Moscow City Council

Regular Meeting

~Agenda~

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Laurie M. Hopkins

City Clerk

208.883.7015

Monday **Council Chambers**

7:00 PM

September 17, 2018 **206 E. Third St.**

The Moscow Mayor, City Council and Staff welcome you to tonight's meeting. We appreciate and encourage public participation. For regular agenda items, an opportunity for public comment is sometimes provided after the staff report. However, the formality of procedures varies with the purpose and subject of the agenda item; therefore, the Mayor may exercise discretion in deciding when to allow public comment during the course of the proceedings and limitations may be placed on the time allowed for comments. Citizens wishing to comment on business that is not on the agenda will be provided the opportunity to do so during the public comment item on the agenda. If you plan to address the Council, you will find a list of "Tips for Addressing the Council" in the door pocket outside the City Council Chambers. Please note that Moscow City Council meetings are televised, videotaped and/or recorded. Thank you for your interest in City government.

Pledge Of Allegiance

1. **Consent Agenda (ACTION ITEM)**

A. **Approval Of Moscow City Council September 4, 2018 Minutes – Laurie M. Hopkins**

Documents:

MINUTES OF 9-4-18.PDF

B. **Disbursement Report For August 2018 - Sarah Banks**

The Accounts Payable Report for the month ending August 2018. This was reviewed and recommended for approval by the Public Works/Finance Committee on September 10, 2018.

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

Documents:

DISBURSEMENT REPORT FOR AUGUST.PDF

C. **Styner/Hwy 8 Billboard Lease Termination Request - Dwight Curtis**

There is an advertisement billboard at the corner of Styner Avenue and State Highway 8, situated on City pathway property (see attached photo). The billboard was originally installed when the property belonged to Palouse River and Coulee City Railroad, Inc., under a 20 year lease agreement with

Northwest Outdoor Advertising, inc. The City acquired the property in 2005, maintaining the lease. There was discussion at the time of the City's acquisition of the property, to terminate the advertising lease at the end of its present term; October 31, 2018. The current billboard is a preexisting non-conforming use; under current City zoning regulations, a billboard could not be constructed on the current site. This item was reviewed by the Administrative Committee on September 10, 2018, and recommended for Council approval.

ACTION: Terminate the existing billboard lease agreement with Northwest Outdoor Advertising, effective October 31, 2018, including the removal of the structure as per the lease agreement.

Documents:

BILLBOARD LEASE TERMINATION.PDF

D. Urban Berm Addition Development Agreement - Bob Buvel

Tyler M. George has submitted to the City a final plat for the development of his property at 921 and 925 Public Avenue. On June 4, 2018, the City Council approved a preliminary plat for this property. The final plat is titled the Urban Berm Addition and will be presented for City Council approval on September 17th. Should the final plat be approved by City Council, a development agreement will be needed to address construction of the required public improvements, parkland dedication, and as-constructed drawings. The attached agreement covers these items. This was reviewed and recommended for approval by the Public Works/Finance Committee on September 10, 2018.

ACTION: Conditioned upon approval of the final plat included on this City Council agenda as Item 7, approve the Development Agreement with Tyler M. George for the Urban Berm Addition.

Documents:

URBAN BERM ADDITION DEV AGRMT.PDF

E. Urban Berm Addition Monumentation Agreement (ACTION ITEM) - Scott Bontrager

Tyler M. George is the owner and developer of the proposed Urban Berm Addition on the lots currently addressed as 921 and 925 Public Avenue. The subdivision received preliminary plat approval on June 4, 2018 and the final plat is being presented for City Council consideration at the September 17, 2018 City Council meeting. If Council approves the final plat, the interior property corners will not be set until after the final plat has been filed, the earthwork has been completed, and the utilities have been installed. In such instances, an agreement obligating the establishment of these interior corners is required by Idaho Code. This was reviewed and recommended for approval by the Public Works/Finance Committee on September 10, 2018.

ACTION: Conditioned upon approval of the final plat included on this City Council agenda as Item 7, approve the Monumentation Agreement for the Urban Berm Addition with Tyler M. George.

Documents:

URBAN BERM ADDITION MONUMENTATION AGRMT.PDF

F. Walmart Foundation - Community Grant Program - Shop With A Cop - Alisa Anderson

The Moscow Police Department is seeking approval to submit a request to the Walmart Foundation under their Community Grant Program for $2,500 to host the third annual Shop with a Cop event to assist less fortunate children that live in Latah County purchase gifts for their families for Christmas. This program will not only make resources available for children to purchase gifts, but will also encourage community collaboration among local businesses, families and law enforcement. If awarded the grant request, the event is scheduled to be held at the Moscow Walmart on December 8, 2018. The City of Moscow has applied and been awarded $2,500 for this event in 2016 and 2017. This was reviewed and recommended for approval by the Administrative Committee on September 10, 2018.

ACTION: Authorize staff to submit a grant request to the Walmart Foundation Community Grant Program for $2,500 to host the third annual Shop with a Cop event in Moscow.

Documents:

SHOP WITH A COP GRANT.PDF

G. Pedestrian Easement Memorandum Of Understanding With Blum Enterprises Inc. - Bill Belknap

Mr. Noel Blum recently purchased the former Dumas Seed Warehouse property located between Almon and Asbury Streets and adjacent to A Street. During a recent transaction to sell the brick powerhouse building and property (as proposed in the recently approved lot division) it was discovered that there was a unique easement that was granted via a quit claim deed dated in 1932, which granted an irregular shaped 16 foot wide easement for both private and public use as a public thoroughfare. Based upon the shape of the legal description of the easement, it appears that the easement might have been intended to extend a private alley between Asbury and Almon Streets out to Almon Street. Mr. Blum anticipates the need to pursue a quiet title action to extinguish the easement and remove the encumbrance from the property and is seeking the City's support. Mr. Blum is proposing to relocate the easement to a location along the southern property boundary to provide a pedestrian easement to cross the subject property providing an easement of much greater utility in creating a pedestrian route east-west from First Street to the east and Lillian Woodworth Otness Park to the west. In exchange, the City would provide a letter of support to Mr. Blum supporting the termination of the 1932 easement and any interest that the City may have in the easement. The City Attorney and Mr. Blum's attorney have prepared a Memorandum of Understanding (MOU) documenting this agreement for the Council's consideration. This was reviewed and recommended for approval by the Administrative Committee on September 10, 2018.

ACTION: Approve the proposed Memorandum of Understanding with Blum

Enterprises Inc.

Documents:

MOU WITH BLUM ENTERPRISES.PDF

H. **Itani Park Concrete Slab And Pathway Project - David Schott**

The Parks and Recreation Department is requesting authorization to retain McCall's Classic Construction, Inc., for the Itani Park Concrete Slab and Pathway Project in the amount of $49,877 with a ten percent contingency of $4,987.70 for a total amount not to exceed $54,864.70. The City issued a solicitation for bids to five (5) concrete contractors on August 24, 2018 for the Itani Park Concrete Slab and Pathway Project. One (1) bid proposal was received with a Base Bid of $47,327 and Add Alternate No.1 in the amount of $1,000 and Add Alternate No. 2 in the amount of $1,550. The project includes a concrete pathway and concrete pad for the installation of a playground. The playground purchase was authorized by City Council on June 18, 2018. After completion of the concrete pathway and playground pad, the playground will be installed. Installation of the playground will be dependent upon seasonal construction conditions. 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 will be authorized through the annual budget authorization. On September 10, 2018, the Public Works / Finance Committee reviewed and recommended approval.

ACTION: Accept the low bid from McCall's Classic Construction, Inc. and award the contract in the amount of $49,877 for Base Bid, Add Alternative No. 1, and Add Alternate No. 2, and authorize staff approval for construction change orders in an amount not to exceed 10% of the contract amount with funding source from the Hamilton Fund.

Documents:

ITANI PARK PATHWAY PROJECT.PDF

2. **Staff Recognition Report - Gary J. Riedner**

3. **Mayors Appointments (ACTION ITEM)**

4. **Public Comment And Mayor's Response Period (Limit 15 Minutes)**

5. **Mayor's Charity Golf Tournament Presentation To Family Promise**

6. **Funding Request From Sojourners' Alliance (ACTION ITEM) - Gary J. Riedner**

The City of Moscow has received a request from Sojourner's Alliance for one-time funding assistance. Sojourner's Alliance provides transitional housing as described in the attached memo. The request is for $7,000 for assistance with the purchase and installation of security systems to be installed at Sojourner's facilities. These additional security systems will assist in the safety of Sojourner's staff and residents, as well as preventing potential damage to the facilities.

Staff is requesting direction from the City Council to fund Sojourner's request for financial assistance for the installation of security systems in the amount of $7,000 from Legislative Non-Prioritized Projects 101-010-10-670-16. The remaining balance available is $7,651.00. This was reviewed by the Administrative Committee on September 10, 2018 and forwarded to City Council with no recommendation.

PROPOSED ACTIONS: Receive request and approve financial assistance in the amount of $7,000 from Legislative Non-Prioritized Projects 101-010-10-670-16, deny financial assistance, or take other such action deemed appropriate.

Documents:

SOJOURNERS FUNDING REQUEST.PDF

7. **Urban Berm Addition Final Plat (ACTION ITEM) - Michael Ray**

The Planning & Zoning Commission conducted a public hearing on May 9, 2018, to consider the request of Tyler George for a Preliminary subdivision plat (Urban Berm Addition) for a 24,274 sf parcel of land generally located directly adjacent to Public Avenue into eight (8) townhouse lots ranging from 2,700 sf to 3,668 sf in size. After considering public testimony and the relevant criteria and standards, the Planning and Zoning Commission recommended approval of the Preliminary subdivision plat with one condition. City Council then conducted a public hearing on June 4, 2018 and approved the Urban Berm preliminary plat with the condition that the developer increase the 5 foot easement to an 8 foot easement adjacent to the Public Avenue right-of-way.

On August 6, 2018, the applicant submitted the final subdivision plat to be reviewed by the Planning and Zoning Commission and City Council. Staff has reviewed the final plat for conformance with City and State Code requirements as well as the condition of approval and found the final plat to be in conformance. On August 22, 2018, Planning and Zoning Commission reviewed and recommended approval of the final plat to City Council.

PROPOSED ACTIONS: Approve the Urban Berm Addition Final Plat; or take such other action deemed appropriate.

Documents:

URBAN BERM ADDITION FINAL PLAT.PDF

8. **Educational Uses In Central Business District Survey (ACTION ITEM) - Gary J. Riedner**

During the recent Zoning Code update that was approved by the City Council on May 21, 2018, questions were raised by the Council regarding the allowance of Educational Institutions (colleges and universities) within the Central Business Zoning District (CBZD). The City Council approved the Zoning Code amendment as presented, but requested that the Administrative Committee of the City Council continue the discussion regarding the allowance of educational uses within the CBZD. On August 20, 2018, staff provided a presentation upon the history of the CBZD and the 2005 City Code amendment that addressed educational uses including schools, commercial

schools and educational institutions within the CBZD to City Council. At that meeting, Council provided direction to staff to develop a survey for the community and property owners and businesses operating within the CBZD. A draft of that survey instrument has been prepared for the Council's review. The draft survey instrument includes questions designed to gauge the perceptions of the community and property owners and businesses operating within the CBZD in regards to a) current public/private universities and colleges in the CBZD and b) additional or expanded public/private universities and colleges in the CBZD. The attached survey instrument was updated per direction given at the September 10, 2018 Administrative Committee meeting.

PROPOSED ACTIONS: Receive survey instrument and provide Staff direction.

Documents:

EDUCATIONAL USES IN CB SURVEY.PDF

Reports

City Council
Mayor
Staff

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

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