Facility Development Committee due to cost. A bid tabulation is attached. Jenny Kostroff, with Heart of the Arts, has pledged to fund alternate #1 ($11,300) from Heart of the Arts. The Parks and Recreation Department is requesting to proceed with Darden Enterprises for the project. The Parks and Recreation Department is requesting to open the FY18 budget to account for the unanticipated revenue and expense associated with this project. The revenue, $11,300 from the Heart of the Arts, will be receipted into 350-000-00-476-21, Capital Projects Donations - Parks & Recreation. The expense, $213,560 will be expensed from 350-165-30-770-72, Capital Projects Building Improvements - Parks & Recreation. This item was reviewed by the Public Works/Finance Committee on March 26, 2018, and recommended for approval.

ACTION: Accept the low bid from Dardan Enterprises.

D. FY18 Children Pedestrian Safety - Grant Award - LHTAC/Local Agreement - Alisa Anderson

The funding for a state grant opportunity called Children Pedestrian Safety (CPS) program was established in 2017 as part of the Idaho State Surplus Eliminator Program. The program is designed to fund "shovel ready" projects that can be ready for bid within 90 days of the grant award acceptance. This program will only fund maintenance projects which include pathways and sidewalks along an existing roadway, ADA ramps, and other pedestrian facilities. City staff submitted a grant request for the CPS program in December 2017 requesting $250,000 to fund pedestrian safety improvements to Third Street from Washington Street to Mountain View Road with the intent of creating a continuous pedestrian and bicycle friendly corridor. On February 27, 2018, the City received a letter of award detailing project implementation instructions and a Local Agreement with the Local Highway Technical Assistance Council (LHTAC), Program Administrator. The award is for the full amount requested of $250,000 with no match requirements. This was reviewed and recommended for approval by the Public Works/Finance Committee on March 26, 2018.

ACTION: Accept the Children Pedestrian Safety program grant award and the LHTAC/Local Agreement for $250,000 for the Third Street Pedestrian Safety Improvements.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Art Bettge, Councilmember
SECONDER:	Gina Taruscio, Council Vice President
AYES:	Gina Taruscio, Art Bettge, Brandy Sullivan, Anne Zabala
EXCUSED:	Kathryn Bonzo, Jim Boland

2. Staff Recognition Report - Gary J. Riedner

Mayor Lambert presented Gary Riedner a certificate for completing the Leadership Fellow through the National League of Cities.

3. Mayors Appointments

Mayor Lambert proposed the following appointments: Debbie Maranger Menk to the Fair & Affordable Housing Commission and Sandye Crooks to the Sustainable Environment Commission. The appointments were approved by roll call vote.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brandy Sullivan, Councilmember
SECONDER:	Art Bettge, Councilmember
AYES:	Gina Taruscio, Art Bettge, Brandy Sullivan, Anne Zabala
EXCUSED:	Kathryn Bonzo, Jim Boland

4. Public Comment and Mayor's Response Period (limit 15 minutes)

Jan Ahles, Princeton, is running for County Treasurer. She spoke on what qualities she has for the position.

Chuck Bond, 626 N Moore St Moscow, said he has heard negative comments regarding the Third Street bridge. His impression is that the negative comments are from a vocal minority. He feels there is actually only one east-west corridor due to D Street ending at Washington. He purchased property on Third Street knowing there would be a bridge. He continually hears the City makes back door deals and he doesn't believe it. He feels Moscow needs another east west route. "When the needs of the many out ways the needs of the few, that's what needs to be done."

5. MVFD Fire Alarm & Annual Report – Brian Nickerson

Nickerson went through the 2017 incidents of which 70.85% was rescue and emergency medical. Rescue and emergency medical calls include hazardous conditions, service calls, good intent calls, and citizen complaints. Overlapping incidents occurred 777 times in the 2,453 calls in 2017. False alarms are maintaining an average of 266 per year. Nickerson spoke on how tickets are issued for false alarms. The Department participates in many events including fire drills, team escorts, and fire prevention among others. Inspections by the department totaled 159 for the year. Nickerson described the projects the department has been working on such as strategic planning for the volunteers, updating equipment and tools, researching a possible remodel of Station 1, ordering the new engine with an arrival date sometime in May, and the hiring of an EMS coordinator. The department continually provides academy classes, command level training, and multi-agency training.

6. Noise Ordinance Report – James Fry

Fry reported there were 406 noise complaints in 2017 with 21 citations issued. He showed a comparison of how many calls and citations every year since 2007. The goal is to educate first then issue a citation. Of the 21 citations in 2017, seven of them were to individuals who were contacted at least twice in a two day period. Eight citations were arrests due to some form of a violent nature, such as a domestic call. Six citations were issued to individuals contacted four or more times in a two year period. One of those six citations was to an individual who was contacted 62 times in a two year period.

7. Indian Hills Trading Company Parkland Dedication Property Exchange Request - Dwight Curtis

Indian Hills Trading Company, LLC, is requesting a parkland exchange and dedication with the City of Moscow for parkland associated with the Indian Hills 8th Addition Subdivision and remaining unplatted Indian Hills Trading Company property. The exchange involves trading a previous 1.74 acre parkland dedication parcel for a 4.09 acre parcel.

The property exchange request was reviewed by the Parks and Recreation Commission, Pathways Commission and Tree Commission, and each recommended Council approval. This item was reviewed by the Administrative Committee on March 26, 2018 without a recommendation. The Committee requested staff bring additional impact information to present to the City Council.

PROPOSED ACTIONS: Recommend City Council approval of the parkland exchange and dedication agreement between Indian Hills Trading Company LLC, and the City of Moscow, regarding parkland for the Indian Hills 8th Addition subdivision and the remaining adjacent unplatted Indian Hills Trading Company property or take such other action deemed appropriate.

Curtis introduced the item as written above. He provided aerials of property and information regarding the edible forest. The property is not level and would provide a unique multi-use park. A water booster station would also be possible to include on the property. Curtis gave possible details an edible forest could include. Many details still need to be vetted as this is only at a concept stage. Items of concern discussed were rodents, equitable harvesting of crop, pesticides, sewer access and neighborhood process. Curtis explained the process for park planning including advertising and direct mailings to neighbors.

Shelley Bennett, 2279 Moser St Moscow, said she has talked with the engineer on this subdivision and he recalled a sewer conduit being placed across the street.

Victoria Seever 121 Lilly Moscow, supports the exchange for an edible park. As an arboretum, it would draw visitors of varying ages. She listed the many ways it can be used. Three commissions support the exchange.

Curtis explained the process for park planning including advertising and direct mailings to neighbors. The parkland exchange and dedication agreement between Indian Hills Trading Company LLC and the City of Moscow regarding parkland for the Indian Hills 8th Addition subdivision and the remaining adjacent unplatted Indian Hills Trading Company property was approved by roll call vote.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Gina Taruscio, Council Vice President
SECONDER:	Anne Zabala, Councilmember
AYES:	Taruscio, Bettge, Boland, Sullivan, Zabala
EXCUSED:	Kathryn Bonzo

8. Legacy Crossing Urban Renewal District Main Street Expansion Eligibility Study - Bill Belknap

During the Moscow Urban Renewal Agency's (MURA) recent strategic planning process and joint meetings with the Moscow City Council, the expansion of the Legacy Crossing District boundary to include Main Street was identified as a priority project for both the City Council and the MURA. In the City's 2015 Strategic Plan, the City Council identified the deteriorating public infrastructure within the Downtown as a major challenge area. Amending the boundary would allow the MURA to partner with the City in future downtown streetscape and public infrastructure improvements. The first step in the process is to update the prior eligibility study that was completed in 2007. The Agency has completed the eligibility study update which documents the deteriorating public infrastructure and concludes that the study area is a deteriorating area and appropriate for an urban renewal project. The study was reviewed by the MURA Board on March 1, 2018 at which time the MURA approved transmittal of the study the City Council by Resolution for the Council's consideration. If the Council concurs with the study's conclusion, the Council can authorize the MURA to begin the development of the amendment to the Legacy Crossing Urban Renewal Plan.

PROPOSED ACTIONS: Receive the eligibility study and approve the attached Resolution to authorize the Moscow Urban Renewal Agency to proceed with development of the amendment to the Legacy Crossing Urban Renewal Plan; or take such other action as deemed appropriate.

Belknap introduced the item with background of the streetscape in downtown, formation process of an urban renewal district and the information above. There are 10 different criteria specified under Idaho Code which assess the condition of infrastructure and other impediments to development and redevelopment of an area. Belknap briefly went through each criteria and the result of the assessment. The study shows this area to be a deteriorated and deteriorating area. See the attached map. The Resolution authorizing the Moscow Urban Renewal Agency to proceed with development of the amendment to the Legacy Crossing Urban Renewal Plan was approved by roll call vote.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Art Bettge, Councilmember
SECONDER:	Jim Boland, Councilmember
AYES:	Taruscio, Bettge, Boland, Sullivan, Zabala
EXCUSED:	Kathryn Bonzo

9. Waiver of Qualified Syringa Mobile Home Installation Fees - Gary J. Riedner

The Community Development Department has received an inquiry regarding re-location of mobile homes from Syringa Mobile Home Park, located in Latah County, to locations within the City. If the individual mobile home meets the State of Idaho and City of Moscow requirements for relocation, fees would be required for installation of the mobile home. Those fees as contained in the FY2018 Fee Resolution include the following:

- Mobile Home Installation - $55.00
- Mobile Home Electrical Connection - $66.50
- Mobile Home Gas Connection - $32.00
- Mobile Home Plumbing Connection - $47.25

Because of the situation involving the Syringa Mobile Home Park and the desire of some residents to relocate from the Park, waiver of mobile home installation fees has been requested. Because of the potential for multiple requests for waiver, staff asked for direction from City Council. The Administrative Committee reviewed the item on March 26, 2018 and fully supported the waiver of fees for the relocation of those mobile homes that meet the requirements.

PROPOSED ACTIONS: Waive the mobile home installation fees for qualified homes currently located within the Syringa Mobile Home Park wishing to be relocated within the City limits of Moscow, or take other such action deemed appropriate.

Riedner introduced the item as written above adding most of the homes are inhabitable and the court will be closed late May, early June. The Council has said in the past they are amenable to assisting in some way. Staff is estimating the most requests at 10 homes at $200 each. There has only been one request but some residents may still be weighing their options. Bettge felt it is a relatively minor amount of fees to be waived in a tough life changing situation. The waiver of mobile home installation fees for qualified homes currently located within Syringa Mobile Home Park wishing to be relocated within the City limits of Moscow was approved by roll call vote.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jim Boland, Councilmember
SECONDER:	Gina Taruscio, Council Vice President
AYES:	Taruscio, Bettge, Boland, Sullivan, Zabala
EXCUSED:	Kathryn Bonzo

10. Set FY2019 Budget Hearing Date for August 6, 2018 - Gary J. Riedner

Per Idaho Code 63-802(A) the City is required to notify Latah County of the public hearing date for the City's annual budget no later than April 30th each year. Staff is requesting that the Council officially set the date so the Notification of Budget Hearing form can be completed and returned to the Latah County Auditor's Office by April 30th.

ACTION: Set August 6, 2018 as the public hearing date for the City of Moscow FY2019 budget, or take such other action deemed appropriate.

Riedner explained the requirement for setting the budget hearing. The first meeting in August is the typical recommendation by staff so that if the budget was not passed, there is still time to do three readings if needed. The August 6, 2018 public hearing date for the FY2019 budget was set by roll call vote.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Gina Taruscio, Council Vice President
SECONDER:	Art Bettge, Councilmember
AYES:	Taruscio, Bettge, Boland, Sullivan, Zabala
EXCUSED:	Kathryn Bonzo

Reports

City Council
Farmers Market Commission - Taruscio reported for Kathryn that registration for vendors is open and more than half are turned in; programming is filling in and entertainment is full; the first of the juries is on April 4; six submissions for the market poster have been turned in.

Moscow Arts Commission - Taruscio reported for Kathryn the public library workshops are complete; Artwalk applications are open; working on the schedule for Thursday evening park events.

Sustainable Environment Commission - Sullivan said Cooper gave a report on toilet rebates; Wings of Life (regarding pollinators) will be showing at the Kenworthy; Earth Day nominations are open; discussion on pesticide free parks.

Historic Preservation Commission - Sullivan said the Commission is working on the interpretative sign for 1912 Center; topics for the Preservation Moscow newsletter, in which they are leaning towards the topic of sidewalk culture; also discussed were orchid awards and the Fort Russell celebration.

Palouse Basin Aquifer Committee - Boland reported the last meeting was a retreat where they discussed where the committee is headed; how the Palouse is ahead of the curve on importance of water; using potable water for irrigation; the cost of taking water from North Fork.

Planning and Zoning Commission - Zabala said the Commission held a public hearing on the Indian Hills 9th Addition preliminary plat.

Mayor
Mayor Lambert reported he spoke at the Latah Recovery Center Fundraiser where over $27,000 was raised. The Airport Board discussed the possibility of new terminal and funding with possible grants.

Staff
Riedner said the Quarterly Regional meeting takes place in Colfax this Wednesday.

Adjourn to Executive Session per Idaho Code 74-206 (1)(C) and (1)(F) - The meeting will not reconvene.
Bettge moved and Sullivan seconded to adjourn to Executive Session at 8:55 PM.

Bill Lambert, Mayor

ATTEST:

CITY OF MOSCOW INCORPORATED JULY 12 1887 STATE OF IDAHO

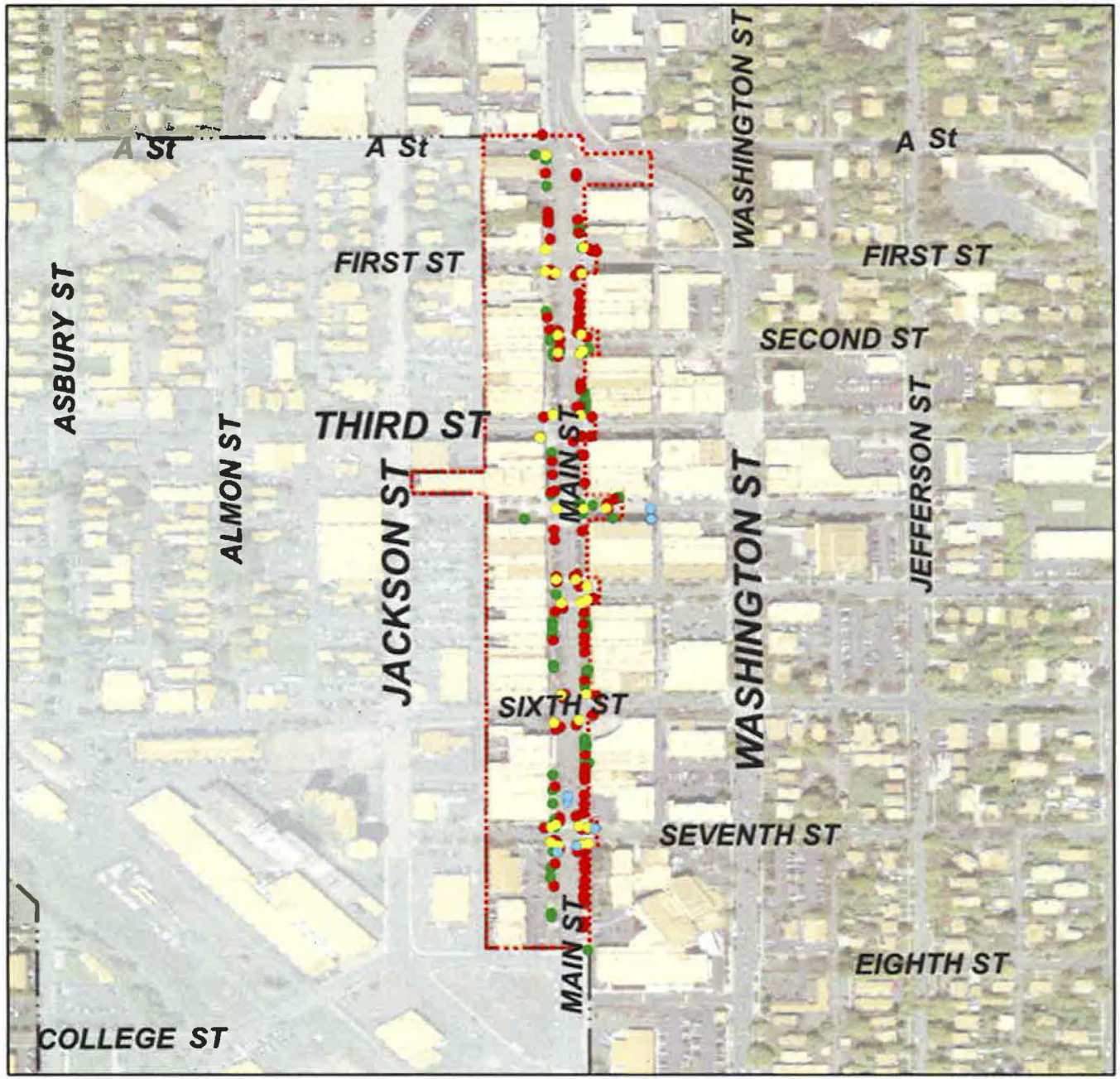
Laurie M. Hopkins, City Clerk

CITY OF MOSCOW
MINUTES OF CITY COUNCIL EXECUTIVE SESSION
April 2, 2018

Present: Mayor Lambert, Art Bettge, Jim Boland, Brandy Sullivan, Gina Taruscio, Anne Zabala

Also Present: Gary J. Riedner, City Supervisor; Mia Vowels, City Attorney

The Council adjourned to executive session per Idaho Code 74-206(1)(C) and (F). The session was called to order at 9:00 p.m. The session concluded at 9:20 p.m.



City of Moscow
Main Street
Public Infrastructure
Assessment

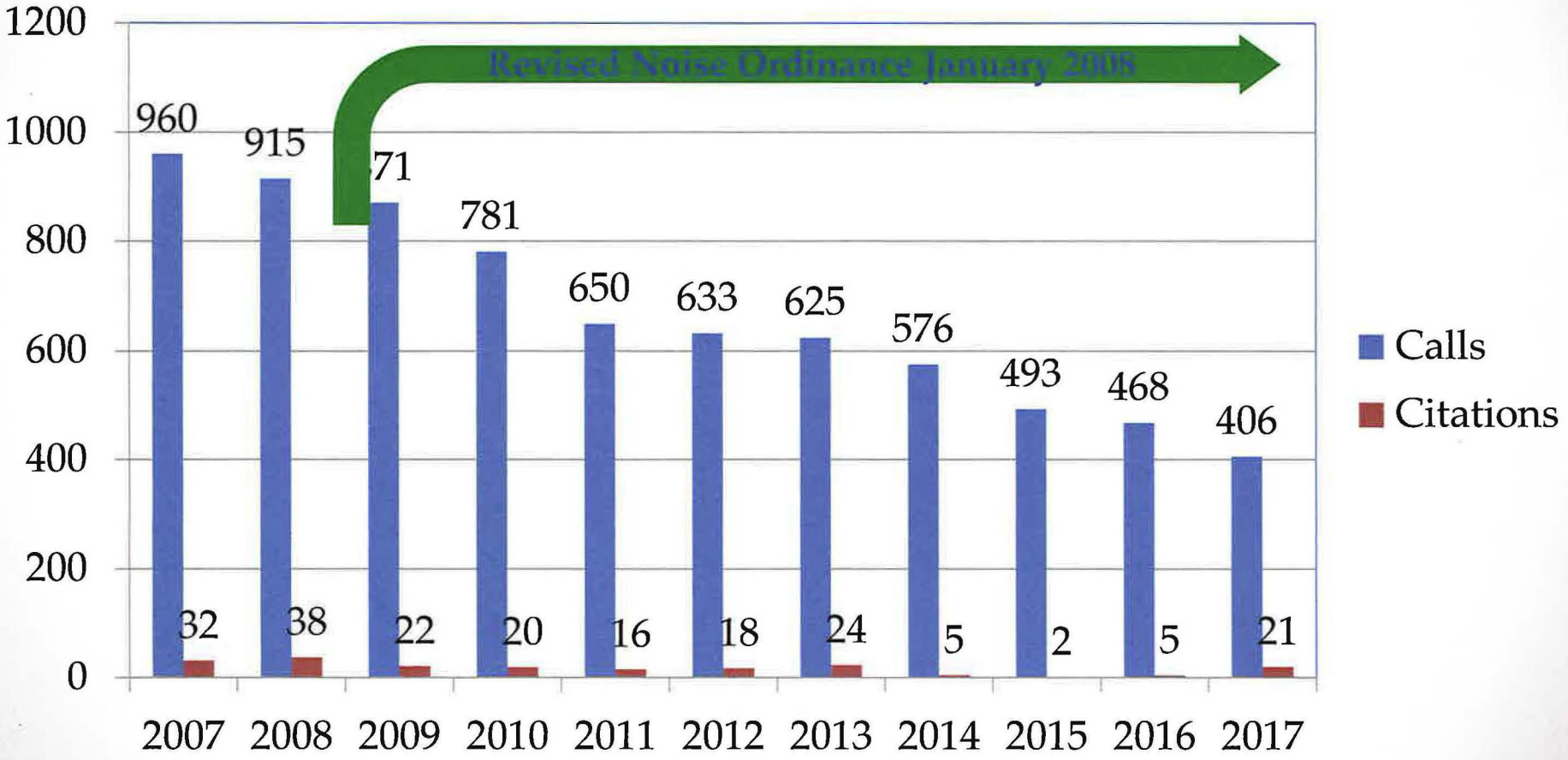
Map Legend

- Road Deterioration
- Non-Compliant ADA Crossing
- Deteriorated Curbing
- Deteriorated Sidewalk
- Study Area
- Legacy Crossing Boundary

N

0 300 600 Feet

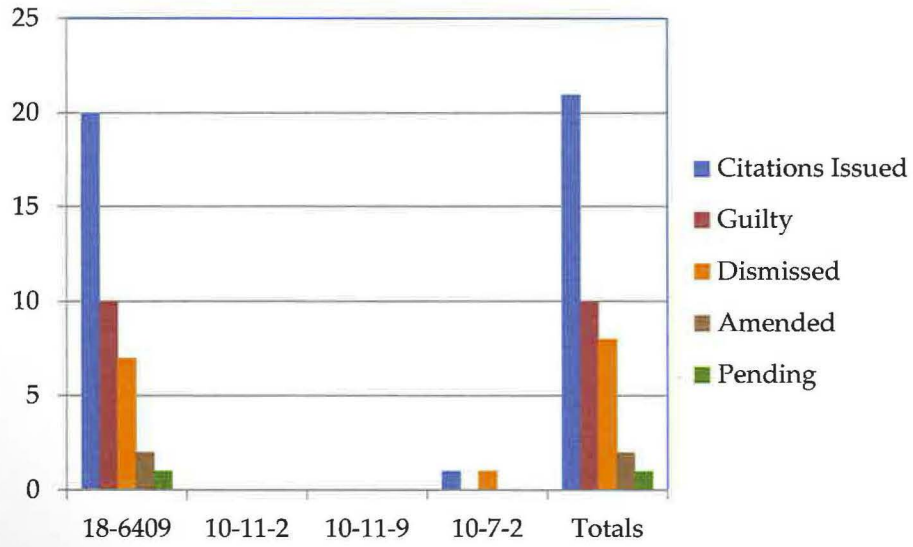
Noise Ordinance Synopsis



Noise Complaints 2017

406 Noise Complaints
21 Citations Issued
Fines $255

Code	Citations Issued	Guilty	Dismissed	Amended	Pending
18-6409	20	10	7	2	1
10-11-2	0	0			
10-11-9					
10-7-2	1	0	1		
Totals	21	10	8	2	1



Citation Key	
18-6409	Disturbing the Peace
10-11-2	Disturbing the Peace
10-11-9	Noise Ordinance
10-7-2	Public Nuisance

MOSCOW CITY CODE-----TITLE 10—POLICE REGULATIONS

Sec. 7-2. Specific Public Nuisances.

The following specific acts, omissions, places, conditions and things are hereby declared to be public nuisances:

B. All loud or unusual noises and annoying vibrations which offend the peace and quiet of persons of ordinary sensibilities.

Sec. 11-2. Public Nuisance Noises Prohibited.

It shall be unlawful for any person within the City to knowingly make, continue, or cause to be made, or to knowingly allow to be made or to continue, any noise, as defined in this Chapter. The following acts, among others, are declared to be unlawful nuisance noises in violation of this Code Section, but said enumeration shall not be deemed to be exclusive; these acts may constitute a violation even when the noises created are within the decibel limits contained elsewhere herein:

A. Loud Speakers, Radios, Phonographs and Amplifiers. The use, operation, or permitting the playing, use or operation of any radio receiving set, musical instrument, phonograph, loud speaker, sound amplifier or other machine or device for the production or reproduction of sound in such manner as to disturb the peace, quiet or comfort of another person. Such sound made at a louder volume than is necessary for convenient hearing for the person or persons who are in the room, chamber, vehicle or space where such device is being operated shall be prima facie evidence of violation of this Code Section. This provision shall regulate amplified sound, whether it be from stationary equipment or equipment mounted within or upon a vehicle. Exceptions to this provision may be licensed by the City pursuant to this Chapter.

B. Horns, Signaling Devices, Etc.

1. The sounding of any horn or signaling device on any automobile, motorcycle, or other vehicle on any street, public place, or private property within the City except as a danger warning;

2. The creation, by means of such signaling device, of any unreasonably loud or harsh sound;

3. The sounding of such device for an unnecessary or unreasonable period of time;

4. The use of such signaling device when traffic is held up for any reason.

C. Yelling, Shouting, Etc. Yelling, shouting, hooting, whistling, or singing on the public streets, particularly between the hours of ten (10:00) o'clock P.M. and seven (7:00) o'clock A.M. or at any time or place so as to annoy or disturb the quiet, comfort, or repose of any person in the vicinity.

D. Whistles. The blowing of any locomotive whistle or whistle attached to any stationary boiler or other stationary whistle except to give warning of fire or danger, or upon request of proper City authorities.

E. Exhaust. The discharge into the open air of the exhaust of any engine except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

F. Vehicles or Loads.

1. The use of any automobile, motorcycle or vehicle so out of repair or so loaded in such manner as to create loud and unnecessary grating, grinding, rattling, or other noise;

2. The creation of any loud or excessive noise in connection with the loading, unloading or unpacking of any vehicle.

G. Noises Near Schools, Courts, Churches, or Hospitals. The creation of any excessive noise on any street adjacent to any school, institution of learning, church, court or hospital while the same is in use which unreasonably interferes with the operation or workings of such institution, or which disturbs or unduly annoys patients of a hospital; provided that conspicuous signs are displayed in such streets indicating the school, hospital, church, or court is nearby.
(Ord. 2008-01, 01/22/2008

11-9 VIOATIONS

A. Making any sound which violates this Chapter shall be an unlawful act; a violation of any provision of this Chapter shall be a misdemeanor. It shall be the duty of any person(s) in a position of ownership, possession or control of premises to prevent such premises from being the site of activities producing noise in violation of the provisions of this Chapter, or sound levels in excess of what is permitted under this Chapter. Failure or refusal to perform such duty after knowledge of the violation(s) shall constitute a violation of this Chapter.

B. It shall be the duty of persons in positions of leadership or responsibility with respect to unincorporated associations, groups, gatherings and assemblages of people to prevent such from causing or making noise in violation of the provisions of this Chapter, or sound levels in excess of what is permitted under this Chapter. Failure or refusal to perform such duty shall constitute a violation of this Code Section.

C. Peace officer citation. Any City peace officer is authorized to issue a citation upon his or her own observation of a violation without the necessity of a citizen complaint. By signing the citation, the officer is certifying that he or she has reasonable grounds to believe that the person cited committed the offense.

D. Nothing contained in this Chapter shall be interpreted to constrain the right of the City or of any person to proceed with a civil action to abate or penalize any noise related nuisance.
(Ord. 2008-01, 01/22/2008)

18-6409. DISTURBING THE PEACE.

(1) Every person who maliciously and willfully disturbs the peace or quiet of any neighborhood, family or person, by loud or unusual noise, or by tumultuous or offensive conduct, or by threatening, traducing, quarreling, challenging to fight or fighting, or fires any gun or pistol, or uses any vulgar, profane or indecent language within the presence or hearing of children, in a loud and boisterous manner, is guilty of a misdemeanor.

(2) Every person who maliciously and willfully disturbs the dignity or reverential nature of any funeral, memorial service, funeral procession, burial ceremony or viewing of a deceased person is guilty of a misdemeanor