

Public Works / Finance Committee



Regular Meeting ~Minutes~

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Laurie M. Hopkins
City Clerk

208.883.7015

Monday, June 24, 2019

3:00 PM

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

The meeting was called to order at 3:00 p.m.

PRESENT: Art Bettge, Jim Boland, Anne Zabala
OTHERS: Mayor Bill Lambert
STAFF: Bill Belknap Mia Bautista, Bob Buvel, Tyler Palmer, Nate Suhr, Alisa Anderson,
Roger Lanier, Eric Warner, Caylee Birge

REGULAR AGENDA

**1. Approval of June 10, 2019 Public Works / Finance Committee Minutes (ACTION ITEM)
- Caylee Birge**

Minutes presented for approval.

PROPOSED ACTIONS: Approve minutes, amend minutes, or provide staff further direction.
The minutes were approved as presented.

2. Sanitary Sewer Service To Appaloosa Court (ACTION ITEM) - Bob Buvel / Tyler Palmer

The Appaloosa Trailer Court is located on the Old Pullman Highway outside of the Moscow city limits. The property currently contains approximately 66 mobile home spaces. The Idaho Department of Environmental Quality (DEQ) has notified the owner of the property that the septic system currently serving the trailer court is out of compliance with DEQ wastewater treatment regulations. In an effort to bring the property into compliance, the owner Mr. Rusty Olps, is proposing a plan to connect the property's sanitary sewer system to the City of Moscow's sewer system by constructing approximately 4,000 feet of sewer main across University of Idaho property. Should the City agree to serve the property, Mr. Olps is also requesting that he only be charged sanitary sewer general facility charges for only the 44 slots that are currently occupied and that the City of Moscow standard charge of double the normal monthly rates for properties outside city limits be reduced to one and a half times the monthly rate. It should be noted that Mr. Olps is not requesting annexation of the property.

PROPOSED ACTIONS: Consider request of Rusty Olps to be allowed to connect the existing Appaloosa Mobile Home Court to the City's sanitary sewer system and provide direction on the following items: 1. Will Serve Letter: Provide direction to staff to issue a Will-Serve letter for the Appaloosa Mobile Home Court without annexation; Provide direction to issue a Will-Serve letter for the Appaloosa Mobile Home Court upon the condition of annexation; or provide staff further direction. 2. Future Property Use Restriction: Require the property owner to enter development agreement restricting the use of the proposed sewer service to that of the existing mobile home development, and that any further development or redevelopment must be approved by the City Council; provide sanitary sewer service with no restrictions; or provide staff further direction. 3. General Facilities Charges: Require the payment of General Facilities Charges (GFC) for all occupied spaces and enter into an agreement with the owner to pay the

then current GFC fees at that time that any future dwelling units are installed upon the current vacant spaces; Required the owner to pay GFCs for all 66 available spaces; or provide staff further direction. 4. Monthly Sewer Service Fees: Direct staff to establish a special sewer service rate of 150% of the in-City service rates to be applied to the Appaloosa Mobile Home Court; Direct Staff to charge the current out-of-City rate of 200% of the in-City rate to the Appaloosa Mobile Home Court; or provide staff further direction.

Buvel and Palmer introduced the item as written above. When the University of Idaho conducted a surface water study they discovered that Appaloosa Court has unpermitted discharge and non-compliant lagoons. The current footprint of Appaloosa Court does not allow for the improvements required to bring the septic up to standards. The City Code allows services to properties outside of City limits. An annexation or no contest agreement is usually required at the time of the agreement in order to connect to the City's sanitation system. The owner is asking to connect to the City's sanitary sewer system without annexing the property. He is also asking to be charged for the active sites only at a rate of 150%, rather than 200%. The Committee had concerns regarding future development, chemicals from past activities negatively affecting the City septic system and treatment plant, lack of City control of the private line, and the standards of the County road with potential future annexation. It is staff's understanding the University of Idaho is in agreement for the sewer line to go through, but want the owner to go through the Will-Serve process before they will finalize routes.

Rusty Olps said he purchased Appaloosa Court a couple of years ago. He was given a Cease and Desist Operations notice and has been negotiating with the Department of Environmental Quality (DEQ) and working with the City of Moscow, Latah County, and the University. He has worked to reduce the number of spaces from 66 to 44 units to clean up the park and aid in his goal to provide affordable housing. He does not want to rebuild as a mobile home park, and instead create affordable housing. He has a sewer easement from 1986. Palmer stated that as long as the land is still one parcel, Olps would own and be in charge of maintenance for the sewer line. If the property was subdivided, the line would become public, not private. DEQ does allow privately owned but publicly operated systems so a homeowners association could hire an operator to be in charge of the system. Water is not in close proximity but could be reviewed if requested. Unfortunately, the property is landlocked by the University. If Council recommends a development agreement, the owner and any subsequent owners would be obligated to the same conditions of the agreement. Boland is in favor of this especially because of the humanitarian issues but states it needs to be at current rates. Bettge is in favor as long as the area is cleaned up. He likes the idea of future affordable housing. The Committee recommended approval and that it be placed on the Council regular agenda with the conditions that staff recommends; to issue a Will-Serve letter without annexation, require a future property use restriction, only charge for the current 44 in-use stalls, and to charge the full 200% service rate.

3. Indian Hills 9th Phase 2 Design Standard Variance (ACTION ITEM) - Bob Buvel

The City of Moscow executed a Development Agreement with Indian Hills Trading Company, LLC on July 31, 2018. The agreement requires the developer to construct the standard public improvements along the Myrtle Street right-of-way. The improvements are expected to be constructed by October 31, 2019. Public Works received a request from the developer for a variance from the requirement that sidewalks be installed on both sides of Myrtle Street, and that they be required to construct sidewalk along the west side only. The development agreement for Indian Hills 8th Addition included a clause allowing deferment of the Myrtle Street public improvements. Similarly, the development agreement for Indian Hills 9th Addition, executed on July 31, 2018 restated the condition. Design standards for all City streets have long required the installation of sidewalk on both sides of the street. Staff has determined that no special conditions exist peculiar to the property that merit approval of the variance.

PROPOSED ACTIONS: Recommend denial of the variance request and require Indian Hills Trading Company to install sidewalks on both sides of Myrtle Street in accordance with City standards and the development agreement, or recommend approval of the variance request, or provide staff further direction.

Buvel introduced the item as written above. The developer states difficult topography, an additional burden on development and Myrtle Street not being intended for a full city street for his reasons for requesting this variance. Staff recommends denying the variance request because it would hinder pedestrian crossing, multi-modal transportation expansion, and future developments such as a bus stop. If the City were to develop at a later time then the tax payers would be burdened with the sidewalk development. There will be parking on both sides and they are allowed to do the road section from previous revision of road standards since this was a contract from 2014. There was a bus stop built into the initial plans at The Grove so the sidewalk would be necessary for that bus stop.

Shelly Bennett, 2279 Moser Street Moscow, representing Indian Hills Trading Company, stated when The Grove was developed, the plan was for the lots to be developed into a grocery store. There is no access to the sidewalk as The Grove is gated. The engineer working with the Indian Hills Trading Company says it would be physically impossible to put the sidewalk in because of the slope.

Buvel said the grading is already in place for the sidewalk. The Committee recommended approval of staff's recommendation to denying the variance request and that it be placed on the Council consent agenda.

4. State/Local Agreement – Project Development – 3rd Street Safety Improvements Phase 1 (ACTION ITEM) Alisa Anderson / Nate Suhr

In 2017 the City applied for a grant through the Local Highway Technical Assistance Council (LHTAC) under the Local Highway Safety Improvement Program (LHSIP) which managed by LHTAC on behalf of the Idaho Transportation Department (ITD). The City has been awarded \$388,246 in federal funds requiring a 7.34% match of \$30,754 with total project costs estimated at \$419,000. The project is located on Third Street from Lieualen Street to 150' east of Lilly Street. The project will include installation of LED luminaries to increase night-time visibility, replacement of sidewalk, curb, and gutter while eliminating unused existing driveways. The Moscow Urban Renewal Agency will also contribute to the project in assisting with funding for the luminaries as part of their goal to improve infrastructure amenities within the Legacy Crossing District. An aerial map is attached to this report showing the location of the Phase 1 proposed improvements. The City has received a State/Local Agreement from ITD for Project Development of Phase I of this project which is attached to this report requiring a \$2,000 deposit for incidental services referred to in the Agreement. Funds to pay the 7.34% match are including in the FY2019 and proposed FY2020 budgets transferred from the 6th Street Pedestrian Improvements LHSIP project which has been deferred to be bid with this project scheduled for construction in FY2021.

PROPOSED ACTIONS: Recommend approval of the State/Local Agreement (Project Development) and corresponding Resolution, Project No. A020(483) 3rd Street Safety Improvements Phase 1, Moscow, Latah County, Key No. 20483, or provide staff further direction.

Anderson and Suhr introduced the item as written above. The original project submitted to the Local Highway Technical Assistance Council (LHTAC) was one large project. LHTAC asked the City to phase the project into two projects. The Moscow Urban Renewal Agency (MURA)

committed funds for illumination. The goal of this project is safety for pedestrians as well as updating the look and feel of the area similar to downtown. Suhr went through the details of the project construction from Lieuallen Street to Jackson Street. Seven light fixtures will be installed in conjunction with the credit union construction so not to tear up their sidewalk after completion. With that, two luminaires will be installed at the pedestrian crossing across the Pullman Highway in front of Papa Murphy's. The Committee recommended approval and that it be placed on the Council consent agenda.

5. State/Local Agreement – Project Development – 3rd Street Safety Improvements Phase 2 (ACTION ITEM) Alisa Anderson/Nate Suhr

In 2018 the City applied for a grant through the Local Highway Technical Assistance Council (LHTAC) under the Local Highway Safety Improvement Program (LHSIP) which managed by LHTAC on behalf of the Idaho Transportation Department (ITD). The City has been awarded \$285,393 in federal funds requiring a 7.34% match of \$22,607 with total project costs estimated at \$308,000. The project is located on Third Street 150' east of Lieuallen Street to Jackson Street. The project will include installation of LED luminaries to increase night-time visibility, replacement of sidewalk, curb, and gutter while eliminating unused existing driveways. The Moscow Urban Renewal Agency will also contribute to the project in assisting with funding for the luminaries as part of their goal to improve infrastructure amenities within the Legacy Crossing District. An aerial map is attached to this report showing the location of the Phase 2 proposed improvements. The City has received a State/Local Agreement from ITD for Project Development of Phase 2 of this project which is attached to this report requiring a \$2,000 deposit for incidental services referred to in the Agreement. Funds to pay the 7.34% match are including in the FY2019 and proposed FY2020 budgets transferred from the 6th Street Pedestrian Improvements LHSIP project which has been deferred to be bid with this project scheduled for construction in FY2021.

PROPOSED ACTIONS: Recommend approval of the State/Local Agreement (Project Development) and corresponding Resolution, Project No. A021(997) 3rd Street Safety Improvements Phase 2, Moscow, Latah County, Key No. 21997, or provide staff further direction.

Anderson said this is Phase II of the same project. Having no questions, the Committee recommended approval and that it be placed on the Council consent agenda.

REPORTS

Police Grants Update – Alisa Anderson / Roger Lanier / Eric Warner

Anderson and Warner gave an update on the police grants. There is a \$50,000 cap on grants for police programs which include Shop with a Cop, E-Ticket, Partnership for Success, and additional mobilizations. The Child Passenger Safety Program is not under this grant. For the Partnership for Success Moscow has been awarded a little over \$6,000 for a one-year grant for increased enforcement. The programs would include extra party controls, shoulder tap operations to cut down on supplying underage drinking, and educational talks to University houses about drug and alcohol use. The Idaho Transportation Department (ITD) offers mini grants for enforcement during local extra traffic weekends such as Mom's weekend. The E-Ticket system isn't working correctly. Staff has been looking at State Wide E-Ticket (SWET) whereas ITD will offer 75% of the funding to help purchase equipment and the software is provided at no cost. There is a deadline to have the new system up and running by September 30, 2019. Boland would like to see the results from the emphasis patrols, however Zabala doesn't want to measure effectiveness by number of citations.

Belknap gave an update on the police facility project. The property closed on June 13, 2019. A request for qualifications for design professionals was advertised and the interview committee has recommended the selection of Lombard Conrad Architects based on their qualifications. Staff is working on negotiations with anticipated design contract before the Council at the July 1 meeting.

ADJOURN

The meeting closed at 4:11 p.m.

