

Moscow City Council



Regular Meeting ~Minutes~

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Laurie M. Hopkins
City Clerk

208.883.7015

Monday, August 19, 2019

7:00 PM

**Council Chambers
206 E. Third St.**

The meeting was called to order at 7:00 p.m.

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

STAFF: Gary J. Riedner, Mia Bautista, Bill Belknap, Sarah Banks, Tyson Berrett, James Fry, Mike Ray, Tyler Palmer, Jesse Flowers, Dwight Curtis, Jen Pfiffner, Julie Fry, Laurie M. Hopkins, and numerous Police Department employees.

PLEDGE OF ALLEGIANCE

Brandy led the Pledge of Allegiance.

CONSENT AGENDA

1. All Consent Items (ACTION ITEM)

A. Approval of Moscow City Council August 5, 2019 Minutes - Laurie M. Hopkins

Minutes presented for approval.

ACTION: Approve minutes.

B. Disbursement Report July 2019 - Sarah Banks

Accounts Payable Report for the month ending July 2019. This was reviewed and signed by the Public Works/Finance Committee on August 12, 2019 and recommended for approval.

ACTION: Approve the Disbursements Report for the month of July, 2019.

C. Beer/Wine Garden for Vandal Town Block Party – Amanda Argona

The City of Moscow in partnership with the University of Idaho and Moscow Chamber of Commerce, is hosting the annual Vandal Town Block Party September 5, 2019 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, games, and local vendors. The Vandal Town Block Party has included a beer garden in year's past and would like to include that amenity in the 2019 event. Per Moscow City Code, Section 10-1-12; a draft resolution has been prepared for Council's consideration. This was reviewed by the Public Works/Finance Committee on August 12, 2019 and recommended for approval.

ACTION: Approve the resolution allowing the designated beer/wine garden during the 2019 Vandal Town Block Party.

D. Sixth Street Bridge Repair and Grant Funding Request – Alisa Anderson / Bill Belknap

On April 9, 2019, Moscow experienced a flash flood event which damaged infrastructure throughout the City. On April 10, 2019, Mayor Lambert made a local disaster emergency declaration because of the heavy rains that caused severe flooding throughout the City. The declaration provides for implementation of recovery aspects in local disaster emergency plans to authorize the furnishing of aid and assistance. On June 12, 2019, President Trump approved a Major Disaster Declaration for Idaho which included Latah County. This action makes federal funding available to local government entities on a cost-share basis for emergency work and repair or replacement of facilities.

Most of the flood damage occurred on the east side of Moscow, along the Mountain View Road corridor from “F” Street to White Avenue, greatly impacting neighborhoods located along Paradise Creek. The bridge located near the intersection of Mountain View Road and Sixth Street referred to as the “Sixth Street Bridge” was damaged in the April flood event. The Sixth Street fill slope, guardrail, and asphalt edge above the Paradise Creek culverts experienced erosion and displacement, which has reduced the existing travel lane width and created a hazard for the traveling public. To maintain traffic flow and public safety on the bridge, the Street Department is completing temporary repairs including replacing a portion of the existing fill and asphalt, then place jersey barriers along the damaged guardrails until a permanent solution is determined.

Staff has been working with the Idaho Department of Emergency Management (IOEM) and Federal Emergency Management Association (FEMA) to document expenses incurred and local resources used during the event to receive state and federal assistance for recovery reimbursement. On April 30, 2019, staff received communication from IOEM stating FEMA does not pay for permanent repair of roads that are classified as Major Collectors/Federal Aid Routes. Per the Idaho Transportation Department classification Sixth Street including the bridge is classified as a Major Collector and as a result FEMA will not assist with repair or replacement. After receiving this communication staff began seeking other funding sources and determined the City is eligible for Idaho Department of Commerce (IDOC), Idaho Community Development Block Grant (ICDBG) Post Disaster Assistance funding to repair and/or replace the Sixth Street Bridge. The maximum grant award under this category is \$100,000. Staff also estimates reimbursements from FEMA and other funding sources of approximately \$69,000 for expenses incurred during the flood as described in the FY20 Capital Project Budget.

Staff is proposing to extend the culverts to a new headwall or slope paving to mitigate erosion potential and to provide adequate separation between the travel lanes and culvert ends and to continue sidewalk across Paradise Creek to provide pedestrian connectivity on both sides of Sixth Street. Staff is in discussion with JUB Engineers Inc. to prepare a Topographic Survey and Base Map and Alternatives Analysis to determine the best method for repair and/or replacement of the existing bridge.

At this time Staff would like to submit an ICDBG Post Disaster Assistance grant application for \$100,000 to the IDOC to begin accumulation of funding for repair of the bridge.

This item was reviewed by the Public Works/Finance Committee on August 12, 2019 and recommended for approval.

ACTION: Authorize staff to submit the grant application to the IDOC under the ICDBG Program for Post Disaster Assistance for \$100,000 to repair or replace the Sixth Street Bridge.

Bonzo moved and Taruscio seconded to approve the consent agenda as presented. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

REGULAR AGENDA

2. Staff Recognition Report - Gary J. Riedner

Riedner stated James Fry was appointed to the Governors opioid task force and attended the first meeting last week. Fry said there are approximately 20 members ranging from police officers, doctors and pharmacists. The task force will be reviewing policies and advising on what can be done to stop the crisis statewide.

Mayor Lambert said he wanted to recognize Gary Riedner for the Pillar of the Community Award from the Idaho Municipal Attorney's Association. Riedner said he became City Attorney in 1995, enjoys the Association and is honored.

3. Mayors Appointments (ACTION ITEM)

Mayor Lambert put forward the appointments of Nancy Tribble to the Moscow Urban Renewal Agency and Kristin Haltinner to the Sustainable Environment Commission. Bettge moved and Zabala seconded approval of both appointments. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried. Tribble said she wants to be a positive influence and thanked them for the appointment.

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

None offered.

5. Public Hearing: Paradise View Addition Preliminary Subdivision Plat (ACTION ITEM) - Mike Ray

Nils Peterson with the Moscow Affordable Housing Trust is proposing to subdivide a 1.49 acre parcel located at 1924 Nursery Street to create seventeen parcels ranging from 1,806 square feet to 5,002 square feet in size, referred to as the Paradise View Addition. The proposal includes twelve twinhome lots, four townhouse lots, and one single family dwelling lot. Also part of the proposed development is a stormwater detention pond parcel located in the southeast corner. The Planning and Zoning Commission conducted a public hearing for the proposed Preliminary Subdivision Plat on June 26, 2019, and recommended approval with no conditions. ~~This item was reviewed by the Public Works/Finance Committee on August 12, 2019.~~

PROPOSED ACTIONS: Conduct the public hearing upon the proposed preliminary plat and upon consideration of any testimony presented, approve the preliminary plat request and adopt the Planning and Zoning Commission reasoned statement of relevant criteria and standards; or approve the preliminary plat request with conditions and direct Staff to prepare a reasoned statement of relevant criteria and standards; or deny the preliminary plat request and direct Staff to prepare a reasoned statement of relevant criteria and standards; or take other action as deemed appropriate.

Ray introduced the item by describing the neighborhood including the Comprehensive Plan designation, zoning and infrastructure. There is the appropriate fire access in the alley with the hammer head configuration and there will be no parking within the alley area. Townhomes on the west side with access from Nursery Street.

Mayor Lambert opened the public hearing at 7:19 p.m.

Nils Peterson, applicant, spoke on affordable housing and land trusts. He feels the subdivision will not be detrimental to the public health, safety or general welfare of the public because smaller houses lower the carbon footprint and the alley design eliminates conflict between driveways on streets. He also feels there are many positives to this plat including creating more workforce-priced housing options, homeownership to recruit and retain a workforce, and enhancing the public street façade.

Mayor Lambert closed the hearing at 7:38 p.m.

Bettge moved and Boland seconded to approve the preliminary plat and adopt the Planning and Zoning Commission Relevant Criteria and Standards. Zabala recused herself from the vote. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

6. City of Moscow's FY2020 Annual Budget and Foregone (ACTION ITEM) - Gary J. Riedner

At the City Council meeting on August 5, 2019, Staff presented the proposed City of Moscow FY2020 balanced budget in the amount of \$101,447,045, which had previously been considered by the City Council at their workshops held July 8 and 15, 2019. Increases in property taxes from FY2019 include the following: 3% allowable annual increase (\$172,695), foregone taxing authority (\$200,000), new construction (\$131,276), and amortization of the voter-approved general obligation bond (\$1,100,000). City Council held the public hearing on August 5, 2019 and after the public hearing was closed, the Council voted to consider the Annual Appropriations Ordinance on first reading and that the matter be scheduled for further consideration at the City Council meeting to be held on August 19, 2019. Included for City Council consideration is the FY2020 Annual Appropriation Ordinance, a Resolution to use forgone levying authority and the L2 property tax certification in the aggregate amount of \$7,270,329.

PROPOSED ACTIONS: A. Approve the ordinance under suspension of the rules requiring two additional complete and separate readings and that it be read by title and published by summary; or consider the Ordinance on second reading and that it be read by title; or reject the Ordinance; or take other such other action deemed appropriate; and B. Approve the Resolution authorizing levy of \$200,000 of foregone tax authority, or reject the Resolution; and C. Authorize the Mayor's execution of the L2 property tax certification in the aggregate amount of \$7,270,329; or take other such action deemed appropriate.

Riedner briefly discussed the budget process and described the FY2020 proposed property tax adjustments. The 3% increase of \$172,695 and the \$200,000 of foregone taxes results in \$27.00 per \$100,000 of assessed valuation above the Homeowner's Exemption. The general obligation bond will levy \$0.80 per \$1,000 assessed valuation.

Mayor Lambert asked for public comment.

Victoria Seever, Moscow, supports creating a system that enhances productivity and generates a fair

wage. The passing of the bond should not belittle or diminish police salaries. Putting off half the salaries until next year cannot be guaranteed as other issues could come up. She feels the City should support education for the officers.

Joel Cohen, Moscow, said he is in favor of using the foregone for police salaries. His taxes are going up tremendously but

Win Green, Moscow, said he is in favor of the proposed raise in pay as it is way overdue. Council takes their fiduciary job seriously and he thanked them for it.

Hannah Struble, Moscow, is in favor of the proposed increase in tax for officer pay. There are a number of police officer families do not live in the city limits. With increase pay comes an personal interest for the community as a whole. There have been minimal numbers for each shift. Because of that there is more reactive police work, rather than proactive.

Boland said the Council looked very hard to find a way not to raise taxes. Even with 3%, the City can't keep up with inflation and services. For a \$250,000, taxes would raise \$27.00 annually. With the bond rating interest coming in lower, he thinks the budget should be approved as presented. Sullivan said it was important to exhaust all possible options. The latest update from the assessors with the valuation and how it will impact the levy is even lower. She likes the idea of retaining the foregone for something emergent but is more inclined to pass the budget as proposed. Bonzo feels it is important for public servants to be paid their worth and is something the City has to do. Zabala is happy the Council dug in and reviewed the budget thoroughly. With talk of a recession, she is hesitant to pull from the foregone amount. Bettge feels \$27.00 a year for recruitment of police is money well spent. Employee salaries are the biggest expense in a budget. If retraining can be avoided, the foregone is money well spent. Taruscio agrees the Council did a very good job of reviewing the budget. Past Councils have done a great job of responsible use of tax dollars.

Taruscio moved and Bettge seconded to approve the ordinance under suspension of the rules requiring two additional complete and separate readings and that it be read by title and published by summary. Sullivan pointed out the decrease on the bond rate is coming in lower than tax payers were expecting. Roll Call Vote: Ayes: Five (5). Nays: (Zabala). Abstentions: None. Motion carried.

Mayor Lambert read Ordinance 2019-09:

AN ORDINANCE ENTITLED "ANNUAL APPROPRIATION ORDINANCE" APPROPRIATING ONE HUNDRED ONE MILLION FOUR HUNDRED FORTY-SEVEN THOUSAND FORTY-FIVE DOLLARS (\$101,447,045) FOR THE PURPOSE OF DEFRAYING ALL NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF MOSCOW, LATAH COUNTY, STATE OF IDAHO, FOR THE 2020 FISCAL YEAR BEGINNING THE FIRST DAY OF OCTOBER, 2019, AND ENDING THE THIRTIETH DAY OF SEPTEMBER, 2020, AND ALLOTING RESOURCES BY FUND FOR SAID APPROPRIATION FOR THE OBJECTS AND PURPOSES SET FORTH IN THIS ORDINANCE; LEVYING AD VALOREM TAXES IN THE AMOUNT OF SEVEN MILLION THREE HUNDRED SIXTY THOUSAND FOUR HUNDRED SEVENTY DOLLARS (\$7,360,470) FOR THE 2020 FISCAL YEAR; 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.

Bonzo moved to approve the resolution authorizing levy of \$200,000 of foregone tax authority. Taruscio seconded. Roll Call Vote: Ayes: Five (5). Nays: (Zabala). Abstentions: None. Motion carried.

Bonzo moved to approve the L-2. Bettge seconded. Roll Call Vote: Ayes: Five (5). Nays: (Zabala). Abstentions: None. Motion carried.

REPORTS

City Council

Planning and Zoning Commission - Sullivan reported the Commission is discussing minimum lot size for accessory dwelling units and conditional use permits.

Moscow Tree Commission - Taruscio said they approved goals for next year.

Fair and Affordable Housing Commission - Bonzo said the Commission is planning the housing fair, a training event and bike week.

Historic Preservation Commission - Boland reported they are working on a historic marker for Highway 95 and the Orchid awards.

1912 Center Development - Boland said they are working on plans for the second floor which should be updated in September;

Moscow Arts Commission - Bettge reported the Commission is developing their citizen survey questions; third street gallery new exhibit.

Moscow Urban Renewal Agency - Bettge said the Agency passed their budget; project updates were discussed.

Palouse Knowledge Corridor - Bettge said the group is working on new bylaws and documents to refocus to university technology in development; bootcamp will take hiatus.

Palouse Basin Aquifer Committee - Zabala said they discussed possible funding source with IDWR, want to switch from research to action oriented; move forward with LEAP; RFP for project manager;

Moscow Transportation Commission - Zabala said the Commission discussed the two way bike lane options;

Mayor

Mayor Lambert said the Mayors Youth Advisory Council met and they are recruiting for the new year; he hosted the annual golf tournament; and spoke on other events.

Staff

Riedner reminded the Council of miscellaneous meetings.

ADJOURN

The meeting adjourned at 8:26 p.m.

Bill Lambert

Bill Lambert, Mayor

ATTEST:

Laune M. Hopkins

Laune M. Hopkins, City Clerk



**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 REQUEST FOR A PRELIMINARY SUBDIVISION PLAT OF A ONE POINT FOUR-NINE ACRE PARCEL OF LAND LOCATED AT 1924 NURSERY STREET, KNOWN AS PARADISE VIEW ADDITION TO THE CITY OF MOSCOW, IDAHO.

WHEREAS, the applicant filed an application for a Preliminary Subdivision Plat on June 4, 2019; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on June 26, 2019; and

WHEREAS, this matter came before the Moscow City Council during a duly noticed public hearing on August 19, 2019; and

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

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 subject property is a one point four-nine acre (1.49) acre parcel of land located at 1924 Nursery Street.
3. The subject property is currently undeveloped and is surrounded by the Grove multi-family development to the west, Palouse Prairie Charter School to the north, a single family dwelling to the east, and various commercial uses on the south side of Palouse River Drive.
4. The subject property contains areas of steeper sloping topography, primarily in the areas of the property that are directly adjacent to Nursery Street and Palouse River Drive. There are no drainage ways or natural features that have been identified upon the subject property.
5. The subject property is currently designated as High-Density Residential (HD-R). HD-R designated areas are,

“intended to allow the highest density residential development at common densities between 15 and 26 units per acre. Areas appropriate for this designation include those located adjacent to areas of higher activity where there is a range of uses. High-Density Residential areas should be located adjacent or in close proximity to designated arterial or collector streets. New areas of high-density residential development should be located near mixed-use activity areas and corridors that accommodate multi-modal transportation. Lands

designated as High-Density Residential are generally appropriately zoned Medium Density Residential (R3), Multiple Family Residential (R-4), or Residential Office (RO)."

6. The Grove development to the west is also designated as High-Density Residential (HD-R), while properties to the north and east are designated as Auto-Urban Residential (AU-R). Commercial properties on the south side of Palouse River Drive are currently designated as Auto-Urban Commercial (AU-C).
7. The subject property is located adjacent to Nursery Street and Powers Avenue which are designated as local neighborhood streets. Adjacent to the south is Palouse River Drive which is designated as a minor arterial. Since the subject property is within Indian Hills 8th Subdivision, all of the road improvements to the three adjacent streets have already been constructed.
8. The subject property is currently located within the Multiple Family Residential (R-4) Zoning District.
9. According to the Zoning Code the R-4 Zoning District,

"provides for the most intense residential land uses permitted in the community. It is to be applied where activity levels are high and adequate public facilities are available, especially near the University of Idaho campus or the City Central Business Zoning District. Adequate transportation access should be given high priority in determining the appropriate location for R-4 zoning districts."
10. Uses permitted within the R-4 Zone include single family dwellings, two family dwellings, twinhomes, townhouses, and multi-family dwellings. Also permitted are professional offices, bed and breakfasts, daycare facilities, and parking lots.
11. The minimum lot size for parcels within the R-4 Zone is 5,000 sf for single-family, two-family, and multi-family dwellings; 2,250 sf for twinhome dwellings; and 1,800 sf for townhouse dwellings. The minimum lot width is for single-family, two-family, and multi-family dwellings is 50 feet; 25 feet for twinhomes; and 18 feet for townhouses.
12. The applicant is proposing to subdivide the existing 1.49 acre parcel into seventeen parcels ranging from 1,806 sf to 5,002 sf in size. Also included in the preliminary plat is a parcel which contains the stormwater detention pond for the development.
13. All of the proposed townhouse lots meet the minimum lot size of 1,800 sf; the twinhome lots meet the minimum lot size of 2,250 sf; and the single family lot meets the 5,000 sf minimum lot size requirement. All of the proposed townhouse, twinhome, and single family lots also meet the minimum lot width requirements for the respective uses.
14. To provide access to the rear of the lots, the applicant is proposing to dedicate and construct a public alley that will extend from Nursery Street in an east/west direction and terminate 12.5 ft from the east property line. At approximately the midpoint of the subject property the alley will then extend north to connect with Powers Avenue. The alley is proposed to be 16 ft in width of pavement with 2 ft gravel shoulders on both sides, for a total width of 20 feet. The proposed alley meets City of Moscow standards for public alley design.
15. Water services currently exist within Nursery Street, Powers Avenue, and Palouse River Drive. The property is considered developable in the City's Comprehensive Water System Plan dated January 2012. Public Works has determined that the existing system has adequate potable and fire flows to serve the proposed subdivision.

16. Sanitary sewer services currently existing within Nursery Street and Powers Avenue. Public Works has determined that the system has adequate capacity to convey the additional flow from the development. The subject property is considered developable in the Comprehensive Sewer System Plan dated September 2011.
17. The storm sewer for the subdivision is proposed to be conveyed to an existing stormwater detention pond at the southeast corner of the development. The proposed detention pond shall meet the current Moscow Stormwater Runoff Control Standards.
18. The subject property is part of Indian Hills 8th Subdivision, which the parkland dedication has already been satisfied via Harvest Park. Therefore, no further dedication is required for this proposed subdivision.
19. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on May 23, 2019 to discuss the proposed preliminary plat.

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 subdivision is in conformance with all applicable City Code requirements.** The preliminary plat is consistent with all city requirement including minimum lot area, minimum lot width, street standards, stormwater detention standards, public utilities, and parkland dedication.
2. **The proposed subdivision is in general conformance with the Comprehensive Plan.** The proposed preliminary plat is consistent with the uses and densities designated within the 2019 Comprehensive Plan land use designation of High-Density Residential (HD-R).
3. **Public Services and utilities are available or can be made available and are adequate to accommodate the proposed subdivision.** The Public Works Department has determined that the existing water and sewer systems have adequate capacity to serve the proposed subdivision.
4. **The proposed subdivision will not be detrimental to the public health, safety, or general welfare.** The proposed preliminary plat provides a diverse range of housing types and is consistent with the Comprehensive Plan. The proposal will not be detrimental to the public health, safety, and general welfare.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Moscow approves the preliminary subdivision plat request for the one point four-nine acre (1.49) acre parcel of land located at 1924 Nursery Street with no conditions.

PASSED BY THE CITY COUNCIL OF THE CITY OF MOSCOW this 19th day of August, 2019.



Bill Lambert, Mayor