



Moscow City Council

Regular Meeting ~Minutes~

Laurie M. Hopkins
City Clerk

www.ci.moscow.id.us

208.883.7015

Monday
August 20, 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, Mike Ray, Tim Davis, Laurie M. Hopkins

Pledge of Allegiance

Council Member Sullivan led the Pledge of Allegiance.

1. Consent Agenda

A. Approval of Moscow City Council August 6, 2018 Minutes – Laurie M. Hopkins

B. Disbursement Report for July 2018 – Sarah Banks

Staff will present the Accounts Payable Report for the month ending July 2018. This was reviewed and recommended for approval by the Public Works/Finance Committee on August 13, 2018.

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

C. 775 Indian Hills Drive Lot Line Adjustment – Michael Ray

Jim Swift is requesting a lot line adjustment between Lots 8 and 9 of Indian Hills Seventh Addition currently addressed as 775 Indian Hills Drive. Lot 8 is currently 13,343 sf in size and Lot 9 is currently 12,112 sf in size. The applicant is proposing to adjust the common lot line between the two parcels to make construction of homes on the properties more feasible due to difficult grades and a previously constructed retaining wall. The proposed lot line adjustment will render Lot 8 - 15,826 sf in size and Lot 9 - 9,631 sf in size. The subject properties are located in the Low Density Single-Family Residential (R-1) Zoning District which has a minimum lot area of 9,600 sf and a minimum lot width of 80 feet. Both parcels will meet the minimum lot area and width requirements for the R-1 Zone. This was reviewed and recommended for approval by the Public Works/Finance Committee on August 13, 2018.

ACTION: Approve the lot line adjustment request with no conditions.

D. ITD 5339 Grant Project Funding Agreements - Time Extension Amendments – Alisa Anderson

In March of 2015, the City submitted a grant application to the Public Transportation Division of the Idaho Transportation Department (ITD) for a Rural One-Time Capital Asset 5339 Bus and Bus Facilities Funding solicitation. In June of 2015, the City received notification the application was fully funded as requested with a funding period from October 1, 2016 to September 30, 2018.

The project components for Bike and Bus Shelters include purchase and installation of a covered bike parking shelter, installation of five bus shelters, and purchase and installation of a bus stop

bench. The Bike Amenities project includes the purchase and installation of bike sharrows and way-finding signage. Each project has a separate updated Grant Project Funding Agreement and Attachment A Project Budget Request attached to this report amending the project ending dates from September 30, 2018 to December 31, 2018, as detailed in the attached "Request for Time Extension." This was reviewed and recommended for approval by the Public Works/Finance Committee on August 13, 2018.

ACTION: Approve the Grant Project Funding Agreements for Bike and Bus Shelters and Bike Amenities and Attachment A for Capital Asset 5339 federal funds extending the project end date to December 31, 2018.

E. SCADA Replacement Project FY2017 - Change Order No. 1 - Les MacDonald

In July of 2017, the City published an advertisement for bids for the Supervisory Control And Data Acquisition (SCADA) Replacement Project - 2017 with an Engineer's estimated cost of \$483,881.00. Only one bid from Strom Electric was received. The bid from Strom was presented to and awarded by City Council for \$357,000.00 with Staff authorization to approve change orders up to 10% of the contract amount. Change Order #1 addresses increased quantities of system components with a cost exceeding the 10% Staff authorization threshold, so the change order is being presented to the City Council for approval in accordance with City policy. This was reviewed and recommended for approval by the Public Works/Finance Committee on August 13, 2018.

ACTION: Approve Change Order No. 1 for the SCADA Replacement Project.

F. Third Street Interpretive Sign Project - Michael Ray

The Historic Preservation Commission has undertaken a project to create interpretive signage for the larger institutional buildings along the Third Street corridor, which are on the National Register of Historic Places. The buildings that have been identified are the 1912 Center, City Hall, Carnegie Library, and the Methodist Church. The interpretive signs are intended to be installed adjacent to the public sidewalk and convey important historical information about the buildings. This was reviewed by the Administrative Committee on August 13, 2018 and recommended for approval.

ACTION: Authorize the Historic Preservation Commission to proceed with ordering and installing the interpretive signs which have been budgeted in FY2018 and FY2019.

G. Moscow School District Agreement for School Resource Officer - James Fry

The City of Moscow, through the Moscow Police Department, has been employing a School Resource Officer (SRO) position for over 18 years to provide a law enforcement presence and additional resources to the Moscow School District to assist in providing and maintaining a safe and healthy student environment. Taking into account recent incidents of violence in schools across the nation, the District has requested that the City provide an additional School Resource Officer. The City will continue to bear the cost of the first School Resource Officer and Moscow School District shall provide funding to City to support the second SRO position. If approved, the agreement shall commence on the first day of October 2018 and will provide 70% funding of the additional position for the first year, 85% the second year and 100% the third year and each subsequent year. This was reviewed and recommended for approval by the Administrative Committee on August 13, 2018.

ACTION: Approve the Memorandum of Understanding for Professional Services between the City of Moscow, Idaho and the Moscow School District No. 281.

H. Vandal Town Block Party Resolutions – Jen Pfiffner

The City of Moscow, University of Idaho and Moscow Chamber of Commerce are hosting the annual Vandal Town Block Party September 7, 2018 in downtown Moscow. The event will welcome back students while celebrating our important community partnerships. The block party is held on Main Street and features live music and local vendors. In years past, local businesses have been provided the opportunity to join the Block Party by hosting beer/wine gardens in the Main Street area and through allowed expansion of permitted sidewalk cafés during the event. Both activities require resolutions. Staff has prepared proposed resolutions for Council consideration. This was reviewed and recommended for approval by the Administrative Committee on August 13, 2018.

ACTION:

- A. Approve the attached resolution allowing beer/wine gardens during the 2018 Vandal Town Block Party.
- B. Approve the attached resolution allowing expansion of Sidewalk Cafés during the 2018 Vandal Town Block Party.

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

None offered.

3. Mayors Appointments

None offered.

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

None offered.

5. Public Hearing: Proposed Rezone at 406 Baker Street – Michael Ray

The applicant, Robert Peterson, is requesting to rezone a 32,569 square foot parcel located at 406 Baker Street. The parcel is currently zoned Neighborhood Business (NB) which the applicant is proposing to change to the Residential Office (RO) Zone. The Planning & Zoning Commission conducted a public hearing on July 11, 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 item going over the zoning in the area. There is adequate capacity for water and sewer and the rezone is consistent with the Comprehensive Plan. The neighborhood meeting took place May 23, 2018 and P&Z recommended approval at their meeting on July 11, 2018.

Public hearing opened at 7:09 p.m. No public comment was offered. The public hearing closed at 7:10 p.m.

Bonzo moved, Bettge seconded to approve the 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 of the Planning and Zoning Commission Reasoned Statement of Relevant Criteria. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

Mayor Lambert read Ordinance 2018-10:

AN ORDINANCE OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ZONING OF AN APPROXIMATELY THIRTY-NINE THOUSAND, THREE HUNDRED EIGHTY-SIX (39,386) SQUARE FEET OF PROPERTY, DESCRIBED IN SECTION 1 OF THIS ORDINANCE, AS RESIDENTIAL OFFICE (RO); 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.

6. Public Hearing: Amendment of Title 4, Chapters 4, 7, 8, and 10 of M.C.C. Regarding Various Zoning Code Amendments – Michael Ray

The Planning and Zoning Commission has been working over the past few months on minor revisions to various sections of the Zoning Code within Title 4, Chapters 4, 7, 8, and 10. The proposed amendments pertain to Planned Unit Developments, lot frontage and access requirements, expiration periods for certain land use actions, and public notice requirements. The Commission conducted a public hearing on this proposed ordinance on July 25, 2018 and unanimously recommended approval to City Council. This was reviewed by the Administrative Committee on August 13, 2018.

PROPOSED ACTIONS: Conduct the public hearing and upon consideration of testimony presented, approve the Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary; or consider the Ordinance on first reading and that it be read by title; or reject the Ordinance; or take such other action deemed appropriate.

Ray introduced the item going over the proposed changes. Changes include requiring street right-of-way with exceptions for flag pole lots and larger properties in more rural zones; a PUD eligibility section to clarify which zones they are allowed in; elimination of Special Use Permits; expiration and extensions for Conditional Use Permits (CUP). The initial CUP is proposed to be issued for a two-year approval, extension of two years approved by the Zoning Administrator and another two-year extension through the Board of Adjustment (BOA) with no public hearing unless certain factors exist. At that time the BOA would determine the length of the extension.

There are no PUD's in the Neighborhood Business Zoning District and do have PUDs with no commercial component in the Motor Business Zoning District. The rationale for PUD renewals was the initial date of expiration can creep up quickly and Moscow has a linear 1.3% growth. The area normally does not change drastically in that amount of time.

Mayor Lambert opened the public hearing at 7:35 p.m.

David Hall, 1334 Wallen Rd Moscow, feels six years is quite a large extension approval. He suggested some corrections to errors in this proposal and P&Z disregarded them; why only seven day notice on property; takes time for citizens to review materials; people rarely read the newspaper; extension from one to a possible six is concerning; conditions requiring a hearing needs to be all three conditions, not one or the other; suggests keeping the timeframe for public notices.

Joann Muneta, 203 S Howard Moscow, agrees with what Hall said. She doesn't see a benefit to reducing the timeline; it may prevent people the opportunity to speak on a subject. She suggests keeping the 30 day period before a Council hearing; at the four-year expiration a public hearing should be held regardless.

Tina Hilding 411 N Howard Moscow, encouraged the public process; a public hearing works; should ensure the public is always allowed to speak at hearings.

Mayor Lambert closed the public hearing at 7:43 p.m.

Bonzo said the P&Z Commissioners took into account public involvement as well as streamlining the process for the applicant. Zabala said a large topic of discussion was the reduction from 30 days to 15. Sometimes the way the meetings work there is a buffer that allows more time than just the 15 days. Bettge agreed there is more than 15 days after publication and scheduling of meetings. He suggested deleting the BOA extension. Boland agreed. Taruscio liked the idea of a streamlined permitting process. Sullivan confirmed the reduction of notice does not apply to CUP's.

Bettge moved to approve the Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary with the elimination of the BOA extension consideration for CUPs at the end of the initial term and two-year extension by the Zoning Administrator. Zabala seconded.

Belknap asked for clarification that the elimination was for both the CUP section and the Variance section. Bettge confirmed that was his intention and Zabala agreed. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

Mayor Lambert read Ordinance 2018-11:

AN ORDINANCE OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE AMENDMENT OF MOSCOW CITY CODE TITLE 4, CHAPTERS 4, 7, 8, AND 10; PROVIDING FOR THE INSERTION OF MISSING BASE DENSITY REQUIREMENTS FOR PLANNED UNIT DEVELOPMENTS; PROVIDING FOR ACCESS REQUIREMENTS FOR RURAL ZONING DISTRICTS; PROVIDING FOR THE AMENDMENT OF THE EXPIRATION AND EXTENSION PERIODS FOR CERTAIN LAND USE ACTIONS; PROVIDING FOR THE AMENDMENT OF THE TIME PERIOD FOR PUBLIC NOTICE REQUIREMENTS; 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.

7. Public Hearing: Open Budget for Fiscal Year 2017-2018 (FY2018) – Gary J. Riedner

The State of Idaho provides a process for cities to amend the original budget appropriation ordinance in accordance with Title 50-1003 of the Idaho Code. Staff is proposing to amend Ordinance 2017-07 due to federal, state and local grant awards, contributions and donations within the Recreation and Culture Fund, the Pumper Fire Truck, computer purchases, street maintenance and other projects. The proposed appropriation change is \$2,019,967. The Administrative Committee reviewed the ordinance on August 13, 2018.

PROPOSED ACTIONS: Conduct the public hearing upon the Ordinance amending the FY2018 City of Moscow Annual Appropriation Ordinance and upon consideration of testimony presented approve the Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary; or consider the Ordinance on first reading and that it be read by title; or reject the Ordinance; or take other such action deemed appropriate.

Riedner explained the process for amending the current budget and went through the revenues and expenditures effected. Items included grants, vehicles, street maintenance, art projects, computers, and playground equipment.

Mayor Lambert opened the public hearing at 8:06 p.m. Hearing no testimony, he closed the public hearing at 8:07 p.m.

Boland moved, Taruscio seconded to approve the amendment of the FY2018 City of Moscow Annual Appropriation Ordinance. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

Mayor Lambert read Ordinance 2018-12:

AN ORDINANCE OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; AMENDING ORDINANCE NO. 2017-07, THE APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018; TO APPROPRIATE MONIES IN THE SUM OF EIGHTY ONE MILLION NINE HUNDRED SIXTEEN THOUSAND SIX HUNDRED EIGHTY SIX DOLLARS (\$81,916,686); PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

8. Single Stream Curbside Recycling Program Modification - Tim Davis

The landscape of recycling, and especially single stream recycling, has changed dramatically over the past year due to new regulations imposed by the government of China known as "National Sword 2017" and "Blue Sky 2018". China has historically imported over 50% of the world's recyclables, but these new policies severely restrict imports of recyclables and impose unachievable contamination rates. These new policies have flooded domestic recycling markets resulting in historic low market values for recyclables.

To maintain the economic viability of the single stream curbside recycling program in Moscow, we must adapt to these dramatic shifts to the world and domestic markets. Staff is proposing modifications to the single stream recycling program by concentrating focus on collecting high quality, marketable materials rather than expanded lists of low grade and difficult to market materials. Subtle changes to acceptable materials in the single stream program will also require an extensive public education effort to minimize confusion by customers. This was reviewed and recommended for approval by the Public Works/Finance Committee on August 13, 2018.

PROPOSED ACTIONS: Authorize staff to modify the single stream curbside recycling program as presented, or take other action deemed appropriate.

Davis introduced the item as written above. In addition to the new regulations from China, Moscow Recycling has just recently received notice the current Material Recovery Facility (MRF) provider is raising single stream processing fees from \$77.00 per ton to \$95.00 per ton and to expect another rate hike raising rates to over \$100 per ton in September. With the new regulations and single stream processing fees going up, staff is proposing to scale back acceptable items. Davis described the proposed education program for citizens. Staff has been working closely with LSI/Moscow Recycling to explore alternative MRF options from what is currently being used and will monitor MRF rates on a monthly basis in an effort to secure the most favorable rates for Moscow. The Department of Ecology created a best practices flyer for co-mingled recyclables which will be included in the information packet to the public. Some of the practices are proposed to be implemented in Moscow. Latah County is also changing recycling policy. Multi-family recycling education will be a challenge with the annual turnover of students. Working with the property management companies will help that education effort. The modification to recyclables will also occur at the recycling center, except pots and pans as well as shredded paper will still be accepted at the facility. The education campaign will be an ongoing effort and hoping it is put together in September.

The lids will be painted black to hide the current list of recyclables and will most likely be done on collection days. Sullivan would like consumer education regarding packing and consuming less and consider business

incentives with input from SEC and PCEI.

Bonzo said two fifth graders from Troy Elementary approached her with the desire to help out and getting the schools involved. Dancea Salerno said she wants to help the community to make it a better place for everyone. Gretchen Fiedler also wants to help and is already starting to put together ideas.

Taruscio moved, Bonzo seconded to authorize staff to modify the single stream curbside recycling program as presented. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

The meeting recessed at 8:24 p.m. The meeting resumed at 8:32 p.m.

9. Third Street Corridor Multimodal Improvements - Phase I Bid Results – Scott Bontrager

The City published an advertisement for bids on July 28, 2018 for the Third Street Corridor Multimodal Improvements - Phase I project. The base bid for this project phase includes the installation of approximately 1,650 linear feet of sidewalk, 25 pedestrian ramps, 5 bulb-outs, concrete curb, driveway approaches, retaining walls, stormwater pipe and catch basins on Third St from Hayes St to Mountain View Rd. The base bid also includes the installation of school zone flashing beacons around Moscow High School and Lena Whitmore Elementary and pedestrian hybrid beacons at the Third St and Mountain View Rd pedestrian crossing. An "Add Alternate Bid" was included for the installation of two raised crosswalks and associated work items at the intersections of Third St & Monroe St and Third St and Cleveland St.

The total Engineer's estimate for the project was \$445,829.88, which consisted of \$357,709.88 for the base bid and \$88,120.00 for the Add Alternate bid.

Bid opening for the project took place on August 14, 2018, at which one bid was received. McCall's Classic construction was the apparent low bidder on the project, with bids of \$388,813.13 for the base project and \$92,235.25 for the raised crosswalks alternative. A complete bid tabulation is attached.

PROPOSED ACTIONS: Recommend City Council accept the low bid from McCall's Classic Construction, award the contract for base bid only in the amount of \$388,813.13, and authorize staff approval for construction change orders in an amount not to exceed 10% of the contract amount; or provide staff further direction.

MacDonald introduced the item as written above. The add alternates included in the bid solicitation were raised pedestrian crosswalks at Monroe and Cleveland.

MacDonald also gave an update on the Third Street construction: Adams Street crossing construction is complete; initial striping is currently underway; signs needs to be installed. These items should be open prior to first day of school, possibly complete by the end of week. The Third Street reconstruction Phase 2 project is ongoing. The utilities are just about done and then the surface work can begin. This project will extend approximately a month. Included in the contract on the agenda are the flashing beacon lights for the speed light signs and the HAWK lighting.

Sullivan asked if one crosswalk in the add alternate could be added to the contract. MacDonald responded a change order could be used to complete one of the crosswalks.

Bonzo moved, Taruscio seconded, to accept the low bid from McCall's Classic Construction, award the contract for base bid only in the amount of \$388,813.13, and authorize staff approval for construction change orders in an amount not to exceed 10% of the contract amount. Sullivan asked staff opinion whether the Monroe Street raised crosswalk warrants installation now. MacDonald pointed out the improvements were determined by the multi-modal bridge installation and the anticipated traffic increase. There has not

been any recurring issues or history of events that would support a raised crosswalk at Monroe in the existing climate. The reduced speed limit and the reduction of lane width will both be traffic calming measures. Council previously directed staff to monitor the various components after installation. Discussion ensued regarding the potential for prices to skyrocket similar to what happened to the Jackson Street restroom. Boland is hesitant to spend money on something that is not warranted and other traffic calming measures are being installed. Bonzo reiterated the subcommittee wanted the upgrades based on the multi-modal bridge being installed.

Sullivan moved to amend the motion to accept the bid and add alternate with direction to staff to negotiate a change order with the contractor for the Monroe Street raised pedestrian crosswalk and bring back to Council for approval of the change order. The proposed amendment dies due to a lack of a second. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

10. Discussion Regarding Educational Institutions in the Central Business District – Bill Belknap

During the recent Zoning Code update that was passed by the Council on May 21st, questions were raised by Council regarding the allowance of Educational Institutions (colleges and universities) within the Central Business (CB) Zoning District. The City Council approved the Zoning Code amendment as presented, but requested that the Administrative Committee continue the discussion regarding the allowance of educational uses within the CB District. Staff will provide a presentation upon the history of the CB Zone and the 2005 City Code amendment that addressed educational uses including schools, commercial schools and educational institutions within the City's Commercial Zoning Districts and seek further Council direction.

PROPOSED ACTIONS: Receive report and provide Staff further direction.

Belknap explained zoning was developed to restrict the use of private land and segregate those thought to be incompatible. In recent years there is more push to integrate zones. Belknap described the forms of zoning with Moscow based on the Euclidean zoning. Moscow's first zoning ordinance for downtown was passed in 1933 and included a Commercial and Business zone. The second zoning ordinance was passed in 1957 and where the CBZD was created. This district allowed private schools conducted for gain. Also in the 1957, an amendment to the R-3 zone included Institutions For Higher Education. In 1971, the CBZD became Community Business and the first appearance of a definition of Educational Institution was included. In a 1981 ordinance, the Educational Institution definition did not appear, although a University zoning district was created. The next code revision was 1990 and reverted back to CBZD and Education Institution definition reappears.

In 2004-2005, two educational uses were allowed in commercial districts using a particular land use category and interpretation by the zoning administrator. Education Institutions was defined in the code and would have addressed the private college use. Commercial Schools was also defined but is different from schools in general. Council referred the matter to Planning and Zoning Commission (PZC) and Council adopted the recommendations through Ordinance 2005-33. This ordinance allowed commercial schools and educational institutions as a conditionally permitted use in CBZD.

Belknap went through the purpose, principal uses and conditional uses of the CBZD. He also listed the conditional use criteria and showed a map of the downtown and surrounding zoning. The existing education institution uses in the CBZD are New Saint Andrews in two locations and the University of Idaho WWAMI anatomy lab. Belknap described the history of the two applications in the last 12 months. A question was included in the fall 2017 Commission Survey to understand the community's opinion on the topic of educational institutions in the CBZD. There are some concerns regarding the wording of the question and how respondents interpreted the question. PZC discussed educational institutions and reviewed the commission survey question results during the recent code update before forwarding on the Council. Staff is looking for what new information the Council would like PZC to consider. Belknap gave some options

for the Council to consider to gain a better understanding of the community's opinion.

Belknap explained in response to a question from Bonzo, the intents and purposes statements shape the desire of the Council. The statement does not regulate land use. Discussion ensued on how to develop survey questions. Belknap noted the citizen survey only goes to residential addresses but could put together a commercial list. He also explained e understood the confusion of the previous survey question was did it apply to existing uses or apply to only new or the expansion of existing uses. Staff's recommendation would be to break the question up into those facets. This survey could also include an open ended question. Boland feels the questions need to identify what kind of problems the citizens feel are a problem then address accordingly. Sullivan felt another confusion was should the use continue as a permitted use by right, permitted conditionally or not permitted.

Riedner said the citizen survey is drafted in September; sent out in October; receipt of results in November; draft results compiled in December; report to Council in January. Bonzo wondered if, because the timeline is quite long, perhaps not allowing certain things in CBZD until the full Council can make a decision. Riedner said that would be to move to a moratorium, which means there is an emergency or extraordinary circumstance by which Council wants to put the issue on hold until they work through it. Bettge and Taruscio were against a moratorium with Bettge adding he didn't feel there is an emergency to justify it.

The consensus of the Council was to include both CBZD business owners as well as property owners. Riedner stated surveys don't typically solicit a member of a certain class as there are exclusionary issues by doing that. The zoning code belongs to the community and the entire community has a right to comment. The questions and information needs to be identical or the results are skewed. Sullivan agreed it needs to go to entire community and added she feels the CBZD is unusually impacted.

Taruscio proposed to receive the report and instruct staff to draft questions that will fully discover if there is a problem with higher educational institutions in the CBZD and if education institutions is something the community wants in the CBZD. Sullivan doesn't want to ask if it is a problem but what the community wants the future of downtown to be. Sullivan also asked that the survey include background on educational institution components.

If the City Council determines the desire is to change the code, there would be two public hearings, one at PZC and one at Council. If the City Council supports the code the issue as written in the code, there would not be a public hearing.

There was consensus of the Council on the direction to staff.

Reports

City Council

Moscow Tree Commission - Taruscio said the Commission is working on questions for the commission survey; selecting type of tree seedlings; discussing downtown trees.

Moscow Volunteer Fire Department - Taruscio said they are in the midst of remodeling stations and discussions on HIPAA when hiring employees.

Palouse Basin Aquifer Committee - Boland reported they have a timeline for research leading up to the alternative water supply to be implemented in 2027. Another discussion was the possibility to acquire land in the Salmon River cheaper than the Snake River.

Moscow Pathways Commission - Sullivan said the Commission changed the bike tour to September 18 and now coincides with Pedaling on the Palouse week, September 17-22. Also received an update on SPIN and

the possibility of recommendations on policy.

Moscow Arts Commission - Bonzo said the Mayors Arts Awards nominations deadline is Sept 28 with awards on October 25; Young Peoples Art Festival is coming up next and scheduled in the Third Street Gallery; Kathleen Burns retirement party is scheduled for October 11; three positions open on the Commission.

Poverty on the Palouse - Bonzo said the group is down to ten people and looking for facilities, funding and volunteers.

Palouse Knowledge Corridor - Bettge reported they are in transition with the approach to the community. This year will involve high school students. In the Spring, they will host a two day version on a weekend and then an advanced bootcamp following.

Council Members also reported on other events.

Mayor

Mayor Lambert attended and described the National Night Out and the Mayors Golf Tournament events. He also helped welcome eleven MVFD residents. He also participated in the international students welcome, athletic year kickoff, and SYNC all at the University of Idaho.

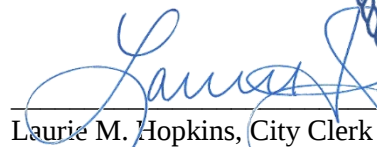
Staff

Riedner gave details on the Indian Hills Park dedication and the annual summer employee appreciation picnic.

Adjourn

The meeting was closed at 9:49 PM

ATTEST:


Laurie M. Hopkins, City Clerk




Bill Lambert, Mayor