

# Moscow City Council



## Regular Meeting ~Minutes~

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Laurie M. Hopkins  
City Clerk

208.883.7015

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**Monday, July 6, 2020**

**7:00 PM**

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

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**The meeting was called to order at 7:00 p.m. Council and staff**

PRESENT: Mayor Bill Lambert, Sandra Kelly, Maureen Laflin, Brandy Sullivan, Gina Taruscio, Anne Zabala

ABSENT: Art Bettge

STAFF: Gary J. Riedner, Mia Bautista, Bill Belknap, Nathan Suhr, Alisa Anderson, Ty Thompson, Tyler Palmer, Jen Pfiffner, Laurie M. Hopkins

**PLEDGE OF ALLEGIANCE**

Council Member Gina Taruscio led the Pledge of Allegiance.

**REGULAR AGENDA**

**1. Approval of Moscow City Council June 15, 2020 Minutes (ACTION ITEM) - Laurie M. Hopkins**

Minutes presented for approval.

**PROPOSED ACTIONS:** Approve minutes, amend minutes, or take other such action deemed appropriate.

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

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

None offered.

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

Mayor Lambert proposed the following appointments: Jo Ellen Force to Fair & Affordable Housing Commission; Steve Taylor and Laurabeth Landis to Historic Preservation Commission; Bekah MillerMacPhee and David Pittsley to Human Rights Commission; Sonja Foard to Moscow Arts Commission; Erin Bacon and Randy Baukol to Transportation Commission; and Jeanne Leffingwell to Tree Commission. Sullivan moved and Taruscio 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)**

Victoria Seever (Moscow), was impressed and happy when a sign goes up and says thank you and you know what it is about. Some people still work and risk their lives. She thanked Mayor Lambert and Council for the mask order.

Gabriel Rench (Moscow), thanked the Mayor and Council for their elected service and for debating the

issue. He spoke on COVID-19 data and how he feels Council is ignoring the modeling. When the Mayor and Council issued the resolution to shut down businesses, they still received a pay check.

Zack Bishop (Moscow), works at a local restaurant and it is opening back up. With the students returning, safety of the community is at risk.

Toni Salarno (Moscow) doesn't agree with mask wearing. Would like to see the community promote health through supplements and such. Overprotection may hinder immune systems. Being exposed to germs will strengthen us. She listed risks of wearing masks.

Jenifer Wisniewski (Moscow) does not support mask wearing.

Zack Baird (Moscow) feels Main Street has had enough negative economic impact; community has banded together even with the lower percentage of income; today's business climate includes bullying by council members; he supports protecting Moscow citizens but bringing in a poster that says "a city that masks together, stays together is not professional.

Mayor Lambert responded by saying everyone needs to work together.

**5. Resolution to Extend Amended Public Health Emergency Order 20-03 (ACTION ITEM) - Gary J. Riedner**

Pursuant to Moscow City Code Title 1, Chapter 11, Section 5(B), Mayor Lambert issued Amended Public Health Emergency Order 20-03, requiring face coverings (masks) when in a public setting and the 6-foot physical distancing cannot be maintained and maintain a 6-foot social/physical distancing from non-household members when in public settings, within the City of Moscow.

Pursuant to Idaho Code section 46-1011, and MCC 1-11-5(B), the Public Health Emergency Order is effective for seven (7) days, unless extended by resolution of the City Council. The attached Draft Resolution extends Emergency Order 20-03 until August 4, 2020.

**PROPOSED ACTIONS:** Adopt the Resolution extending Amended Public Health Emergency Order 20-03 until August 4, 2020, or take such other action deemed appropriate.

Riedner introduced the item as written above. The recommendations came from North Idaho Public Health and CDC. The definition of face mask has not been discussed and staff has draft language that can be added if the Council so wishes to add it to the resolution. The Mayor invited public comment.

Gabriel Rench (Moscow), Idaho statutes defines quarantine and isolation, we have isolated everyone and quarantined no one which is backwards to the definition. He doesn't feel the City is dealing with the problem.

Dr. Abigail Smith (Moscow), says the unknown enemy of COVID-19 has affected every aspect of our lives. She spoke on the Just War Theory, discrimination and proportionality. She feels forcing the wearing of masks is fundamentally unjust; desired end needs to be proportionate to the means used; wearing masks prevents seeing ones expressions; masks rob you of fundamental humanity; makes people afraid.

John Wisniewski (Moscow) read a poem against wearing masks.

Jennifer Wisniewski (Moscow) quoted Journals of the American Medical Association (JAMA) which states when masks should be worn.

Barb (Moscow), selling out rights of the people and discriminating.

Amy Paul (Moscow), thankful for conversations over the last few months; has been proud of Moscow but now sad and disappointed in the state of the city; finger pointing and shaming and is a poor example of reaching out to businesses; seeing rising cases but no hospitalization; would like to see City post the research used in making decisions; in favor of businesses running their day to day operations without fear and anxiety if an employee tests positive; virus is not going away so need to work with it and not around it.

Katarina Matay (Moscow), flabbergasted at the order and disagree with having to wear masks. She read an article from USA Today regarding Mayor in from Eager, Arizona, who errors on the side of freedom.

Heidi Schibe (Moscow) feels the mandatory mask order defaces citizens and causes fear.

Taruscio and Kelly both support the mandate. Laflin pointed out top experts are suggest wearing masks; there is a risk to the Moscow community; need to follow the science; is in favor of the resolution. Zabala doesn't want to live in fear but with the uptick in cases, this is the right thing to do; appreciates everyone making sacrifices. Sullivan spoke on the data and science. Mayor Lambert said COVID won't last forever but we need to work together.

Kelly moved to adopt the Resolution extending Amended Public Health Emergency Order 20-03 until August 4, 2020. Taruscio seconded. Sullivan said the virus is new and information is coming out constantly. Council will continue to review and can discuss at any time. Taruscio believes this is the best decision for the community. Laflin said it broke her heart to see businesses closed. Masks build confidence that the businesses will be safe. Sullivan has heard many businesses say they appreciate the order. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

#### **6. State/Local Agreement - Project Development - Public Ave. Corridor Safety Improvements (ACTION ITEM) - Alisa Anderson**

City staff requested funding for the Public Avenue Corridor Safety Improvements project under Local Highway Safety Improvement Program (LHSIP) in January, 2019 and received notification of award in April, 2019. The project which qualified for funding is located on Public Avenue and will be designed to address the high rate of injury crashes and a fatality in this corridor. The 1,100-foot long project corridor on Public Avenue is located in northeastern Moscow between Polk Street and Lincoln Street. To address the corridor crashes a concrete splitter island will be installed at the intersection of Polk Avenue and Public Avenue and the road section will be upgraded to include full 12-foot vehicle lanes and 5-foot bicycle lanes. The project will also include the installation of approximately 2,200 linear feet of curb, gutter, and 5-foot sidewalk. The improvements will widen the roadway and eliminate roadside ditches creating a more navigable corridor for both vehicles and pedestrians. The Idaho Transportation Department (ITD) has requested the City execute a State/Local Agreement to complete the project development phase prior to construction.

**PROPOSED ACTIONS:** Approve the State/Local Agreement and the corresponding Resolution for Project Development for the Public Avenue Corridor Safety Improvements Project No. A022 (402), or take other such other action deemed appropriate.

Anderson introduced the grant information. Suhr provided the concerns regarding this area and the solutions presented for the grant application. Taruscio moved to approve the State/Local Agreement and the corresponding Resolution for Project Development for the Public Avenue Corridor Safety Improvements Project No. A022 (402). Kelly seconded.

#### **7. 2020 Water and Sewer Rate Study Recommendations (ACTION ITEM) - Tyler Palmer**

In May of 2019, the City of Moscow contracted with FCS Group to assist in a Water and Sewer Utility Rate Study. Rate studies are conducted periodically to assure that the costs of services are in alignment with the revenue to the utilities, and that said costs are allocated in as equitable a manner as possible among the users of the system. The most recent rate study was completed, and adopted by City council, in 2013. Utilities are not paid with taxes, but with rate-based fees. Idaho Code requires that those rates are equivalent to the value of services provided, which include day-to-day operations, system maintenance and repair, and capital improvement costs. Rate studies serve several important purposes, and revisiting rates every 5-7 years assures that rates are fair and equitable. With this rate study, Staff is proposing a restructuring of the commercial sewer rates. This restructuring will simplify the categories down to three commercial rate groupings: Low, Medium, and High. This shift will better align costs with contribution to the system, as it will allow for a shift to a rate more weighted to consumption. FCS Group will present the final report for this study which includes the revenue requirements to fund the reinvestment of the ongoing utilities and infrastructure capital plans. The report identifies the rates for each of the classifications of water and sewer that are affected by the cost of service and their individual rates over the time frame. The structure of this study has been presented to a Citizen Rate Committee (CRC). After analyzing the data, the CRC recommended adoption of the proposed structure. In addition, an online open house has been available on the City's website (<https://www.ci.moscow.id.us/845/2020-Utility-Rate-Study-Online-Open-Hous>) , and advertised to the public in the local newspaper, and on social media.

**PROPOSED ACTIONS:** Adopt the 2020 Water and Sewer Utility Rate Study recommendations, and direct staff to implement the recommendations in conjunction with the FY2021 budget, or take such other action deemed appropriate.

Palmer gave a background on the water system, schedule of the committee meetings and public input period, and introduced Sergey Tarasov with FCS who provided a presentation detailing the current rates, proposed rates, and impacts (see attached presentations). Riedner spoke on the budgetary impact.

Sullivan moved to adopt the 2020 Water and Sewer Utility Rate Study recommendations, and direct staff to implement the recommendations in conjunction with the FY2021 budget. Zabala seconded. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

#### **8. Corona Virus Recovery Fund Public Safety Payroll Reimbursement / Property Tax Relief (ACTION ITEM) - Gary J. Riedner**

On June 11, 2020, Governor Brad Little announced that the Coronavirus Financial Advisory Committee (CFAC) had approved \$200 million in federal Coronavirus Aid, Relief and Economic Security Act (CARES Act) funds to support public safety and pass property tax reductions to

taxpayers. The program seeks to reimburse local government for the pay and benefits paid to public health and public safety employees from March 1, 2020 through December 30, 2020. The exact amount of reimbursement is determined by the amount reimbursable expenses are claimed, up to an allocation determined both by population and the number of applicants for the \$200 million fund. This fund is in addition to the original CARES Act allocation to the City of Moscow in the amount of \$887,100 for reimbursement of expenses incurred in responding to the COVID-19 pandemic.

In order to access the City's allocation of the \$200 million, the City would provide an amount of property tax relief to taxpayers equal to the amount reimbursed under the program. The City must issue a "letter of intent" to the state by July 17 in order to be eligible for the program. The "letter of intent" will also indicate the amount of public health and/or public safety pay and benefits for which reimbursement will be sought.

Unfortunately, in spite of repeated attempts, staff has been unable to obtain written specifics of the program at this time, including what potential impacts might result in future budget years. Staff has been advised that information will be issued during the week of July 6, which will contain specifics of the program. Staff has been advised that the "letter of intent" is non-binding, and does not obligate the City to take advantage of the program, or to commit to any property tax relief. Staff is requesting authorization for the Mayor to issue the non-binding "letter of intent" in order for the State to calculate the amount of allocation available to the City. Such allocation amount is expected to be issued by the State on July 24. Staff will seek further direction from City Council regarding whether to proceed further with the program and whether to seek reimbursement.

**PROPOSED ACTIONS:** Authorize the Mayor to issue the non-binding "letter of intent" on or before July 17, 2020, and to seek further direction from City Council prior to further commitment to participate in the program, or take such further action deemed appropriate.

Riedner introduced the item as written above. Staff has asked for answers as the drop-dead date is when the L-2 tax form is due to the County but no one seems to know answers. Tomorrow staff will have a zoom conference with AIC to discuss options, such as moving the letter of intent due date. The County prosecutor has looked at this and tying relief to tax relief is not allowed by the treasury. The County is requesting a letter of guidance from the governor's office. Taruscio moved and Laflin seconded to authorize the Mayor to issue the non-binding "letter of intent" on or before July 17, 2020, and to seek further direction from City Council prior to further commitment to participate in the program. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

**9. City of Moscow Benefits Proposal for Plan Year August 1, 2020 through July 31, 2021 (ACTION ITEM) - Gary J. Riedner**

The process for reviewing, adjusting, and developing the City's Employee Benefits Program begins in the early spring. The plan year for the City's Benefits Program is August 1 through July 31. The annual renewal process requires a considerable amount of work to evaluate renewal options, including historical use of benefits properly, an increase in rates dictated by providers, and adjustments to benefits to meet employees' needs while continuing to be fiscally responsible. The City partners with The Murray Group, which manages and negotiates the City benefits contracts annually. For the next plan year, August 1, 2020, through July 31, 2021, an initial increase of 13.42% for medical coverage was anticipated. The Murray Group worked with Regence, the City's current medical provider to determine what plan adjustments should be considered to help reduce

that significant increase in cost while providing attractive benefits for employees and their dependents. The resulting of those negotiations decreased the quote increase from 13.42% to 5.01%, which also included some plan changes, as described in the accompanying materials. The total cost increase is a total of \$157,114, including the 5.01% increase to medical and vision benefits at \$92,114 and an increase for the proposed HRA program at \$65,000. Compared to the initial increase quoted of 13.42% (\$242,453), the program's suggested adjustments result in a cost savings of \$85,339.

**PROPOSED ACTIONS:** Approve adjustment to benefits and related costs associated with those changes to the City of Moscow's Employee Benefit Program, or take other such action deemed appropriate.

Riedner introduced the item as written above. Staff worked with Murray Group to create a Health Reimbursement Account (HRA) to help employees cover the out of pocket maximum. Also proposed is the City self-insuring for the amount over the employee out of pocket amount, which provides another savings for the City.

Sullivan moved and Kelly seconded to approve adjustment to benefits and related costs associated with those changes to the City of Moscow's Employee Benefit Program. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

#### REPORTS

No reports were offered.

**ADJOURN TO EXECUTIVE SESSION PER IDAHO CODE 74-206 (1)(C) AND (F) - THE MEETING WILL NOT RECONVENE.**

Taruscio moved and Kelly seconded to adjourn to executive session at 9:37 p.m.

ATTEST:

  
Laurie M. Hopkins, City Clerk



  
Bill Lambert, Mayor

**CITY OF MOSCOW  
MINUTES OF CITY COUNCIL EXECUTIVE SESSION  
July 6, 2020**

Present: Mayor Lambert, Sandra Kelly, Maureen Laflin, Brandy Sullivan, Anne Zabala

Also Present: Gary J. Riedner, City Supervisor; Mia Bautista, City Attorney, Bill Belknap

The executive session was called to order at 9:37 p.m.

Item discussed pursuant to I.C. 74-206(1) (C) and (F)

The executive session was adjourned at 10:03 p.m.