

Moscow City Council



Regular Meeting ~Minutes~

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Laurie M. Hopkins
City Clerk

208.883.7015

Monday, May 4, 2020

7:00 PM

Council Chambers
206 E. Third St.

The meeting was called to order at 7:00 p.m. All those present for the meeting participated by video.

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

STAFF: Gary J. Riedner, Mia Bautista, Bill Belknap, Tyler Palmer, Mike Ray, David Schott, Nate Suhr, Aimee Hennrichs, Zach Ellis, Kyle Steele, Bob Buvel, Mike Ray, Laurie M. Hopkins

PLEDGE OF ALLEGIANCE

Mayor Lambert led the Pledge of Allegiance.

Mayor Lambert said Item 1 – Public Hearing: Howard Street Right-of-Way Vacation was being removed from the agenda and will come forward at a future meeting.

REGULAR AGENDA

1. ~~Public Hearing: Howard Street Right-of-Way Vacation (ACTION ITEM) – Bob Buvel~~

~~On December 9, 2019, the City received a letter requesting the vacation of a portion of the Howard Street right-of-way (ROW) located south of Homestead Street and north of East E Street. A copy of the letter is included in the packet. The request was made by Mr. Neil Brown, who is the owner of 704/706 East E Street, which abuts the subject property. A vicinity map of the proposed vacation area is shown on the Notice of Public Hearing attached herein. The notice of the hearing was advertised in the newspaper of record and mailed to properties within 300 feet of the subject ROW. Due to the COVID-19 orders restricting gatherings of groups of more than ten, public comment was encouraged to be sent by email in advance of the meeting. All comments received thus far are attached. The petitioner's request is also attached for review. The franchised utilities were notified of the application for the vacation. A copy of a draft ordinance vacating a portion of the Howard Street ROW is attached for Council review.~~

PROPOSED ACTIONS: ~~Hold a public hearing pursuant to the revised procedures adopted in light of the COVID-19 pandemic response, to accept public testimony on the matter of the Howard Street ROW Vacation request by way of receiving emails and letters in advance of the hearing, consider such testimony, and approve the vacation request by adoption of the Ordinance under suspension of the rules requiring three complete and separate readings and that the ordinance be read by title and published by summary; or consider the Ordinance on first reading; or deny the vacation request; or take such other action deemed appropriate.~~

2. 1110 S Main Street Lot Division (ACTION ITEM) - Aimee Hennrich

The applicant, Justin Sult, is requesting a lot division for an existing lot of approximately 60,057 square feet in size located at 1110 S. Main St. The applicant is requesting the lot division in order to create two lots of approximately 51,833 square feet and 8,224 square feet in size. The intent of the lot division is to create a new separate lot containing two existing duplexes. The subject property is located within the Multiple Family (R-4) Zoning District which requires a minimum lot size of 5,000 square feet and a minimum lot width of 50 feet for two family dwellings. Both proposed lots meet the minimum lot area and width requirements of the R-4 Zone. Property owners within 600 feet of the property have been notified of the proposed division and a sign was posted seven (7) days prior to the public meeting date.

PROPOSED ACTIONS: Approve the lot division request with no conditions, approve the lot division with conditions, or take such other action deemed appropriate.

Hennrich introduced the item as written above. The Council had no questions. Bettge moved to approve the lot division request with no conditions. Taruscio seconded. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

3. Paradise View Addition Final Subdivision Plat (ACTION ITEM) - Mike Ray

On August 19, 2019 Moscow City Council approved the request of the Moscow Affordable Housing Trust for Paradise View Addition preliminary plat with no conditions. On February 7, 2020 the applicant submitted the final subdivision plat to be reviewed by the Planning and Zoning Commission and City Council. The Planning and Zoning Commission reviewed the final plat on March 11, 2020 and recommended approval to City Council.

PROPOSED ACTIONS: Approve the Paradise View Addition Final Plat; or take such other action deemed appropriate.

Ray introduced the item and described the surrounding area, including utilities. Bettge moved to approve the Paradise View Additions Final Plat. Seconded by Laflin. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

4. Paradise View Addition Development Agreement (ACTION ITEM) - Bob Buvel

Nils Peterson, on behalf of Moscow Affordable Housing Trust, has submitted to the City a final plat for the development of the property at 1924 Nursery Street. On August 19, 2019 The City Council approved the preliminary plat for this property. The final plat is titled Paradise View Addition and will be presented for City Council approval on May 4th. If the final plat is approved by City Council, a development agreement is necessary to address construction of public improvements, parkland dedication, and as-constructed drawings. The attached agreement covers these items.

PROPOSED ACTIONS: Approve the Development Agreement with Moscow Affordable Housing Trust for Paradise View Addition, or take such other action deemed appropriate.

Buvel introduced the item as written above. Public improvements are in conjunction with the phases of the development. Bettge moved and Sullivan seconded to approve the development agreement with Moscow Affordable Housing Trust for Paradise View Addition. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

5. Paradise View Addition Monumentation Agreement (ACTION ITEM) - Bob Buvel

Moscow Affordable Housing Trust is the property owner and developer of the proposed Paradise View Addition on the lot currently addressed as 1924 Nursery Street. The subdivision has received preliminary plat approval and is being presented for City Council consideration at the May 4, 2020 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.

PROPOSED ACTIONS: Approve the monumentation agreement with Moscow Affordable Housing Trust for Paradise View Addition; or take such other action deemed appropriate.

Buvel introduced the item as written above. Council had no questions. Taruscio moved and Laflin seconded to approve the monumentation agreement with Moscow Affordable Housing Trust for Paradise View Addition. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

6. Itani Park Pathway Phase II Bid Result and Contract Award (ACTION ITEM) - Nate Suhr

The 2020 City of Moscow Itani Park Pathway Phase II Project will install 200 feet of 6-foot wide pathway connecting Itani Park northward to Crestview Drive. This project consists of excavation, grading, curb and sidewalk replacement, sidewalk installation, storm drain installation, and associated work. The City sent an electronic bid solicitation to five contractors on April 16th, 2020 with an Engineer's estimate for the project of \$33,196.75. Bids were opened on Friday, April 24, 2020. Two responsive bids were received, and Germer Construction of Moscow, Idaho submitted the low bid on the project of \$43,545.00.

PROPOSED ACTIONS: Accept the low bid from Germer Construction, Inc.--, and award the contract in the amount of \$43,545.00, and authorize staff approval of construction change orders in an amount not to exceed 10% of the contract amount (\$4,354.50), or take such other action deemed appropriate.

Suhr introduced the item as written above. No lighting is included in this project but can be added later. The budgeted amount was estimated high in case design needed to be outsourced. Sullivan moved to accept the low bid from Germer Construction, Inc and award the contract in the amount of \$43,545.00 and authorize staff approval of construction change orders in an amount not to exceed 10% of the contract amount (\$4,354.50). Taruscio seconded. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

7. Rotary Park Equipment Pad Bid Result and Contract Award (ACTION ITEM) - Nate Suhr

The Rotary Park Equipment Pad - 2020 Project will prepare the southeast playground at Jim Lyle Rotary Park located at the corner of "F" Street and Orchard Avenue for the installation of a new playground structure. This project also includes the installation of 126 feet of ADA compliant sidewalk. An Additional Alternative bid item for the removal of the playground equipment was also included in the project scope. The Engineer's estimate for the Base Bid was \$59,548.00 and \$12,000 for the Add/Alternative Bid, for a total of \$71,548.00. Two (2) responsive bids were received and the lowest responsive bid was submitted by Knox Concrete LLC. with a Base Bid of \$82,252.00 and an Add Alternate bid of \$5,000.

PROPOSED ACTIONS: Accept the low bid from Knox Concrete LLC, and award the contract in

the amount of \$82,252.00 for Base Bid only, and authorize staff approval of construction change orders in an amount not to exceed 10% of the contract amount (\$8,225.20), or take such other action deemed appropriate.

Suhr introduced the item as written above. The project budget allowed for the parks staff to remove the playground equipment if the bids were not favorable. Both bids came in above the budget as well as the engineers estimate. Staff recommends rejecting the add alternate to save \$5,000. Another way to reduce costs was to repair versus replace the ground cover. A ground protection option is ten times the cost of the repair option. Staff negotiated with the low bidder and agreed to a repair option which comes to a savings of approximately \$9,000. Another cost saving option is to keep unit amounts as low as possible. With all these savings, staff anticipates project cost to be in a \$67,000 to \$73,000 range. The saving options can be done by change order if the contract is awarded by Council. The playground equipment will have ADA components. The ground repair duties will be shared between contractor and City. Playground equipment becomes unsafe and brittle, and liability is high for reuse. Playground equipment has a lifespan of approximately 20-30 years.

Bettge moved and Taruscio seconded to accept the low bid from Knox Concrete, LLC, and award the contract in the amount of \$82,252.00 for Base Bid only, and authorize staff approval of construction change orders in an amount not to exceed 10% of the contract amount (\$8,225.20). Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

8. Ordinance Amending Title 5, Chapter 4 Moscow City Code Regarding Water Regulations (ACTION ITEM) - Tyler Palmer / Kyle Steele

Moscow City Code Title 5, Chapter 4 (Water Regulations) specifies a number of provisions concerning the supply of water to each residence and business that connects to the water system. These proposed changes help provide clarity and flexibility for property owners when determining water meter requirements for remodels and development. Under the proposed update, City staff will be able to work with property owners to determine the best metering approach for a property, rather than requiring distinct meters for spaces where it may not be necessary.

The proposed update provides a clear policy concerning connections to the City's public drinking water system and requirements for installation to water meters. Also included in this update are classifications of use and specific installations, an option for relocation and abandonment, up-sizing and down-sizing, and temporary suspension.

PROPOSED ACTIONS: 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.

Palmer introduced the item as written above. This update brings the code up to how development is happening now, such as mixed use. Steele went through all the changes to the code. Mobile home park installation has a single meter with multiple units. The City meters at the point of the City system and the private party so there is a clear delineation. Also addressed in the update is a single feedline to a single meter. Some buildings currently have intertied plumbing with multiple meters. If there needs to be a shut down and staff doesn't know which meter serves which area, it becomes a real problem. A meter needs to be dedicated to something and not intertwined in order to make it clear for maintenance

and repairs. Another change o the code will allow an owner of a mixed-use building to have one meter or a separate connection for each tenant.

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

Mayor Lambert read Ordinance 2020-06:

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 5, CHAPTER 4, RELATING TO WATER REGULATIONS; 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.

9. 2020 Water-Sewer Rate Study Discussion and Recommendation (ACTION ITEM) - Gary J. Riedner

Staff has been working with FCS Group, the consultants who have conducted the last two utility rate studies for the City of Moscow. The last rate study was completed in 2013 and rates were implemented by the City Council based upon the conclusions of the rate study. Water and sewer capital improvement plans have been updated with cost elements reflective of today's market. The Capital Improvement Plan, along with the departmental operations plans, Comprehensive Water System Plan, Comprehensive Sewer System Plan and the City's Facilities Plan, comprise the information upon which the financial needs of the utilities are based. These plans are analyzed and the rates (or fees) for services are recommended based upon those needs. The recommended rates are then presented to a Citizens' Rate Committee who reviews the proposed rates. Upon completion of this process, the proposed rates are forwarded to City Council for consideration and implementation in the upcoming budget year. Although work on the rate study has been further hampered by the COVID-19 outbreak, we need to move the process forward so that we have recommended rates for the Council to implement in the FY2021 budget. We are prepared to empanel the Citizens' Rate Study Committee to conduct their review. These are concepts that we would generally bring to City Council in a workshop setting. Since the COVID-19 outbreak has resulted in social distancing and fewer public meetings, staff has put together a video explaining the proposal, which has been made available Council members, and which then can serve as a reference moving forward with our Citizens' Rate Study Committee. The link to that video is:

<https://youtu.be/b8ohQJMAoN8>

PROPOSED ACTIONS: Authorize staff to proceed with the proposed changes to business classifications in the sewer rate and proceed with the Citizens' Rate Committee process; or take such other action deemed appropriate.

Riedner introduced the item as written above and described the sewer rate tiers and examples of different ratepayers and the effect of sewer. A conservative approach to a utility is having a base rate because it is money you can count on. A tiered rate based on consumption can vary because a resident can use less, pay less, by conserving. There needs to be a balanced approach to both base and consumption. The current structure has eight commercial rates and the proposal is to cut it back to three, based on sewer discharge so there is equity in the rates.

Sewer cannot be metered like water can. It requires extensive testing to know how much pressure an entity is putting on the treatment plant. National testing was done and percentages determined and found consistencies to establish sewer rates for particular types of businesses. The Committee will be a broad perspective of members and will review and refine the three rates, keeping the capital improvement plan in the discussion.

Sullivan moved to authorize staff to proceed with the proposed changes to business classifications in the sewer rate and proceed with the Citizens Rate Committee process. Kelly seconded. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

10. City's COVID-19 Response Report - Gary J. Riedner

Riedner reported with the Governor's Stay Healthy order and guidelines for Rebound, staff was charged with creating reopening protocols for City staff and buildings. Safety of staff and citizens is top priority for the reengagement. Playgrounds are scheduled to open in stage 2 and staff is looking at when youth activities and use of playfields, including restrooms could open safely. City Hall and the Police Department lobby should open this Wednesday with a mask protocol of required if closer than six feet and also when meeting with the public. Mask dispensers are by the entry doors. Many employees have been working remotely and guidelines say if possible to do so, continue until the end of June. The Marines of the Palouse donated 300 disposable masks to be used at City Hall

ADJOURN

The meeting adjourned at 9:01 p.m.

ATTEST:


Laurie M. Hopkins, City Clerk





Bill Lambert, Mayor