

Moscow City Council



Regular Meeting ~Minutes~

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Laurie M. Hopkins
City Clerk

208.883.7015

Monday, April 6, 2020

7:00 PM

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

PLEDGE OF ALLEGIANCE

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

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

STAFF: Gary J. Riedner, Mia Bautista(Skype), Bill Belknap (Skype), Tyler Palmer (Skype), Jen Pfiffner (Skype), Scott Bontrager (Skype), Laurie M. Hopkins (Skype)

PROCLAMATION - FAIR HOUSING

Mayor Lambert read the Fair Housing Proclamation.

CONSENT AGENDA

1. All Consent Items (ACTION ITEM)

A. Approval of Moscow City Council March 16, 2020 Minutes - Laurie M. Hopkins

Minutes presented for approval.

ACTION: Approve minutes.

B. Approval of Moscow City Council March 20, 2020 Minutes - Laurie M. Hopkins

Minutes presented for approval.

ACTION: Approve minutes.

C. Approval of Moscow City Council March 26, 2020 Minutes - Laurie M. Hopkins

Minutes presented for approval.

ACTION: Approve minutes.

Bettge moved, Kelly seconded to approve the consent agenda as presented. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

REGULAR AGENDA

2. Well 10 Development - Phase II Bid Results and Contract Award (ACTION ITEM) - Scott Bontrager

This project consists of the next phase of development for Well 10. The well was previously drilled under a separate contract in 2016. The current project proposes to construct a new well house, well pump, motor and column pipe, electrical, controls, associated piping, and site development for Well 10 to make the site fully functional to produce water. The City published an advertisement for bids

on February 1, 2020 for the Well 10 Development - Phase II project. The Engineer's estimate for construction was \$3,284,850. Bids were opened on Tuesday, March 17, 2020. Three bids were received, ranging from \$2,590,000 to \$3,097,290. Upon review, the apparent low bid from Quality Contractors was found to be non-responsive. Of the remaining responsive bids received, TML Construction was found to be the lowest responsive bid with a bid total of \$2,857,280. The bid analysis as well as a non-responsive bid letter sent to Quality Contractors are attached.

PROPOSED ACTIONS: Accept the low bid from TML Construction, award the contract in the amount of \$2,857,280.00, and authorize staff approval of construction change orders in an amount not to exceed 10% of the contract amount, or take such other action deemed appropriate.

Bontrager introduced the item as written above. Riedner added if Quality Contractors had not asked to withdraw their bid, Council would have to make a finding that the bid was non-responsive and award the contract to the next lower responsive bidder. A contractor is not required to officially withdraw their non-responsive bid. Bettge moved, Sullivan seconded to accept the low bid from TML Construction, award the contract in the amount of \$2,857,280.00, and authorize staff approval of construction change orders in an amount not to exceed 10% of the contract amount. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

3. Public Works Mutual Aid Agreement with Pullman Washington (ACTION ITEM) - Tyler Palmer

The operation of many of our critical systems requires a high level of training, expertise, and often mandated technical certifications. This mutual aid compact will allow the Cities of Moscow and Pullman to support one another in the maintenance of these critical systems in the event that the COVID-19 Pandemic or other emergency situation generates a need for mutual aid.

PROPOSED ACTIONS: Approve the public works mutual aid compact with the City of Pullman, or take such other action deemed appropriate.

Palmer explained this compact is to assure continuity of services in the event of a critical incident, such as this current situation of COVID-19. The public work systems are quite advanced and there are not many technical individuals in the local region. Pullman has very similar systems to our facilities. Provides a great opportunity for both cities. Riedner added the City has several mutual aid agreements, mainly in police and fire, that provides continuation of services. Council members thanked staff for this important relationship. Moscow and Pullman have always had a cooperative relationship, such as providing parts in an urgent situation, however this would not fall under a short-staffed situation as Washington and Idaho have different certification requirements. Sullivan moved to approve the public works mutual aid compact with the City of Pullman. Laflin seconded. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

4. Fair Housing Resolution Update (ACTION ITEM) - Bill Belknap

The United States Department of Housing and Urban Development (HUD) is the lead federal agency that sets the standard for compliance with the federal Fair Housing Act. In 1998, the Mayor and the City Council enacted an ordinance amending Title 3, Chapter 6 of the Moscow City Code to create the Moscow Fair Housing Commission. Since that time the City has been proactive in prohibiting discrimination of fair housing and promoting compliance of the federal Fair Housing Act. Staff and the Moscow Fair and Affordable Housing Commission have prepared the City of Moscow Analysis of Impediments to Fair Housing and Fair Housing Action Plan which was originally adopted in 2003 and updated in 2015 provides guidance for the City in the promotion of

fair housing within the community. Since 1983 the Idaho Department of Commerce (IDOC) under the direction of HUD has required grant recipients of Idaho Community Development Block Grants certify they will affirmatively promote fair housing and update the City's Fair Housing Resolution to include the most current equal opportunity requirements. April is designated as Fair Housing Month and staff takes this opportunity to update the Resolution and reaffirm the City's continuing commitment to fair housing.

PROPOSED ACTIONS: Approve the updated Fair Housing Resolution to replace Resolution 2018-02 or take such other action deemed appropriate.

Belknap introduced the item as written above. Having no questions, Bettge moved to approve the updated fair housing resolution replacing Resolution 2018-02. Kelly seconded. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

5. Utility Fee Relief Report – Gary J. Riedner

Riedner gave a brief history of the COVID-19 threat beginning with the proclamation issued March 13 with orders in effect until May 5, 2020 and the Governor's order last Wednesday, all of which is having a negative effect on businesses and residents. Mayor and Council asked staff to look into how the City can assist citizens and businesses. First consideration was development of a program to assist businesses that had been specifically named in the emergency orders. A memo was sent to Council with a proposed program but would have a financial implication that would force the City to delay some capital projects. After receiving feedback from Council, staff looked at other ideas to target those specific businesses that were required to shut down. Other ideas were sent to Council in order to discuss at this meeting.

One issue needed to be looked at is does the Council have the option to reduce property taxes at this time and the answer is no. Taxes that were levied for the FY2020 budget were certified to the commissioners in September 2019 and began January 1, 2020. Many of those taxes have already been paid. Council is free to adjust future levies should they desire.

The only other avenue to provide financial relief is utility rates. Council could make accommodations for businesses and residential properties that have been adversely impacted. An account to accept donations could be created for those with the means to donate to those that are stretched to pay their utility bill. The question becomes how to distribute those donations fairly. There are already past due accounts totaling \$208,000 and existed prior to COVID-19 being an issue. Should donations be applied to the existing past due accounts, or only from this day forward? What process is utilized to make that determination? An option could be to implement a needs-based reduction. Utility fees in Idaho are charged according to the value of services rendered and are assessed by the classification of the use, thus blind to the financial ability to pay. If the City provided a financial aid request, or waiver, there would have to be strict protocols on when it is applied and when it isn't. More legal research is needed and will take a bit of time. Utility bills are going out now so do not have an option for immediate relief. Staff will continue to brainstorm ideas for relief programs. Donations have been accepted in the past but are usually earmarked for a specific program or project. There is no protocol for donating to utility bills and staff wants to be sure the citizen donating knows the funds are being used as they were intended. Riedner said staff has been looking at a federal aid package that could be used to pay rent, bills and salaries and may be forgiven in the right circumstances. If the utility bill is forgiven by the City, a rate payer would not be able to get federal money to pay it. Because local utility fees are paid for operations and capital projects, it would be good to take advantage of federal funds

rather than cut the local revenues and delay operations or capital projects. The City does not have the jurisdiction to dictate a landlord what they can charge or not charge. The City does participate in projects to provide low to moderate housing. Council directed there are no utility shut-offs through the emergency order as well as no late fees assessed. Also, if you are a business, they can call Tim Davis, Sanitation Manager, and designate their dumpster as on-demand to limit that portion of the utility bill. Staff will continue to review possibilities and bring back options as quick as possible.

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

Riedner said the City is now in Tier 3 of the Pandemic Response. Latah County has identified their second case. The City's 7000 line is being answered remotely as many employees are working from home to reduce opportunities for the virus to spread. Information Systems is staffed all day and has worked very hard to get equipment to those employees working from home. For those employees that have to be on the job, the City is providing them as much safety as possible for social distancing. Playfields and recreation programs were suspended March 13 and staff is reviewing programs day to day. After review of the community garden program, and the ability to social distance at six feet, it seemed reasonable participants could do so, and it will be reopened. The recycling center was closed and the yard waste drop-off is being reviewed to see if social distancing protocols can be somehow met. While playgrounds are closed, the parks are still open for walking maintaining the social distancing.

Telecommunications are an essential service under the Governor's order as well as state statute. As part of the Tier 3 level, an incident action plan is established. An organizational chart is created with the mayor in charge of operations, City Supervisor as the operations manager, and three branches under the manager. It provides a plan for all aspects of assistance, such as providing housing and food to an EMT who assisted a citizen with COVID-19 and cannot go back to their family.

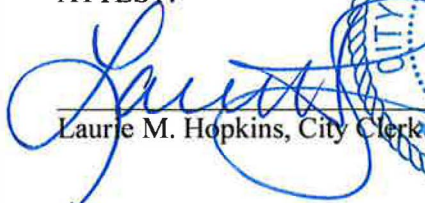
7. Incident Action Plan Report - Chief Brian Nickerson / Chief James Fry

The incident action plan provides a structure to mitigate whatever incident may be occurring. Nickerson explained the organizational structure, the positions and their rolls. Information sharing is important in this plan. Fry added he has already been in touch with the Latah County Sheriff office and the Idaho State Police regarding needs in the area. Documentation is imperative for possible reimbursement and there are forms in order to do so.

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

Bettge moved and Kelly seconded to adjourn to executive session at 8:48 p.m. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

ATTEST:


Laurie M. Hopkins, City Clerk


Bill Lambert, Mayor

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

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

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

The executive session was called to order at 8:53 p.m.

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

The executive session was adjourned at 10:21 p.m.