Moscow City Council

Regular Meeting
~Minutes~

Laurie M. Hopkins
City Clerk

www.ci.moscow.id.us

208.883.7015

Tuesday **September 17, 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, Bill Belknap, Dwight Curtis, David Schott, Jen Pfiffner, Anne Peterson

Pledge of Allegiance

Councilmember Bettge led the Pledge of Allegiance.

1. Consent Agenda (ACTION ITEM)

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

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 Disbursement Report for August 2018.

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.

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.

E. Urban Berm Addition Monumentation Agreement - 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.

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.

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.

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 HamiltonFund.

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

2. Staff Recognition Report - Gary J. Riedner

None offered.

3. Mayor's Appointments (ACTION ITEM)

None offered.

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

Mackenzie Lawrence, 1320 Linda Lane #8, introduced herself as the ASUI community outreach coordinator. ASUI is working on its approachability and would like to enrich its partnership with the Council. Lambert mentioned the semi-annual meetings between the Council and ASUI and urged Lawrence to make contact with Jen Pfiffner. Bonzo stated she is exploring the idea of ASUI councilors being awarded university credit for participating on City Commissions and offered to talk with Lawrence.

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

Riedner recognized Bruce Pitman, President of Family Promise of the Palouse, which was this year's selected charity. Riedner acknowledged the excellent efforts of several staff members and sponsors. The Mayor presented a check for $4216.13 to Pitman who thanked the Mayor and staff for an incredibly successful event. Pitman thanked the Mayor and participants for their generosity. He shared that Family Promise is celebrating its fifth year of providing direct services toward homelessness on the Palouse, during which time they've served 60 families. The Mayor applauded the program's 80 percent success rate in helping families find stable housing.

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.

Riedner presented the funding request as described above. Sojourners' Executive Director Steve Bonnar was invited to the podium. He said they have spent $5,000 from their own funds and other donations on preliminary security cameras which have helped immensely but they wish to finish the other half of the project. He elaborated on many of the positive impacts Sojourners' has made in the community during the past year.

Taruscio said the Administrative Committee had mixed thoughts regarding the funding sources and whether cameras were the ultimate best answer. Bonzo commented that cameras at her school have been a great deterrent of inappropriate behavior. Sullivan thought the cameras would be a good preventive investment. Boland thought the City had a moral obligation to help and Bettge said the deterrent effect would benefit the entire community.

The funding request was approved by roll call vote.

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

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.

Ray presented the matter as outlined above. The Council had no questions and approved the final plat by roll call vote.

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

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.

Riedner reviewed briefly the history of educational uses in the CBZD that led to the Council's desire to survey the public's perception of such downtown use, which is anticipated to go out soon so as to not interfere with the distribution and return deadline for the biennial citizen survey. Bonzo thought it was relevant to include in the background information that no CUPs for educational institutions in the CBZD had ever been denied, but other Councilors thought pointing it out could create a prejudice. Sullivan suggested adding "applications may be denied in the case of unmitigable adverse impacts." Following a great deal of conversation about the CUP process itself vs. the history of educational institutions in particular, Bettge cautioned against weighing it down with extensive explanations which might affect its overall efficacy. Taruscio thought revising it from its current chronological organization would make it more confusing, and her top priority was to get it out. Riedner reminded the Council of the importance of keeping it simple to elicit a good response. Sullivan thought the FTE issue should be explained better so people understood the full potential impact of the number of people downtown. She compromised to the statement, "540 fulltime students." Zabala asked whether it is ever advisable to provide links to more information and Riedner offered to check current survey-writing best practices. Zabala also asked about envelope marking and Riedner said they will be color coded to separate responses from downtown businesses vs. general citizens. Belknap added that a post card will be sent ahead of time alerting people of the survey coming, and reminder one later urging them to respond if they haven't yet.

Reports

City Council

Transportation Commission - Taruscio said the Commission conducted visioning exercises at their last meeting which was very enlightening.

Moscow Volunteer Fire Department – Taruscio said four new members were installed, fundraising is going well, and they plan to discuss with the City Attorney the need for all members to sign nondisclosure agreements.

1912 Facilities Meeting - Boland reported design concepts for the second floor are underway with the plumbing being planned out to facilitate the third floor remodel.

Moscow Urban Renewal Agency - Sullivan reported an RFP has been reissued for the 6th & Jackson property because the single prior submission was withdrawn.

Historic Preservation Commission - Sullivan reminded Councilors of the annual Orchid Award reception this Thursday at 7pm at the 1912 Center. This year's event will also include celebration of the Ft. Russell Historic District expansion.

Moscow Pathways Commission – The annual bike tour is tomorrow beginning at the Intermodal Transit Center.

Moscow Arts Commission – Bonzo announced that NOWPAC begins tomorrow and the ACLU mural will be launched at 7 pm in Friendship Square. The "Stuff" collection is the current Third Street Gallery presentation.

Palouse Knowledge Corridor – Bettge reported the High School Entrepreneur and Inventor Workshop will be in November to launch high school students into the world of entrepreneurship.

Councilmembers provided updates on other meetings and events.

Mayor
Mayor Lambert said the annual Vandal Block Party was another great success. He will provide the welcome address at NOWPAC tomorrow, and the inaugural session of the Mayor's Youth Advisory Council starts next week.

Staff
Riedner announced he leaves Friday for his week-long annual conference. The Sanitation Master Planning process will begin soon. The fifth Monday in October is being considered for a meeting with Council. He will send more information.

Adjourn to Executive Session per Idaho Code 74-206 (1)(B), (1)(C) and (1)(F) – The meeting will not reconvene.
Taruscio moved and Bettge seconded to adjourn into Executive Session at 8:24pm. Council consensus was unanimous.

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
September 17, 2018

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

Also Present: Gary J. Riedner, City Supervisor; Mia Vowels, City Attorney; Bill Belknap, Community Development Director

The executive session was called to order at 8:28 p.m.

1st Item discussed pursuant to I.C. 74-206(1)(c) 8:29 p.m. – 9:13 p.m.
2nd Item discussed pursuant to I.C. 74-206(1)(c) 9:13 p.m. – 9:20 p.m.
3rd Item discussed pursuant to I.C. 74-206(1)(f) 9:21 p.m. – 9:31 p.m.

The executive session was adjourned at 9:31 p.m.