



Moscow City Council

Regular Meeting ~Minutes~

Laurie M. Hopkins
City Clerk

www.ci.moscow.id.us

208.883.7015

Monday
July 16, 2018

7:00 PM

Council Chambers
206 E. Third St.

The meeting was called to order at 7:00 PM

PRESENT: Kathryn Bonzo Council President, Gina Taruscio Council Vice President, Art Bettge Councilmember, Jim Boland Councilmember, Brandy Sullivan Councilmember, Anne Zabala Councilmember, Bill Lambert Mayor

STAFF: Gary J. Riedner, Mia Vowels, Les MacDonald, Bill Belknap, James Fry, Mike Ray, Dwight Curtis, David Schott, Tyler Palmer, Nichole Baker, Laurie M. Hopkins

Pledge of Allegiance

Councilmember Taruscio led the Pledge of Allegiance

1. Consent Agenda

A. Approval of Moscow City Council June 18, 2018 Minutes – Laurie M. Hopkins

B. Disbursement Report for June 2018 – Gary J. Riedner

Presentation of the Accounts Payable Report for the month ending June 2018. This was reviewed, signed and recommended for approval by the Public Works/Finance Committee on July 9, 2018.

ACTION: Approve the Disbursements Report for the month of June 2018.

C. Third Quarter Financial Report (April 1, 2018 to June 30, 2018) for FY2018 – Gary J. Riedner

Presentation of the financial report for the third quarter of FY2018 (April 1, 2018 to June 30, 2018). This was reviewed and recommended for approval by the Public Works/Finance Committee on July 11, 2018.

ACTION: Approve the report.

D. Great West Engineering Master Agreement for Professional Services – Les MacDonald

Public Works wishes to add the firm of Great West Engineering, Inc. of Helena, Montana to our consultant roster so that any future design work for which the firm is selected may be contracted through a Task Order Agreement. The attached Master Agreement has been created for this purpose. This item was reviewed and recommended for approval by the Public Works/Finance Committee on July 9, 2018.

ACTION: Approve the Master Services Agreement for professional services by Great West Engineering, Inc.

E. Keller Associates Master Agreement for Professional Services – Les MacDonald

The Public Works Department wishes to retain the firm of Keller Associates, Inc. of Meridian, Idaho from our consultant roster so that future design services for which the firm is selected may be contracted through a Task Order Agreement. Keller's original Master Agreement was executed on June 27, 2016 and has recently expired. The attached second Master Agreement will allow the

City to continue to retain Keller for ongoing and upcoming design services. This item was reviewed and recommended for approval by the Public Works/Finance Committee on July 9, 2018.

ACTION: Approve the Master Services Agreement for professional services by Keller Associates, Inc.

F. Moscow School District Community Playfields Pathway Project – David Schott

The City issued a solicitation for bids to four (4) concrete contractors on June 7, 2018 for the Moscow School District Community Playfields Pathway Project. The base bid for the project includes the installation of an eight (8) foot concrete pathway from the northwest corner of the existing parking lot to Field 4 to the north and an add alternate #1 to relocate an irrigation system lateral. The origin of the project was a request from the public to provide American with Disabilities Act (ADA) compliant access to Field 4. The FY2018 budget for the project is \$32,000 for an ADA compliant pathway to Field 4 and will be expensed from 121-185-30-658-20, R & M Grounds - Moscow School District Community Playfields. One (1) bid proposal was received with a base bid of \$22,896.50 and alternate #1 of \$430. The Public Works / Finance Committee reviewed and recommended approval on July 9, 2018.

ACTION: Accept the low bid from McCall's Classic Construction, Inc., award the contract in the amount of \$23,326.50 for Base Bid and Add Alternative No. 1, and authorize staff approval for construction change orders in an amount not to exceed 10% of the contract amount.

G. Itani Park Professional Engineering Services Agreement – David Schott

The Parks and Recreation Department is requesting authorization to retain Hodge and Associates for design services to incorporate an accessible route through Itani Park and an estimate of construction costs for the Itani Park Pathway Project at a cost of \$4,250. The funding source is the Hamilton Fund, and was approved through the FY2018 budget. The budgetary line item for expenses will be Capital Projects 350-165-30-770-76. Per City Council Resolution 2017-07, individual projects are required to be authorized through the annual budget process. The purchase of playground equipment and rubber safety tiles was approved by City Council on June 18, 2018. The next step in the project is to construct a pad for the playground equipment and an accessible path to the playground equipment. Due to the topography and the drainage of the park, professional engineering services are required for the pathway design to meet the Americans with Disabilities Act (ADA) and ensure proper drainage. The Public Works / Finance Committee reviewed and recommended approval for the Itani Park Pathway Project on July 9, 2018.

ACTION: Approve agreement with Hodge and Associates for design services to incorporate an accessible route through Itani Park and an estimate of construction costs for the Itani Park Pathway Project at a cost of \$4,250 with funding source from the Hamilton Fund.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kathryn Bonzo, Council President
SECONDER:	Gina Taruscio, Council Vice President
AYES:	Bonzo, Taruscio, Bettge, Boland, Sullivan, Zabala

2. Staff Recognition Report - Gary J. Riedner

Riedner explained the qualifications for the PRIMA training and award and presented it to Mia Vowels.

At the Association of Idaho Cities (AIC) conference, the City of Moscow received two awards. The Local Highway Technical Assistance Council Innovation Idea Award was presented to Tyler Palmer on behalf of the Streets Department for the Inland NW Streets Maintenance Coop. Palmer explained the motivation for

this program was that street maintenance is challenging for a small town as mobilization is difficult. The department looked at how to cooperate with other local entities. He commended Tammy Gray as she keeps this program.

Also awarded was the City Achievement award for the public works fair which is a public outreach program. Nichole said the public works fair wouldn't be possible without the staff. MacDonald recognized Nichole as the heart and soul of this event.

3. Mayors Appointments

None offered.

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

None offered.

5. Citizen Commission Report - Human Rights Commission - James Fry / Ken Faunce

Fry said this year HRC has been very active doing social justice/education forums, movies and events. The Commission supported the Indigenous Peoples Day and pesticide free-zone in the parks. New this next year will be opiates and human rights, ally training workshops and a fundraising dance for the Kenworthy. The Commission continues to look at new human rights activities to make the community better for all.

6. Public Hearing: Proposed Rezone at 109 N Almon Street - Michael Ray

The applicant, Garrett Thompson, is requesting to rezone a 13,033 square foot parcel located at 109 N Almon Street. The parcel is currently within the Multiple Family Residential (R-4) Zone which the applicant is proposing to change to the Neighborhood Business (NB) Zone.

The Planning & Zoning Commission conducted a public hearing on June 27, 2018 and recommended approval of the rezone request.

PROPOSED ACTIONS: After conducting the public hearing and consideration of testimony received, approve the proposed Zoning Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria; or consider the Zoning Ordinance on first reading; or reject the Zoning Ordinance and direct staff to prepare a Reasoned Statement of Relevant Criteria; or take such other action deemed appropriate.

Ray introduced the rezone application from, R-4 to Neighborhood Business (NB), showing the neighborhood with an aerial of the property. He described the purpose of the Urban Mixed Comprehensive Plan designation. The NB zoning is the lowest intensity of commercial zones and the purpose is to serve the adjacent neighborhood. Water and sewer capacity is sufficient but both streets have deficient sidewalks. Ray listed the relevant criteria for a rezone. A neighborhood meeting was held as well as a public hearing at Planning and Zoning Commission (PZC). The PZC recommended approval with no conditions. The Comprehensive Plan points you where NB is appropriate. The principle uses are predetermined to be compatible with the neighborhood. The Comprehensive Plan says parking should be reduced but with the bike and pedestrian activity in the area but this property will still require 100% parking as required by the zoning code. The intent statements are guidelines on what can occur on the property so long as they are allowable uses. It is not intended to create a community centric business and does not control who will be visiting the business.

The public hearing was opened at 7:34 p.m.

Garrett Thompson, Thompson Development, 101 Pinecrest Rd Moscow, thanked the Council, Mayor and staff. This request is consistent with the Comprehensive Plan and seems like a natural fit. The property is

currently owned by Blum and he is support of the rezone. Thompson Development is in the process of purchasing. Noel Blum attended the neighborhood meeting and the PZC meeting but was not able to attend tonight.

Victoria Seever, 121 Lilly St Moscow, believes rezoning this property is a poster child for this urban mixed and reuse. It has plenty of residential to serve. She watched three segments on PBS on cities and streets that changed America. Trend now is towards urban mix. NB parking is contained and not 24 hours a day. As a business she feels it has the opportunity to become special.

The public hearing was closed at 7:40 p.m.

Belknap confirmed a parking lot is a principle use in the NB zone and Sullivan was concerned about that as a possibility. Other council members commented the NB zone is a good fit for the area, will serve the neighborhood well, and appreciate hearing from a neighbor of the property. Sullivan also believes it makes sense for the transition of the property but has a hesitation that it could be converted to a parking lot. Council does have the authority to limit uses be entering into a development agreement but would have to articulate why the limitation is on a principle use on this property that no other NB property has. More comments from the Council were: don't think too much consideration should be placed on something that most likely won't happen; the structure was left there for a plan; sets a bad precedent for other NB properties; image that Moscow is returning to a non-friendly town to try to reuse land that is otherwise blighted. Sullivan said the citizen comments of safety and transitions that would not be resolved if it became a parking lot. A couple of the residents at the PZC said parking was an issue in the area.

The proposed Zoning Ordinance was approved by roll call vote under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary including adoption of the Planning and Zoning Commission Reasoned Statement of Relevant Criteria.

RESULT:	ADOPTED ON FIRST READING W/SUS [UNANIMOUS]
MOVER:	Gina Taruscio, Council Vice President
SECONDER:	Art Bettge, Councilmember
AYES:	Bonzo, Taruscio, Bettge, Boland, Sullivan, Zabala

Mayor Lambert read Ordinance 2018-08.

AN ORDINANCE OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ZONING OF AN APPROXIMATELY TWENTY-ONE THOUSAND, ONE HUNDRED NINETY-THREE (21,193) SQUARE FEET OF PROPERTY, DESCRIBED IN SECTION 1 OF THIS ORDINANCE, AS NEIGHBORHOOD BUSINESS (NB); PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE BE DEEMED SEVERABLE; PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

7. Bid Award 5339 Grant Shelters - 2018 - Nate Suhr

The City published an advertisement for bids on June 16, 2018 for the 5339 Grant Shelters - 2018 Project. The base bid for the project provides for the assembly and installation of six (6) owner furnished, pre-manufactured shelters: Three (3) 5' x 10' bus shelters, two (2) 5' x 14' bus shelters, and one (1) 12' x 18' bicycle shelter at City Hall. It will also includes the installation of trash receptacles, two-tiered bicycle racks, a bicycle repair station, and one (1) owner furnished, pre-manufactured bench.

This project also includes reinforced concrete support slabs, retaining walls, adjoining sidewalks, and some necessary electrical work. The Engineer's estimate for the project was \$98,502.32

Bid opening for the project took place on July 3rd, 2018, at which three responsive bids were received. Of the responsive bids received, numbers ranged from \$98,624.82 to \$142,893.82. McCall's Classic Construction was the low bidder on the project with a bid of \$98,624.82. See attached bid tabulation.

On December 18, 2017, the City Council approved the Grant Project Funding Agreement for the ITD 5339 Bike and Bus Shelter grant in the amount of \$141,000, including \$114,800 of federal funds and \$26,200 in local match. These funds will be appropriated in the August 2018 open budget process, along with the appropriation for expending the funds. This item was presented to the Public Works/Finance Committee on July 9, 2018 and recommended for approval.

PROPOSED ACTIONS: Accept the low bid from McCall's Classic Construction, award the contract in the amount of \$98,624.82, and authorize staff approval for construction change orders in an amount not to exceed 10% of the contract amount.

MacDonald introduced the item going over the locations of the bus shelters. The shelter at City Hall will include a 2-tier bike rack and a repair station. MacDonald went over the bids as stated above. The difference in the grant and bid amount will cover the equipment that has already been pre-ordered. The low bid from McCall's Classic Construction, the award of the contract in the amount of \$98,624.82, and authorization of staff approval for construction change orders in an amount not to exceed 10% of the contract amount was approved by roll call vote.

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

8. Third and Adams Streets Raised Crosswalk - Les MacDonald

The Third Street Corridor Multimodal Improvements Program includes multiple pedestrian, bicycle, and vehicular infrastructure enhancements on Third Street between Washington Street and Mountain View Road. Much of the work is included in a pending project which will address curb bulbs, raised pedestrian crosswalks, center medians, sidewalks, and other features between Adams Street and Mountain View Road. That project is anticipated be advertised for bids fairly soon. Due to the lateness of the season it was deemed by staff to be appropriate to advance the work for the installation of the raised pedestrian crossing on the east side of the Adams Street intersection so as to be able to complete the installation prior to the start of the school year. This work is of a small enough scale that it does not require formal bidding, so bids for the construction services were solicited from local firms. McCall's Classic Construction has been selected to perform the work. This item was presented to the Public Works/Finance Committee on July 9, 2018 in report form.

PROPOSED ACTIONS: Accept the bid from McCall's Classic Construction, award the contract in the amount of \$49,995.75, and authorize staff approval for construction change orders in an amount not to exceed 10% of the contract amount, or take other action deemed appropriate.

MacDonald introduced the item as written above and provided a presentation of the Plan C concept, Alta recommendation and the engineering for the final project. The bid from McCall's Classic Construction, award of the contract in the amount of \$49,995.75, and authorization for staff approval for construction change orders in an amount not to exceed 10% of the contract amount was approved by roll call vote.

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

9. Third Street Bridge Bid Opening – Les MacDonald

The City published an advertisement for bids on June 16, 2018 for construction of the Third Street Bridge Project on each of two alternative construction schedules. The base bid for the project includes installing a new 44-foot bridge over Paradise Creek along Third Street with approximately 200 feet of roadway and sidewalk improvements and illumination.

Under the base bid, the Notice to Proceed would be issued to the contractor on the earliest possible date following the execution of the construction contract. Substantial completion of all work is required within 150 calendar days with an allowance for the contractor to suspend work during the winter months. The contractor could begin construction this fall, and either complete the project immediately or implement a winter shut-down with the contract time temporarily suspended.

Under the Alternative Bid, the Notice to Proceed date would be delayed until the 2019 construction season, but would be issued no later than May 1, 2019, again allowing 150 calendar days to complete the work.

Keller Associates, the design engineer on the project, provided an Engineer's estimate for the project on June 14, 2018, of \$598,906.00.

The two responsive bids received were opened on Tuesday, July 10th. The apparent low bid was submitted by Clearwater Construction and Management Company of Spokane, Washington in the amount of \$920,957.10 for both the base and alternate. The bids received from NNAC Construction of Coeur d' Alene, Idaho were \$976,895.39 for the base and \$976,166.97 for the alternate.

A complete bid tabulation is attached.

PROPOSED ACTIONS: Reject all bids and provide staff further direction, or take such other action deemed appropriate.

MacDonald introduced the item as written above. Staff recommendation is to reject bids. Presuming they are rejected, staff can look into the project, ask contractors why the bids were so high, and make determinations on how to modify the project in its configuration and design or how advertised. With summer months not being a very good time to advertise, after review of the components, staff could advertise later this year or early 2019 with construction in 2019.

Mayor Lambert stated that he was dismayed with the difference between the engineering estimate and bids. MacDonald explained the City Engineering Department had expressed concerns with Keller's estimate and Keller did revise it a bit. Perhaps they did not recognize the climate of bidding. Bonzo pointed out the mobilizations in the bids as well as the engineers estimate are not even close in amounts. MacDonald said perhaps a winter shut down and having to mobilize more than once may be a determining factor.

Boland moved and Bonzo seconded to reject the bids. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

Boland said he is still in support of the multi-modal bridge but the likelihood of a lower bid in the next year is pretty low. He moved to direct staff to find and install a portable/temporary pedestrian/bicycle bridge to

connect improvements to Mountain View Rd with the following parameters: purchase of the structure be complete by end of fiscal year 2018; the cost of the structure to be under \$50,000 to avoid the bidding process; and the bridge be open to the public by end of calendar year. Sullivan seconded the motion.

Boland explained when the City is able to obtain funding for the multi-modal bridge, the temporary bridge could be picked up and moved to Hello Walk. Boland stated that he had spoken with two bridge companies and received quotes. He gave details about the bridges and companies. The temporary bridge cost would come out of monies that has been budgeted.

Riedner pointed out there could be other work that may be required that would add to the cost. He is also concerned if the desire is to have an economical bridge, if the cost comes in above \$50,000 we will have to step back and rid the project. A project cannot be broken up into components in order to avoid the public bidding process. Perhaps staff can research the components and bring back to committee next week. Belknap provided costs of the College Street bridge which was installed in 2012 at a cost of \$41,000 including fabrication and another \$24,000 for other costs. The temporary bridge specifics were discussed.

Bettge felt that investing in the Third Street corridor improvements and other facilities, he would hate to put a temporary bridge in and have it end. He feels the designation of "temporary" needs to be recognized. He is in favor of staff figuring out if a temporary bridge is feasible.

Sullivan felt another benefit with the corridor improvements is receiving impacts of ridership.

Riedner recapped that \$580,000 was budgeted in FY2018, \$100,000 has been used for design and engineering costs, and previous private donations have been returned to the donors. The balance remaining is \$487,809.50 and if the intent is to use those funds for the temporary bridge, that amount will be further reduced. There is capacity to redirect the accumulated funds but the question is where do we go? Riedner explained budget options but needs direction whether the Council intends to bid the multi-modal bridge again. Discussion ensued.

Boland feels it is extremely unlikely to get the bids low enough in the next year. Bonzo would like it to go out for bid again. A temporary bridge is good to get people interested in using the corridor but is concerned the funds for the installation of a multi-modal bridge won't be there to bid immediately. Riedner said as long as the balance stays the same as it has a project identified, until Council directs staff to put the funds somewhere else. Boland explained the effect is less than \$100,000. He sees this temporary bridge won't preclude us from finishing a project within a year if we receive a favorable bid. The temporary bicycle/pedestrian bridge is so that something happens immediately to tie the improvements together.

Taruscio doesn't see a temporary bridge being only \$50,000, especially with installation costs. She is concerned a temporary bridge becomes in lieu of a multimodal. Boland said his intent is to find the least cost for a bridge.

Riedner said motion is to direct staff, and staff can review and see if the Council's direction is possible and report back to committee. Engineering may be required and staff should be able to determine what is necessary. MacDonald said there would be components required for a temporary bridge as well. Geotechnical work is complete but would need to be reassessed particular to this structure. The City would have to go back to the permitting process with the Corp of Engineers. The design of the bridge itself is typically done by the manufacturer but for the substructure, that would have to be designed. The timing could be a challenge with it being winter in a creek bed. Riedner added that even though it is temporary, it still needs to meet standards. Staff can go through all the details and see if it is feasible but doesn't think the construction schedule is achievable, perhaps spring. Staff can bring a report back at the next Public Works/Finance Committee meeting.

Zabala feels the caveats may be difficult as they are very specific. Boland said Council can amend the motion at a later meeting if something is not feasible. Riedner feels staff knows what the Council is wanting and can get the research done and report back with the challenges. Bettge asked if there is still an understanding of pursuing other funding or bids for the permanent bridge at the same time. Boland felt it needed to be a separate motion.

Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

Bettge moved and Taruscio seconded that simultaneously with the temporary bridge, the City continue to pursue grant funding or rebidding of a permanent multi-modal bridge. Riedner said Council can open the budget and find monies to meet the financial need. Bettge would like to rebid in the spring of 2019.

Roll Call Vote: Ayes: Five. Nays: One (Sullivan). Abstentions: None. Motion carried.

The meeting was recessed 8:48 p.m. and reconvened at 8:58 p.m.

10. Paradise Creek Floodplain Study Application Fee Approval - Bill Belknap

The City and Moscow Urban Renewal Agency have worked collaboratively on a flood study of a portion of Paradise Creek located between the South Main and Highway 8 crossings to update the regulatory floodplain to reflect the removal of several bridge structures which occurred 20 years ago. Staff is seeking authorization to fund the Letter of Map Revision (LOMR) application fee to allow the LOMR application to proceed.

After discussion with the City Supervisor, he is recommending that the additional \$8,000 could be funded from, the Non-Prioritized Projects line item, which has \$15,000 remaining, after prior Council-authorized commitments. This was reviewed by the Administrative Committee on July 9, 2018. The Committee authorized the expenditure of funds with a recommendation for ratification by the City Council at the July 16, 2018 City Council meeting.

PROPOSED ACTIONS: Ratify the authorization of \$8,000 from the Legislative Non-Prioritized Projects line item to fund the LOMR application fee, or take other such action deemed appropriate.

Belknap introduced the item giving background of the flood plain in the area. Twenty nine parcels are impacted by the current floodplain boundary and a lowering and/or reduction of the regulatory floodplain would significantly assist in the potential redevelopment of the impacted properties. Based on prior conversations with FEMA the bridges were removed in 1998 and the most current map was published in 2002. Staff believed there would not be a fee as it was an error on FEMA's mapping. After submittal, staff received information that the hydraulic analysis supporting the 2002 map was completed in 1997, prior to the bridges being removed. The state transportation department that completed the bridge removal did not submit a map revision to FEMA. Because of this, the application is a modification of the channel itself which requires a \$8,000 fee. The Administrative Committee authorized the expenditure of funds with a recommendation for ratification by the City Council. The full application fee is more the City's responsibility so the MURA is not partnering in this cost. The ratification of the authorization of \$8,000 from the Legislative Non-Prioritized Projects line item to fund the letter of map revision application fee was approved by roll call vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Art Bettge, Councilmember
SECONDER:	Anne Zabala, Councilmember
AYES:	Bonzo, Taruscio, Bettge, Boland, Sullivan, Zabala

11. Small Office Commercial Sanitary Sewer Rate Pilot Program – Gary J. Riedner

The commercial sanitary sewer rate structure consists of classifications of rates based upon the type of commercial business, and the effect of the sanitary sewer discharge from that business upon the sanitary sewer system. For instance, the rate structure for a restaurant is based partially upon the discharge of cooking fats, oils and grease (FOG), which requires significant increased levels of treatment, both in the sanitary sewer transmission infrastructure and wastewater treatment. This results in a base sanitary sewer rate that is charged to each business in that class, and actual use of the system is measured in increments of water usage by the business. For example, a business pays the base sanitary sewer rate monthly, and is charged a volume-based use fee for each additional 100 cubic feet of water use.

This system works well in most cases, as the business use of the sanitary sewer system is typically tied directly to the water used by the business. The one situation which causes inequities is the case where a business does not fluctuate significantly in its year-round use of water, except in its use of irrigation. While the use of water for irrigation is appropriately billed through water rates, the inequity exists because the use of irrigation water does not enter the sanitary sewer system. Under the current rate structure, there is no mechanism for decoupling the use of water to the use of sanitary sewer.

Staff has identified several, mainly office-type businesses, which fall into this category. Typical water use for these businesses range from less than 100 cubic feet per month to approximately 600 cubic feet per month. Staff is proposing creation of a new class of sanitary sewer rate in which all businesses in this class would be billed the base commercial sewer fee, plus use rate equal to 200 cubic feet of water use. This class will be piloted during the current irrigation season, while staff gathers data for analysis for use in proposing continuation of the pilot class rate, or an alternative class rate based upon the experience of the pilot program.

This item was reviewed by Administrative Committee on June 25, 2018, where in the Committee approved the recommendation from staff to implement the pilot program for the new rate classification and because of the current billing cycle and the fact that the July 2, 2018 City Council meeting was cancelled, to bring the action forward for Council ratification at the July 16, 2018 City Council meeting.

PROPOSED ACTIONS: Ratify implementation of the pilot program for the new rate classification for Small Office Commercial Sanitary Sewer Rate as outlined, or take such other action deemed appropriate.

Riedner said the Administrative Committee heard the idea of a new commercial sewer rate. He explained the inequity and proposal as written above. If a new business inquires about this class, Utility Billing and Water will investigate and make a recommendation.

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

Reports

City Council

Boland summarized his bicycle trek from Pacific to Atlantic.

1912 Facilities Committee - Boland reported the roof project is moving along with only sky lights to complete. A total of \$53,000 in change orders has been paid by Heart of the Arts Inc. The skylights must be custom made and should be done the second week of September.

Sustainable Environment Commission - Sullivan said the Commission received a presentation on pesticides at Otness Park and the possibility of a subcommittee; updated on the wisescape expansion outside City Hall.

Moscow Pathways Commission - Sullivan reported the Commission heard a presentation on Spin Bikes; finalizing bike tour on September 11.

Moscow Arts Commission - Bonzo reminded the Council the Art Affair is Wednesday. The Commission is working on the strategic planning policy and staff roles; Mayor's Arts Awards are scheduled for October 25; new banners within the health district.

Farmers Market Commission - Bonzo said they discussed oral history of the farmers market; discussed a rapid market assessment and survey coming up; farm visits also in the near future.

Palouse Knowledge Corridor - Bettge said they discussed modifying activities to include high school innovative students in the entrepreneurial realm. Also discussed adding a touch up portion for those that have already been through it.

Moscow Urban Renewal Agency - Bettge said they discussed potential sales of lots; work at Sixth and Jackson to improve ADA access.

Parks & Recreation Commission - Bettge said they discussed revitalization of blackbird station funding; Eagle Scout plans for interpretation signs for birds at Anderson Frontier Park; decrease use of pesticides where possible; a possible art project for the four foot stump at East City Park.

Planning & Zoning Commission - Zabala said they have had public hearings with another on July 11; proposed Legacy Crossing District plan amendment; discussed PUD base densities, expiration of land use applications and possible changes to notice requirements.

SMART Transit - Zabala said Committees are going to start meeting again.

The Council Members reported on other events and meetings as well.

Mayor

Mayor said he attended the Association of Idaho Cities conference where there were many good sessions. A 8-team Cal Ripken U-12 tournament took place in Moscow two weeks ago and the 16-team regional tournament is taking place this next weekend. Both have a great economic impact to Moscow. The regional breakfast was a success.

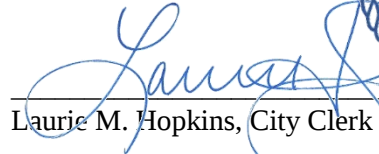
Staff

Riedner said the FY2019 workshop occurred, there will be no changes and will go to public hearing.

Adjourn to Executive Session per Idaho Code 74-206 (1)(B), (1)(C) and (1)(F) - The meeting will not reconvene.

Bettge moved and Bonzo seconded to adjourn to Executive Session at 9:32 PM.

ATTEST:


Laurie M. Hopkins, City Clerk




Bill Lambert, Mayor

**CITY OF MOSCOW
MINUTES OF CITY COUNCIL EXECUTIVE SESSION
July 16, 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 executive session was called to order at 9:35 p.m. and concluded at 9:58 p.m.

**BEFORE THE CITY COUNCIL
OF THE CITY OF MOSCOW, COUNTY OF LATAH,
STATE OF IDAHO**

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS REGARDING A PROPOSED REZONE OF A THIRTEEN THOUSAND AND THIRTY-THREE SQUARE FOOT (13,033 SF) PARCEL OF LAND LOCATED AT 109 N ALMON STREET IN THE CITY OF MOSCOW.

WHEREAS, the applicant filed an application for Rezone on May 24, 2018; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on June 27, 2018; and

WHEREAS, this matter came before the Moscow City Council during a duly noticed public hearing on July 16, 2018; and

WHEREAS, having reviewed the application, including all exhibits entered, and having considered the issues presented:

THE CITY COUNCIL OF THE CITY OF MOSCOW, IDAHO, AFTER DUE DELIBERATION AND CONSIDERATION, HEREBY CONCLUDES:

I. RELEVANT FACTS AND CONCLUSIONS

1. The City Council considered the request pursuant to the City of Moscow 2009 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The applicant filed an application for rezoning on May 24, 2018 and requested that the subject property be rezoned from Multiple Family Residential (R-4) to the Neighborhood Business (NB) Zone.
3. The subject property consists of a 13,033 square foot parcel of land located on the southwest corner of 'A' Street and Almon Street.
4. The subject property was originally part of the Dumas Seed property and includes an existing building which is constructed of brick and was previously used as the original powerhouse building. The subject property was approved to be divided from the main Dumas Seed property by City Council on June 18, 2018.
5. The property is surrounded by a mixture of uses which include Gropp Heating, Air, and Electric to the east, self-storage unit development to the southeast, and St. John Hardware and Implement to the northeast. The surrounding properties to the north, west, and south

contain a mixture of single family residential, multi-family residential, and two-family residential properties.

6. The entirety of the subject property is currently designated as Urban Mixed (UM).
7. Properties to the west, south, east, and northeast are also designated as UM, while properties to the north and northwest are designated as Neighborhood Conservation (NC).
8. Urban Mixed designated areas are,
 - “intended to provide for the infill development and adaptive re-use of areas that surround downtown. Within these areas, a rich mix of residential and limited commercial uses should be promoted through the development of small urban apartments, townhomes, and two to three story vertically mixed-use buildings. The urban mixed area should provide a pedestrian connection between the University of Idaho and downtown, and provide space for a variety of housing alternatives, niche retail, restaurants, artist studios, and personal and professional services. Off-street parking should be required, but the requirements should be reduced in this area due to the likely number of non-motorized travel the uses will attract.”
9. The subject property is currently zoned Multiple Family Residential (R-4) on the official Zoning Map as maintained by the City Engineer.
10. The proposal is to rezone the subject property from its current designation of the Multiple Family Residential (R-4) Zone to the Neighborhood Business (NB) Zone.
11. The Neighborhood Business (NB) Zone is the lowest intensity commercial Zoning District permitted within the City. It is intended to apply to areas of less than two (2) acres, where commercial services may be provided in convenient locations serving adjoining residential neighborhoods rather than the community as a whole. The commercial services permitted are those where traffic generation, access requirements, impacts of lighting, neighborhood need for services, and noise production will be compatible with residential uses.
12. The NB Zoning District is appropriately applied in the following circumstances:
 1. Where local commercial facilities will serve the everyday needs of a limited neighborhood area;
 2. Where activity levels associated with small scale office development can be accommodated or tolerated by surrounding land uses and existing public services;
 3. Where a neighborhood core is identified which is easily accessible by pedestrian or vehicular circulation; and
 4. Where such commercial development will result in minimal interference with residential uses in the vicinity of the NB Zoning District.
13. Uses permitted within the NB Zone include residential uses, retail sales, personal services, restaurants, professional offices, daycare facilities, churches, and community/neighborhood centers.
14. There are existing water and sewer mains within ‘A’ Street which are of sufficient capacity to accommodate any future use that the NB Zone would allow on the subject property.
15. The subject property is located adjacent to ‘A’ Street to the north, which is currently designated within the Thoroughfare Plan as a collector street. ‘A’ Street is developed as a 36

feet wide paved roadway on the segment adjacent to the subject property with no curb, gutter, and intermittent sidewalk on the south side of the street. On the north side is a sidewalk with intermittent curbing and tree lawn.

16. Almon Street is directly east of the subject property and is designated as a local neighborhood street. Portions of Almon Street are deteriorated and the paved roadway is 30 feet in width in this section. There are limited areas of sidewalk on the west side of the street and the curbing is missing in most locations.
17. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on May 23, 2018 to discuss the proposed rezone.

BASED ON THE ABOVE RELEVANT FACTS AND CONCLUSIONS, THE CITY COUNCIL OF THE CITY OF MOSCOW HEREBY FINDS THE FOLLOWING RELEVANT CRITERIA AND STANDARDS:

II. RELEVANT CRITERIA AND STANDARDS

1. **The proposed rezone is consistent with Comprehensive Plan goals, objectives, and implementation actions.** The proposed zoning district is consistent and in conformance with the uses and densities designated within the 2009 Comprehensive Plan. The Urban Mixed (UM) is intended to provide for the infill development and adaptive re-use of areas that surround downtown. Within these areas, a rich mix of residential and limited commercial uses should be promoted. The Neighborhood Business (NB) Zone allows for the adaptive reuse of the former Dumas Seed property and will allow a mixture of commercial and residential that is consistent with the Comp Plan.
2. **The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.** The proposed NB Zone allows for commercial services in a convenient location that can serve the adjacent residential neighborhoods to the north, west, and south. The proposed zoning and uses are consistent with the surrounding area and will not unduly burden the neighborhood of public infrastructure.
3. **The uses expected to occur as a result of the rezone will be compatible with the surrounding area.** The proposed zoning is consistent with adjacent zoning districts and will create a logical and orderly zoning configuration for the subject area. The commercial services permitted are those where traffic generation, access requirements, impacts of lighting, neighborhood need for services, and noise production will be compatible with residential uses.
4. **The size, type, and density of development expected to occur as a result of the rezone will not place an undue burden upon delivery of services provided by any political subdivision within the planning jurisdiction.** The proposed zoning and uses are suitable for the area and will not unduly burden the neighborhood of public infrastructure. The relatively small size of the property and allowed uses are not expected to create any issues with delivery of services.
5. **The size, type, and density of development expected to occur as a result of the rezone can be adequately served by the existing transportation network, public facilities and services.** The subject property has property frontage on 'A' Street and Almon Street. There are currently sufficient and available public utility services to meet the needs of existing and

future development. Public Works has previously determined that the existing water and sewer systems have adequate capacity to handle the demand of uses allowed within the NB Zone.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City of Moscow City Council approves the rezoning of the 13,033 square foot parcel of land located at 109 N Almon Street from the Multiple Family Residential (R-4) Zone to the Neighborhood Business (NB) Zone.

PASSED BY THE CITY COUNCIL OF THE CITY OF MOSCOW this 16th day of July, 2018.



Bill Lambert, Mayor