

Moscow City Council



Regular Meeting ~Agenda~

www.ci.moscow.id.us

Laurie M. Hopkins
City Clerk

208.883.7015

Tuesday, September 8, 2020

7:00 PM

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

The Moscow Mayor, City Council and Staff welcome you to tonight's meeting. This meeting is open to the public, but is subject to social distancing protocols as recommended in Governor Little's Stay Healthy Guidelines, so the number of attendees at any one time may be limited, and masks will be required of attendees. If you do not have a mask, a disposable mask will be provided. We appreciate and encourage public participation. For regular agenda items, an opportunity for public comment is sometimes provided after the staff report. However, the formality of procedures varies with the purpose and subject of the agenda item; therefore, the Mayor may exercise discretion in deciding when to allow public comment during the course of the proceedings and limitations may be placed on the time allowed for comments. Citizens wishing to comment on business that is not on the agenda will be provided the opportunity to do so during the public comment item on the agenda. If you plan to address the Council, you will find a list of "Tips for Addressing the Council" in the door pocket outside the City Council Chambers. Pursuant to the Governor's Proclamation relating to the conduct of public meetings during the COVID-19 crisis, the meeting will be broadcast. Citizens wishing to comment on business on the agenda are encouraged to communicate with the Mayor and City Council by phone or email (council@ci.moscow.id.us) in order to respect social distancing protocol. Please note that Moscow City Council meetings are televised, videotaped and/or recorded. Thank you for your interest in City government.

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

1. All Consent Items (ACTION ITEM)

A. Approval of Moscow City Council August 17, 2020 Minutes - Laurie M. Hopkins

Minutes presented for approval.

ACTION: Approve minutes.

B. Personnel Policy, Updated Hiring Policies - Jen Pfiffner

The City of Moscow Personnel Policy handbook is in the process of being updated. Policies were last updated and approved in 2014. Updates related to hiring practices, processes and all aspects of becoming an employee at the City of Moscow are presented for consideration. Policy updates include recommendations from ICRMP, legally required language, and are based on current practices that have evolved since the last policy update. All policies are reviewed by the Employee Advisory Committee, Risk Management Team, Department Heads, City Attorney, and City Supervisor.

A Telecommuting Policy and accompanying Standard Operating Procedure is also being proposed for consideration. This policy has been developed in light of COVID-19 work at home time experienced earlier this year. The policy outlines guidance for telecommuting arrangements that may be made for applicable and appropriate positions for regular work as well as during extenuating circumstances. This was reviewed by the Administrative Committee on August 24, 2020 and recommended for approval.

ACTION: Approve the proposed updates to Hiring and Telecommuting policies of the City of Moscow's Personnel Policies.

C. Resolution for Destruction of City Records - Laurie M. Hopkins / Gary J. Riedner

In 2008, the City Council adopted Resolution 2008-12 classifying City records as temporary, semi-permanent, and permanent, each with a retention schedule. Idaho Code allows for the destruction of temporary and semi-permanent records according to the retention schedule and the adoption of a resolution listing the various types of records. City Staff from City departments have reviewed retention schedules and current records in order to recommend documents for destruction. The proposed Resolution is based upon the review by participating departments and the list has been reviewed by the City Attorney. This was reviewed by the Administrative Committee on August 24, 2020 and recommended for approval.

ACTION: Approve the resolution for destruction of certain City records.

D. Paradise Creek Flood Hazard Mitigation Study Professional Services Agreement - Bill Belknap

As authorized by City Council, following a flooding event in 2017, the City applied for a Flood Hazard Mitigation Grant to study Paradise Creek from the Troy Highway to Darby Road to assess potential mitigation actions to reduce the risk of property damage within the study area. In January of 2020, the City received notice of award for the grant in the amount of \$295,200. The local match for the study totals \$98,400 including \$46,800 in cash match and \$51,600 in in-kind staff time for project administration. The City issued a request for statements of qualifications for a consultant to perform the study. Two responses were received and the review committee recommended the selection of Aspect Consulting for the project. Staff and Aspect have negotiated the professional services agreement scope and budget for the Council's review and approval. It is anticipated that the project will take approximately 14 months to complete. This was reviewed by the Public Works/Finance Committee on August 24, 2020 and recommended for approval.

ACTION: Approve the professional services agreement with Aspect Consulting LLC.

REGULAR AGENDA

2. Staff Recognition Report - Gary J. Riedner

3. Mayors Appointments (ACTION ITEM)

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

5. Citizen Commission Report - Farmers Market Commission – Amanda Argona / Jamie Hill

6. PUBLIC HEARING: Gateway on Sixth Addition Rezone, Preliminary Plat, and Planned Unit Development (ACTION ITEM) - Mike Ray

The applicant, J&S Holding Company, LLC, is proposing to subdivide a 2.49-acre area generally located to the north of the intersection of Sixth Street and Deakin Avenue. The proposed preliminary plat would create twenty-seven (27) townhouse parcels ranging from 634 to 638 square feet in size; one (1) Multi-Family Residential (R-4) parcel of 0.37 acres in size; and three (3) Central Business (CB) parcels ranging from 0.20 to 0.29 acres in size, referred to as the Gateway on Sixth Addition. Also included in the proposal is a Planned Unit Development (PUD) on the northern 1.41 acres to construct twenty-seven (27) townhouse dwellings and a 4-story multi-family building containing eighteen (18) dwelling units with enclosed parking on the ground floor. The third component of the application is a request to rezone the subject property from the current combination of Motor Business (MB), Multiple Family Residential (R-4), Central Business (CB), and University (U) Zoning Districts to a combination of the Central Business (CB) and Multiple Family Residential (R-4) Zones.

The Planning and Zoning Commission conducted a public hearing for this matter on July 22, 2020 and recommended approval of the preliminary plat with three (3) conditions and recommended approval of the rezone and PUD with no conditions.

PROPOSED ACTIONS: Conduct the public hearing upon the proposed rezone, PUD, and preliminary plat and upon consideration of any testimony presented:

1. Approve the rezone; or approve the rezone with conditions; or reject the rezone; or take such other action as deemed appropriate.
2. In accordance with the decision upon the rezone, adopt the Planning and Zoning Commission's Reasoned Statement of Relevant Criteria; or direct Staff to prepare a Reasoned Statement of Relevant Criteria for the Council's consideration at a future meeting.
3. Approve the PUD for Gateway on Sixth Addition; or approve the PUD with conditions; or reject the PUD; or take such other action as deemed appropriate.
4. In accordance with the decision upon the PUD, adopt the Planning and Zoning Commission's Reasoned Statement of Relevant Criteria; or direct Staff to prepare a Reasoned Statement of Relevant Criteria for the Council's consideration at a future meeting.
5. Approve the Gateway on Sixth Addition preliminary plat with the three (3) conditions recommended by staff; or approve the preliminary plat with no conditions; or reject the preliminary plat; or take such other action as deemed appropriate.

6. In accordance with the decision upon the preliminary plat, adopt the Planning and Zoning Commission's Reasoned Statement of Relevant Criteria; or direct Staff to prepare a Reasoned Statement of Relevant Criteria for the Council's consideration at a future meeting.

7. PUBLIC HEARING: Community Development Block Grant Application (ACTION ITEM) - Alisa Anderson, Nate Suhr

The City's Capital Improvement Plan (CIP) encourages combining future projects that share common goals to allow for the greatest efficiency and to maximize funding opportunities. These combined projects are excellent candidates for grant funding and if successful, grant funding can be leveraged to complement local funding and allow projects to be constructed ahead of schedule. After analyzing the Parks and Recreation Capital Improvement Plan, City staff identified four separate projects at both Mountain View and Indian Hills Parks that align well with the goals of the Idaho Community Development Block Grant (ICDBG) program to enhance ADA access to these public park facilities. This was reviewed by the Public Works/Finance Committee on August 24, 2020 and forwarded to the City Council for public hearing on September 8, 2020 and with a recommendation for approval.

PROPOSED ACTIONS: After conducting the public hearing and consideration of testimony, approve submittal of an Idaho Community Development Block Grant application for the Mountain View Park and Indian Hills Park ADA Access Projects to the Idaho Department of Commerce; or take such other action deemed appropriate.

8. PUBLIC HEARING: Open Budget for Fiscal Year 2019-2020 (FY2020) (ACTION ITEM) - Gary J. Riedner / Sarah Banks

The State of Idaho provides a process for cities to amend the original fiscal year budget appropriation ordinance in accordance with Idaho Code section 50-1003. Throughout the year, the City has received additional federal, and/or state, and/or local grant awards, and the City Council has authorized expenditures, including fleet purchases including a Sewer Jet-Vac truck, police body cameras and equipment for employees working remotely and unanticipated capital projects. Staff is proposing to amend Ordinance 2019-09 in the amount of \$2,201,207 to accommodate the authorized appropriations. This was reviewed by the Public Works/Finance Committee on August 24, 2020 and forward the item to the full Council for a public hearing to take place September 8, 2020.

PROPOSED ACTIONS: Approve the Open Budget 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 and that it be read by title; or reject the Ordinance; or take such other action deemed appropriate.

9. Resolution to Extend Public Health Emergency Order 20-04 (ACTION ITEM) - Gary J. Riedner

Pursuant to Moscow City Code Title 1, Chapter 11, Section 5(B), on September 2, 2020, Mayor Lambert issued Public Health Emergency Order 20-04, allowing temporary childcare/tutoring facilities to operate under the definition of a daycare but with certain reduced requirements 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 draft resolution in the Council packet extends Emergency Order 20-04 until January 1, 2021.

Following the recent decision of the Moscow School District to have students attend in-class instruction for two days per week with three additional days of on-line instruction due to the COVID-19 pandemic, the City has received a number of calls from daycare providers and others expressing the desire to open tutoring centers to assist children and parents during this extraordinary event. City Staff met to discuss the matter and identify what actions the City could take to assist the community during this event, while also ensuring the safety of the children who may be served by these temporary facilities.

Staff has prepared a temporary Day Care/Tutoring Center proposal to help meet the potential anticipated community need. The proposal was presented to Administrative Committee on August 24, 2020.

PROPOSED ACTIONS: Adopt the resolution extending Public Health Emergency Order 20-04 until January 1, 2021, or take such other action deemed appropriate.

10. Solid Waste Franchise Agreement Amendment (ACTION ITEM) - Tim Davis / Tyler Palmer

There are four areas within the Solid Waste Franchise Agreement between the City of Moscow and Latah Sanitation, Inc. (LSI), being proposed to be amended. LSI has requested financial relief from the City for revenue losses experienced from the operations of the Moscow Recycling Center and additional compensation for necessary extra garbage and recycling routes, resulting from the 2016 decision by City Council, electing not to eliminate residential alley collection of solid waste and recycling, as had been proposed by LSI at that time. The current proposal removes tires and household hazardous waste disposal costs from the current miscellaneous rate. These items would be compensated as they had been prior to 2013, as a direct reimbursement to LSI for actual costs of disposal. The City will also relieve LSI of the majority of the recycling education duties and shift the education role in-house for efficiency and cost savings. This was reviewed by the Public Works/Finance Committee on August 24, 2020 and was forwarded to the full Council for discussion.

PROPOSED ACTIONS: Approve the Resolution Amending the Solid Waste Franchise Agreement Exhibits A, C, D E, and G, or take such other action deemed appropriate.

11. Update on Governor's Public Safety Grant Initiative and Revision and Acceptance of Updated L-2 and Appropriation Ordinance (ACTION ITEM) - Gary J. Riedner / Sarah Banks

On August 17, 2020, the City Council approved the City's participation in the Governor's Public Safety Grant Initiative (GPSGI) in the amount of \$1,646,816 for FY2021. The GPSGI utilizes federal Coronavirus Aid, Relief, and Economic Security (CARES) Act funds. The GPSGI provides funding for public safety payroll expenses to city and county governments that agreed to participate in the Initiative and further agreed to provide the resulting savings as property tax relief to their taxpayers by foregoing the taxes that would otherwise traditionally have been collected.

On July 6, 2020, the City Council had approved the filing of a Letter of Intent to participate in the GPSGI. The City of Moscow was notified that it had been approved to receive \$1,646,816 in GPSGI funds, which includes 3% allowed Administrative Expenses, and Moscow Urban Renewal Agency (MURA) increment, both of which are deducted from the amount to be used for property tax relief.

Staff presented amended FY2021 Appropriations Ordinance 2020-08 which was approved under suspension of the rules requiring three complete and separate readings and that the ordinance be read by title and published by summary. The City Council also authorized the Mayor to execute a revised L-2 Property Tax Certification.

On August 25, 2020, the City was informed by the Idaho State Tax Commission that the amount of the increment to be paid to the Moscow Urban Renewal Agency had been recalculated, which necessitates a further amendment of the FY2021 Appropriations Ordinance and further revision of the L-2 Property Tax Certification. Those revised documents are included in the backup for City Council consideration.

Staff has also received, and is continuing to receive, further guidance regarding the GPSGI. In order to provide for as much time as possible to continue to research the program, Mayor Lambert has requested an extension of time to file the L-2, pursuant to Idaho Code section 63-803(3), in accordance with the memo from the City Supervisor included the Council packet.

PROPOSED ACTIONS:

1. Review and approve the draft second revised FY2021 Appropriations 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 take such other action deemed appropriate; and
2. Authorize the Mayor's execution of the revised L-2 property tax certification; or take such other action deemed appropriate.

REPORTS

City Council

Mayor

Staff

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

NOTICE: Moscow City Council and committee meetings are televised, videotaped and/or recorded. Individuals attending the meeting who require special assistance to accommodate physical, hearing, or other impairments, please contact the City Clerk, at (208) 883-7015 or TDD 883-7019, as soon as possible so that arrangements may be made.