

Public Works / Finance Committee



Regular Meeting
~Minutes~

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Laurie M. Hopkins
City Clerk

208.883.7015

Monday, October 12, 2020

3:00 PM

Council Chambers
206 E. Third St.

The meeting was called to order at 3:00 p.m.

PRESENT: Sandra Kelly, Brandy Sullivan, Gina Taruscio

OTHERS: Mayor Bill Lambert, Council Member Zabala (virtual), Council Member Bettge

STAFF: Gary J. Riedner (joined at 3:10), Mia Bautista (virtual), Bill Belknap, Mike Ray, Sarah Banks (virtual), Laurie M. Hopkins (virtual), Taylor Riedner (virtual)

REGULAR AGENDA

1. Approval of September 28, 2020 Public Works / Finance Committee Minutes (ACTION ITEM) - Taylor Riedner

Minutes presented for approval.

PROPOSED ACTIONS: Approve minutes, amend minutes, or provide staff further direction.

The minutes were approved as presented.

2. Disbursement Report September 2020 (ACTION ITEM) - Sarah Banks

Staff will present the Accounts Payable Report for the month ending September 2020.

ACTION: Sign the Disbursements Report for the month of September 2020.

Banks introduced the report by highlighting the major expenses for the previous month including payroll, Well #10 Phase 2 contractors' payment, purchase of the Haddock building, and new equipment for the Streets Department. The Committee approved, signed the report and recommended it be placed on the Council consent agenda.

3. Ordinance Amending Title 4, Chapter 3 of Moscow City Code Regarding Amendments to the Telecommunications Code to Establish Standards for Small Wireless Facilities (ACTION ITEM) - Mike Ray

Telecommunications service providers are currently in the process of deploying new cellular wireless technology, referred to as 5G/small cell, throughout the developed world. 5G/small cell high speed deployment will bring much higher data speeds and traffic through the use of higher-frequency radio waves, which have a shorter range than the frequencies used by previous cell phone towers. Since small wireless facilities have a shorter range, they require a greater number of facilities which are typically located in the public right-of-way. Telecommunications services are largely governed by the Federal Communications Commission (FCC) and the Telecommunications Act, but local governments are allowed to adopt certain regulations at the local level. With the likelihood of 5G/small cell deployment in Moscow at some point in the future, Staff has worked with the Planning and Zoning Commission (P&Z) to draft an ordinance that addresses 5G/small cell installations in the telecommunications code. The proposed ordinance would define small

wireless facilities, re-organize certain sections, make minor grammatical changes, and insert small wireless facility standards. On September 9, 2020, the P&Z Commission conducted a public hearing upon the proposed ordinance and recommended approval to City Council with a minor modification. The proposed ordinance has been scheduled for a public hearing before City Council at the Council's upcoming October 19, 2020 meeting.

PROPOSED ACTIONS: Recommend forwarding the proposed ordinance for public hearing at the Council's upcoming October 19, 2020 meeting; or provide staff further direction.

Ray introduced the item as written above and provided illustrations of existing antennas and how it may look with the new antennas. The City's existing Telecommunications Code does not address Small Cell facilities or distinguish between microcell towers and small cell poles. P&Z's main goal of the ordinance is to regulate the esthetics that comes along with small cell facilities. With that, the P&Z set objectives including providing reasonable access for desired services, minimize clutter on poles while ensuring installations are aesthetically pleasing, and creating a permitting system. The 1996 Telecommunications Act required local jurisdictions to provide reasonable access with the public right-of-way and prevented denying the ability to provide service. Also, local governments are prohibited from regulating facilities based upon RF emissions. The FCC sets the emissions threshold. In late 2018, FCC set maximum fees that can be charged for small cell applications and right-of-way use, as well as decision timelines for processing and approval. Ray described the Moscow's current telecommunications Code. The draft ordinance defines a small wireless facility, sets standards, and creates three categories of installations. Ray provided examples of the installations. Sustainable Environment Commission (SEC) will monitor the changing legal landscape on RF emissions and address potential health effects. Public feedback on the draft Ordinance included grammatical comments. The ordinance has been through many iterations through the last year to get to a level that best fits for Moscow. New small wireless facilities require a Conditional Use Permit (CUP). If it is a co-location upon existing support structures and meets specific dimensional requirements, it is allowed throughout the city with no distinction between commercial and residential zones. In reviewing with the City Attorney, there cannot be a distinction between the zones due to health effects. Aesthetics requirements can be included if they are reasonable; no more burdensome than those applied to other types of infrastructure deployments; and objective and published in advance. Moscow doesn't have any aesthetic requirements for other utility providers so need to be cognizant of that. Discussion ensued regarding density of the utility poles, light poles, and cell installations. Throughout the proposed ordinance, co-location is encouraged but sometimes it may not be possible. The Committee prefers to add that if there is an option to mount on an existing structure that the provider do so, rather than build their own. Ray mentioned providers may gravitate towards co-location as it offers the cheapest alternative to a new installation. He will check with the City Attorney and see if specifying existing structure prioritization is a possibility. Taruscio added she would not be comfortable with dictating the owner of the structure always allow co-location as the City does not own the poles. In review of other Ordinances, the City Attorney's legal opinion about not drawing distinctions with other utility providers, and only being able to regulate aesthetics and not health concerns, staff couldn't come up with any reason to prohibit installations in residential areas. The City of Pullman's draft ordinance mentions restrictions of installation in their City parks. Pullman is able to do so as long as they do not unreasonably restrict the access to the 5G companies. This proposed ordinance does not restrict City parks since a majority of telecommunications equipment is in the parks on water towers, which is usually the highest point in residential areas. Sullivan's top concern was parks and residential areas. She appreciated FCC willing to review and adapt if standards or rulings change, with a possibility of

local governments being able to regulate because of health concerns. Kelly commented P&Z has discussed this for a long time and came up with exactly what can be done with clarification from the City Attorney. The Committee forwarded the item to the full Council for public hearing on October 19th.

REPORTS

Construction Project Update - Bill Belknap

Belknap shared the status of current construction projects as well as 2021 scheduled design and construction projects.

Current Construction Projects

- The A Street project retaining walls, curb work and most of the paving is complete. There is still a fair amount of concrete work to do with about 40% of sidewalks complete. Final touchups, painting, street tree installation and paving are scheduled to be finished at the end of this month or first week of November.
- The Almon Street reconstruction from Third Street to A Street and Almon to Jackson has been completed and reopened for access. There is now 2-way traffic from A Street to First, then converts to 1-way from 1st to 3rd. Project was completed with the partnership and contribution of Moscow Urban Renewal Agency (MURA).
- C and Main Street beautification included public art installation, ADA compliant sidewalk and driveway improvements, curb replacements and inserted a new planter bed and tree elements. This location was completed as part of the 2015 Beautification Plan.
- The Water Administration building has completed structural repairs and is finishing up on the roofing which should be finished in 3-4 weeks and ready for re-occupancy.
- Well 10 Phase 2 has begun including the pump house, control systems, underground utilities, and connection to the City's water distribution system scheduled for completion by Spring of 2021.
- The new Police Services facility has completed all underground utility and subgrade work, working on getting exterior site improvements to be completed before winter months. Project is on schedule to be completed by end of June 2021.
- The Rotary Park playground structure pad has been completed as well as the Itani Park pathway from Crestview and Itani Drive.
- The City Sidewalk Program will include pathway installation on the east side of Kiwanis Park to connect the path to Hordemanns pond; sidewalk installation to connect to the sidewalk to the north; and ADA compliant pedestrian ramps on the pathway leading to Mountainview Park. Non-ADA compliant pedestrian ramps will be installed at Idaho Ave and Elm St, Moore and D St, and Rolling Hills Dr and Itani Dr. A few sidewalk panels on Washington Street that presented a tripping hazard will be replaced. The sidewalk along 6th St in front of the All Souls Church will be constructed.
- The Downtown Concrete Grinding Project has identified the hazards that exist throughout the downtown area that will begin the week of October 26 and should take about a week to complete.

2021 Capital Projects

- Street projects include the Surface Treatment Program (STP); Lilly & First Street reconstruction; Local Highway Safety Improvement Program (LHSIP) sidewalk replacement on Third Street from Jackson to Lieuallen and a similar corridor on Sixth Street which will include lighting

additions Sixth Street Bridge replacement; design for Public Avenue from Polk to Lincoln with construction in 2022; design for F Street from Public to Lincoln with construction in 2022; design for White Avenue pavement restoration from Troy Highway to Mountainview; right-of-way acquisition and final design for Mountainview from Joseph to Sixth.

Water system construction projects include Thorncreek advance utilities; Indian Hill Water Main; Booster Stations Phase II reconstruction at Indian Hills Drive and Ponderosa, and SE Reservoir Booster Automatic Transfer Switch (ATS). Water design projects include Well # 6 building reconstruction and generator, Taylor Booster Station Loop upgrade, Palouse Mall Water Main replacement, and the Pullman Highway Transmission project Phase I. All design projects are on schedule to be constructed in 2022.

- Sewer construction projects include Thorncreek advance utilities; manhole replacement and treatment program; sewer main replacement from Seventh to Sixth Streets as well on Morton and Adams. Sewer design projects include sewer main replacement design for Lincoln Street south of Public, and University Heights Project Feasibility Study.
- Parks construction projects include a Mountainview connector path; Ghormley pickleball courts construction; Good Samaritan pathway repair from Eisenhower to approximately the first turn of the pathway; Milton Arthur Park playground installation; and the Paradise Path Phase I lighting project from US 95 S Main to Berman Creekside Park. Design projects for 2021 include the Mountain View Park restroom ADA remodel as well as a few others depending on the approval of a block grant.

ADJOURN

The meeting adjourned at 4:00 p.m.

