

Moscow City Council



Regular Meeting ~Minutes~

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Laurie M. Hopkins
City Clerk

208.883.7015

Tuesday, January 21, 2020

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, Sandra Kelly, Maureen Lauffin, Brandy Sullivan, Gina Taruscio, Anne Zabala

STAFF: Gary J. Riedner, Mia Bautista, Bill Belknap, Karl Riedinger, Evan Timar, Justin Smith, Mike Ray, Laurie M. Hopkins

PLEDGE OF ALLEGIANCE

Council Vice President Bettge led the Pledge of Allegiance.

PROCLAMATION ROTARY CLUB OF MOSCOW CENTENNIAL ANNIVERSARY WEEK

Mayor Lambert read the proclamation and presented it to numerous Rotarians. Connie Hall said a few words about the organization and thanked the City for helping with the flag pole installation at the Jim Lyle Park.

CONSENT AGENDA

1. All Consent Items (ACTION ITEM)

A. Approval of Moscow City Council January 6, 2020 Minutes - Laurie M. Hopkins

Minutes presented for approval.

ACTION: Approve minutes.

B. Disbursement Report December 2019 - Sarah Banks

Staff will present the Accounts Payable Report for the month ending December 2019. This was reviewed by the Public Works/Finance Committee on January 13, and recommended for approval.

ACTION: Sign the Disbursements Report for the month of December, 2019.

C. First Quarter Financial Report October 1, 2019 to December 31, 2019 for FY2020 - Sarah Banks

Staff will present the financial report for the first quarter of Fiscal Year 2020 (October 1, 2019 to December 31, 2019).

ACTION: Approve the FY2020 First Quarter Report.

D. Lot Line Adjustment for 1614 Christopher Lane – Aimee Hennrich

The applicants, Brad and Debbie Capawana, are requesting a lot line adjustment between two properties located at 1614 Christopher Lane and legally described as Lot 12 and 13, Block A, of Christopher's Crossing Subdivision. The proposed lot line adjustment would reduce Lot 13 from 1.95 acres to 1.78 acres and expand Lot 12 from 1.25 acres to 1.42 acres. The applicant is requesting the lot line adjustment due to already developed landscaping on Lot 12 and future plans to sell Lot 13. Lot 12 currently has an existing single-family dwelling upon it and Lot 13 is currently vacant. The subject properties are both located within the Suburban Residential (SR) Zoning District. Within the SR Zoning District, lots require a minimum lot size of 1 acre and a minimum lot width of 100 feet. The proposed lot line adjustment meets both of these standards and the existing home will meet all setback requirements. This was approved by the Public Works and Finance Committee on January 13, 2020.

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

E. Amended 2020 City Council Organization - Gary J. Riedner

At the City Council meeting January 6, 2020, Council President Brandy was approved to serve on the Administrative Committee, and the Council Vice President Bettge on the Public Works/Finance Committee. After discussions between them, they would like to switch the Committees they were approved to serve. An email was sent to the City Council members and the switch of Committees received no objections.

ACTION: Approve amendment to City Council assignments for 2020.

F. Police Department Traffic Enforcement Mobilization Grants - Alisa Anderson / James Fry / Eric Warner

The Idaho Transportation Department (ITD), through the Office of Highway Safety (OHS) administers the Traffic Enforcement Mobilizations program. The goal of the program is to eliminate death and serious injuries resulting from motor vehicle crashes and to implement programs designed to address driver behavior. The program provides funding at the state and community level for highway safety problems to address Idaho's own unique circumstances and highway safety needs. Traffic enforcement has been proven to be an effective countermeasure to reduce unsafe driving behaviors. The Traffic Enforcement Mobilization program establishes project requirements and a funding process to support the enforcement efforts as part of the Idaho's Strategic Highway Safety Plan (SHSP). The program funds dedicated overtime enforcement hours and/or traffic enforcement equipment. OHS also offers Mini Grants to support data-driven Idaho Safety Traffic Goals as established in the annual Highway Safety Plan for traffic training support, traffic equipment and enforcement. These Mini Grants allow agencies to be reimbursed for training and special emphasis patrols. Moscow Police Department (MPD) has successfully participated in mobilizations offered through the OHS program for several years. Attached is the 2019-2020 Idaho Transportation Department, Office of Highway Safety, Traffic Enforcement Grant Project Agreement (TEGPA), the Certifications and Assurances, and the Subrecipient Risk Assessment required for participation in the program. This was reviewed by the Public Works/Finance Committee on January 13, 2020 and recommended for approval.

ACTION: Ratify the FY2020 Traffic Enforcement Grant Project Agreement (TEGPA), the

Certifications and Assurances, and the Subrecipient Risk Assessment required for participation in the program for mobilizations during specified Highway Safety Performance Plan focus area events, campaigns, and/or Mini-Grant requests up to an accumulative amount per program fiscal year of \$50,000 with administrative approval.

G. Fire Department – FM Global Fire Prevention Grant Approval – Alisa Anderson / Brian Nickerson

FM Global is a worldwide philanthropic organization promoting fire prevention and awards grant funds to public organizations which support their mission. Funding requests are accepted to help organizations working to combat fire for a wide array of fire prevention, preparedness and control efforts. Program funding scopes include Pre-Incident Planning; Fire Prevention Education and Training; and Arson Prevention and Fire Investigation. A grant application was submitted to FM Global in June of 2019. This was the first time the Fire Department had requested funds from this organization, therefore anticipated approval was considered unlikely as the organization normally funds much larger departments. A grant request was submitted for \$2,500 to purchase equipment to include two sets of a DeWalt Cordless Tool Combo Kits and two Pelican Remote Area Lighting Systems under the Arson Prevention/Fire Investigation category. On December 18, 2019, staff received an award letter for \$1,720. A copy of the program information, grant request and award are attached to this report.

ACTION: Accept the FM Global Fire Prevention Grant Award for \$1,720 to purchase fire investigation equipment.

H. Local Highway Safety Improvement Program Grant Application - A Street and Baker Street Intersection - Safety Improvement Project - Alisa Anderson / Bill Belknap / Nate Suhr

The intersection of A and Baker Streets has been determined by Engineering staff as an eligible project for Federal Highway Safety Improvement Program (HSIP) grant funding. The Local Highway Technical Assistance Council (LHTAC) administers those funds through the Local Highway Safety Improvement Program (LHSIP). Additional details are provided in the attached memo from Alisa Anderson, Grants Manager.

This grant request is proposed for the project for a total project cost estimated not to exceed \$800,000. Staff's recommendation is to request \$741,280 in LHSIP funding, with the providing the required 7.34% local match of \$58,720. If approved by LHTAC, the project would be scheduled for design in 2022 and construction in 2023. This grant request was reviewed by the Public Works/Finance Committee on January 13, 2020, and recommended for approval.

ACTION: Approve submission of the grant request for the LHSIP FY22 Application for safety improvements to the intersection of A and Baker streets with an estimated total project costs not to exceed \$800,000; requesting \$741,280 in LHSIP funding with the required 7.34% local match of \$58,720.

I. Sewer Conveyance Vacuum Truck Purchase - Tyler Palmer

Fleet is requesting an early replacement of Unit #148 (Sewer Conveyance Vacuum Truck) in FY2020 due to reliability concerns with the current 2011 International chassis. With this unit being down for repairs for more than 30% of the year already, it is clear that Sewer Conveyance cannot successfully continue to rely on this vehicle in the critical maintenance of the City's

water reclamation system. This unit will continue to have excessive issues as it is a known problem year for Navistar MaxxForce engines due to the design of the emissions system. Fleet has accumulated funds in the amount of \$364,154 for the scheduled replacement of this unit. Because of the reliability issues, it is requested to move the replacement up to FY2020. The cost of replacement, considering the trade of the old unit, is \$379,659. Accumulation for other Sewer Fund fleet replacements will be utilized for the remaining \$15,505. If approved by City Council, the appropriation will be brought forward in the FY2020 open budget process. This was reviewed by the Public Works/Finance Committee on January 13, 2020, and recommended for approval.

ACTION: Approve replacement of Unit #148 in the FY2020 budget year, and direct staff to bring the adjustment forward in the FY2020 open budget process.

Bettge 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

None offered.

3. Mayors Appointments (ACTION ITEM)

The Mayor proposed the following appointments: Rebecca Marquez to the Fair and Affordable Housing Commission; Rich Beebe to the Planning and Zoning Commission; Pamela Brunsfeld to the Tree Commission; MacKenzie Lawrence to the Farmers Market Commission and the reappointment of Lennea Sheneman to the Moscow Arts Commission

Bettge moved and Kelly seconded to approve the appointments. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

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

None offered.

5. Public Hearing: Ordinance Amending Title 6, Chapters 2, 3, and 4 of Moscow City Code Regarding Mobile Home and Recreational Vehicle Parks (ACTION ITEM) - Mike Ray

On November 23, 2018, the Community Development Department received a letter from Mr. Gary Lester, requesting that the Planning and Zoning Commission review and potentially remove the 6-month stay limitation for Recreational Vehicles (RVs) within the City of Moscow. The Commission discussed Mr. Lester's request at their January 9, 2019 and February 13, 2019 meetings and directed staff to prepare a code amendment to eliminate the 6-month stay limitation and provide greater opportunities for tiny houses within mobile home parks. After review of the existing RV park and mobile home park ordinances, it was determined that the codes have not been updated since the early 80's. Therefore, the code amendment was expanded to include the mobile home park chapters, which have been updated in order to align the chapters with current State and Federal definitions and reorganized for ease of use. On December 11, 2019, the Commission conducted a public hearing upon the proposed ordinance and recommended approval to City Council. This item was reviewed by the Administrative Committee on January 13, 2020.

PROPOSED ACTIONS: After conducting the public hearing and consideration of testimony

received, approve the proposed 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; or reject the Ordinance; or take such other action deemed appropriate.

Ray introduced the item as written above and gave details about the reorganization of the chapters and the addition of modular homes, which will allow for tiny homes.

Mayor Lambert opened the public hearing at 7:17 p.m.

Gary Lester, 1214 Logan St Moscow, feels mobile home parks are the last frontier of affordable housing. Mobile homes can be purchased new or used and inexpensive without a mortgage and have affordable lot rents. Since purchasing Abiel Mobile Home Community in 2015, of the 91 spaces, there are only four empty spaces. By removing the six month stay limitation and allowing RV's, tiny homes etc., it will attract construction workers, students, retirees.

Rusty Olps, 931 Harold St Moscow, owns a mobile home park in the county and struggles with entry level models under current standards. He agrees with what Mr. Lester said. This change would allow tiny homes and is in favor of the proposal.

Dan Gruss, Palouse Hills Mobile Home, has four places that are empty but lots are two short to put anything on them. He receives calls for RV long-term space, and is in support of the proposed changes and reiterates what Gary and Rusty said.

Jerry Schutz, 520 Empire Lane, this was one of the things he was passionate about when on P&Z. He encourages the Council to pass the ordinance on first reading.

Jean Elliot, lives in the county and encourages the Council to think of positives and negatives. She can see a 6 month stay with an RV vehicle. If the City approves this proposed change, it could extend to rest of the county. A campground could be disruptive, don't know who is in the vicinity, and also concern of dust, dogs, etc., which could in the future lead to downsides. She suggests the Council look to the future.

Mayor Lambert closed the public hearing at 7:28 p.m.

Council members expressed support for the changes commenting on the changes providing affordable housing, complete use of the parks, long term stays for those working on construction projects, flexibility in solving housing issues, and diversity in housing.

Bettge moved to approve the proposed Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary. Seconded by Zabala. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

Mayor Lambert read Ordinance 2020-01 by title:

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 6, CHAPTERS 2, 3, AND 4, REGARDING AMENDMENTS TO THE MOBILE HOME PARKS AND RECREATION VEHICLE PARKS CHAPTERS; 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.

**6. Public Hearing: Proposed Rezone at 904, 908, and 912 S Washington Street (ACTION ITEM)
- Mike Ray**

The applicant, Latah Federal Credit Union, is requesting to rezone a 25,000 square foot area of land at located at 904, 908 and 912 S Washington Street. The parcel is currently zoned Residential Office (RO) which the applicant is proposing to change to the General Business (GB) Zone. The Planning and Zoning Commission conducted a public hearing on December 11, 2019 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 by reviewing the zoning and comprehensive designation in the neighborhood and describing the definitions of the zones.

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

Scott Becker, Hodge and Assoc, thanked staff for the presentation. The north structure is not in good shape and the request will put the zoning in compliance.

Russ Wheelhouse, Moscow, said he is not against putting a business on the property but wants to point out parking could become a problem.

Marlis Wilson, 912 S Washington St., is the President for the credit union. She said the structure is beyond repair and the area will become parking. An expansion of the building could happen but would go into park of the existing parking. They are aware of the parking issues as neighborhood residents have parked in the credit union lot.

Mayor Lambert closed the public hearing at 7:48 p.m.

Sullivan said the rezone makes sense with the surrounding neighborhood as well as addressing the nonconformity.

Sullivan moved and Taruscio seconded to 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. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

Mayor Lambert read Ordinance 2020-02 by title:

AN ORDINANCE OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ZONING OF AN APPROXIMATELY FORTY-THREE THOUSAND (43,000) SQUARE FEET OF PROPERTY, DESCRIBED IN SECTION 1 OF

THIS ORDINANCE, AS GENERAL BUSINESS (GB); 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.

REPORTS

City Council

Moscow Tree Commission – Sullivan said the Arbor Day celebration is scheduled for April 24; the Commission approved three classes with P&R; and had a discussion on pruning practices in response to concerns.

Transportation Commission – Sullivan reported the Commission received a presentation for the A and Baker St proposal; and discussed a ROW vacation on Howard Street.

Moscow Volunteer Fire Department – Laflin reported the Department discussed fundraising efforts and data on participation over the holidays when residents are not in town.

Human Rights Commission – Laflin said the Commission is sponsoring a movie on woman suffrage and also sponsoring Selma sometime this year.

Sustainable Environment Commission – Laflin said the Commission is discussing small cell 5g and the use of it and the criteria for regulations.

Palouse Knowledge Corridor – Bettge said the group hopes to schedule a report to Council in March or April; transitioning student projects; received a couple grants.

SMART Transit – Bettge said the new buses are almost ready; the Board discussed altering routes to skip early routes in the northeast and add more to the northwest.

Planning & Zoning Commission – Kelly said the Commission discussed 5G and how close the mini towers would be and the esthetics.

Moscow Pathways Commission – Kelly said they discussed a banner for farmers market and a map of pathways.

Mayor

The Mayor said the MYAC met and the students lined out some projects including downtown cleanup, another first responders' lunch in May and recruiting efforts are picking up. He attended the Quarterly breakfast meeting and the MLK breakfast.

Staff

There are five council members going to the AIC City Officials Day at the Capitol and a few staff will also attend. A lunch with the local legislators has been scheduled and they will receive an update on the legislative session.

ADJOURN

The meeting adjourned at 8:08 p.m.

ATTEST:


Laurie M. Hopkins, City Clerk





Bill Lambert, Mayor

**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 THE REZONING A TWENTY-FIVE THOUSAND (25,000) SQUARE FEET AREA OF LAND LOCATED AT 904, 908 AND 912 S WASHINGTON STREET IN THE CITY OF MOSCOW, IDAHO.

WHEREAS, the applicant filed an application for Rezone on November 18, 2019; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on December 11, 2019; and

WHEREAS, this matter came before the Moscow City Council during a duly noticed public hearing on January 21, 2020; 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 twenty-five thousand (25,000) square foot area of land located at 904, 908 and 912 S Washington Street.
3. The subject property currently contains the Latah Federal Credit Union (LFCU) building, a LFCU parking lot, and a single-family dwelling.
4. The property is surrounded primarily by a residential neighborhood to the east, the Wren Welcome Garden and a Gritman Medical Center parking lot to the west, the Zia commercial building to the north, and LFCU's drive-through and parking lot to the south.
5. The subject property is currently designated by the 2019 Comprehensive Plan as Urban Mixed (UM). According to the Comprehensive Plan, UM designated areas,

"intended to provide for the infill development and adaptive re-use of areas that surround downtown. Within these areas, a mix of residential and limited commercial uses should be promoted through the development of small urban apartments, townhomes, and two- to three-story vertically mixed-use buildings. The urban mixed area should provide a pedestrian connection between the University of Idaho and downtown, and provide space for a variety of housing alternatives, niche retail, restaurants, artist studios, and personal and

professional services. Off-street parking should be required, but the requirements should be reduced in this area due to the likely number of non-motorized travel the uses will attract."

6. The surrounding properties to the north and south are designated as Urban Mixed (UM), the residential neighborhood to the east is designated as Urban Residential (UR), and Gritman Medical Center to the west is designated as Civic/Institutional (CI).
7. The subject property has property frontage on Washington Street which designated as a National Highway, and Lewis and Spotswood Streets which are designated as local neighborhood streets by the 2019 Comprehensive Plan.
8. The subject property is currently designated Residential Office (RO).
9. The proposal is to rezone the subject property from its current designation of the Residential Office (RO) Zone to the General Business (GB) Zone.
10. The principal purpose of the GB Zoning District is to provide for the location and grouping of compatible retail enterprises having the common characteristics of dispensing commodities, providing professional services or providing personal services to the individual, but which do not involve more than incidental or limited assembly, fabrication or storage of commodities.
11. The GB Zoning District is appropriately applied in the following circumstances:
 1. *On the periphery of the CB Zoning District where retail uses are appropriate yet the distance to community parking facilities indicates a need for on-site parking.*
 2. *At dispersed commercial centers where the grouping of retail and office uses is appropriate to serve community or regional needs.*
12. The GB Zone is a mixed-use zone which permits a wide variety of commercial and residential uses.
13. There are existing water and sewer mains within the surrounding streets which are of sufficient capacity to accommodate any future use that the GB Zone would allow on the subject property.
14. The subject property is located adjacent to the intersection of Washington Street (HWY 95) and Troy Highway, which are both designated within the Thoroughfare Plan as National Highways. Washington Street is developed with three northbound vehicular lanes with curb, gutter, and sidewalks on both sides of the street.
15. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on November 14, 2019 to discuss the proposed rezone.

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 rezone is consistent with Comprehensive Plan goals, objectives, and implementation actions.** The proposed zoning district is consistent and in conformance with the uses and densities designated within the 2019 Comprehensive Plan. The Urban Mixed (UM) Land Use Designation corresponds with the proposed General Business (GB) Zone. Therefore, the Council finds that the proposed rezone is consistent with the Comprehensive Plan.

2. **The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.** The proposed GB Zone provides for a continuation from the existing GB Zone to the west and a logical transition to the Motor Business (MB) Zone to the south and Multiple Family Residential (R-4) Zone to the east. The proposed zoning and uses are consistent with the surrounding area and will not unduly burden the neighborhood of public infrastructure. The proposed rezone meets the intent of the GB Zone.
3. **The uses expected to occur as a result of the rezone will be compatible with the surrounding area.** The proposed zoning is consistent with adjacent zoning districts and will create a logical and orderly zoning configuration for the subject area.
4. **The size, type, and density of development expected to occur as a result of the rezone will not place an undue burden upon delivery of services provided by any political subdivision within the planning jurisdiction.** The proposed zoning and uses are suitable for the area and will not unduly burden the neighborhood of public infrastructure.
5. **The size, type, and density of development expected to occur as a result of the rezone can be adequately served by the existing transportation network, public facilities and services.** The subject property has street access via Washington Street, Lewis Street, Spotswood Street, and an alley to the east. There are currently sufficient and available public utility services to meet the needs of existing and future development.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Moscow approves the rezone request for the twenty-five thousand (25,000) square foot property from the Residential Office (RO) Zone to the General Business (GB) Zone with no conditions.

PASSED BY THE CITY COUNCIL OF THE CITY OF MOSCOW this 21st day of January, 2020.



Bill Lambert, Mayor