

Moscow City Council



Regular Meeting ~Agenda~

Laurie M. Hopkins
City Clerk

www.ci.moscow.id.us

208.883.7015

Tuesday
February 16, 2021

7:00 PM

Council Chambers
206 E. Third St.

The Moscow Mayor, City Council and Staff welcome you to tonight's meeting. Due to the rise in COVID-19 cases in the area, the meeting is open to the public, but is subject to social distancing protocols and masks will be required of attendees. If you do not have a mask, a disposable mask will be provided. The number of attendees at any one time is limited to no more than 14 due to social distancing requirements in Stage 3 of the Idaho Rebounds Plan and the City of Moscow Public Health Emergency Order. 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 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. Meetings are streamed on the City website, YouTube, Facebook and Spectrum Cable 1301. Thank you for your interest in City government.

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

1. All Consent Items (ACTION ITEM)

A. Approval of City Council February 1, 2021 Minutes – Laurie M. Hopkins

Minutes presented for approval.

ACTION: Approve minutes as presented.

B. Disbursement Report for January 2021 - Sarah Banks

Staff presented the January 2021 Accounts Payable Report to Public Works / Finance Committee on February 8, 2021. The Committee received the report and approved the disbursements as presented.

ACTION: Sign the Disbursements Report for the month of January 2021.

C. Southeast Booster Station Improvements Bid Results and Contract Award (ACTION ITEM) - Scott Bontrager

The City of Moscow Southeast Booster Station Improvements project includes modifications to the existing Southeast Booster Station. The bid consists of the following improvements: an onsite chlorine generation and injection system, a new magnetic flow meter installed in a vault outside the booster station, a new motor control center, a new motor and variable frequency drive for booster pump #1, associated control system modifications, a chlorine residual analyzer

and sampling line, a new main disconnect switch, and connection of existing standby power generator and automatic transfer switch to the new power distribution system. The City published an advertisement for bids on January 9, 2021 and the Engineer's estimate for construction is \$258,900.00.

Bids were opened on Tuesday, January 26, 2021. One responsive bid was received, with a bid of \$251,000.00 from TML Construction, Inc. A complete Bid Tabulation is attached. This was reviewed by the Public Works/Finance Committee on February 8, 2021 and recommended for approval.

PROPOSED ACTIONS: Accept the low bid from TML Construction, Inc., award the contract for the bid amount of \$251,000.00, and authorize staff approval of construction change orders in an amount not to exceed 10% of the contract amount.

REGULAR AGENDA

2. Mayors Appointments (ACTION ITEM)

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

4. Property Owner / Tenant Utility Billing (ACTION ITEM) – Sarah Banks / Gary J. Riedner

Moscow City Code 5-4-4 states that "All water charges shall be the ultimate responsibility of the property owner, provided that a non-property owner or tenant may pay said water charges." MCC 5-4-10 states that all water charges shall be the responsibility of the owner of the property which receives the water. The City is authorized to receive payment from either the property owner or tenant or agent of the property owner. Although these code sections place responsibility for payment on the property owner, a 1989 Idaho Supreme Court case, *City of Grangeville v. Haskin*, requires that the ordinance is not sufficient authority to place that responsibility on the property owner, but that it requires a contractual arrangement in order to enforce the ordinance.

The annual cost to the City for uncollectable utility bills from mostly non-owner occupied (leased and rental properties) is an average of \$10,250. The cost of staff time spent dealing with issues relating to property owner/tenant utility billing, delinquent accounts, utility shut-off, and collection efforts is approximately \$31,000 per year. This loss is spread across all utility customers, including both owner-occupied and non-owner-occupied properties.

The City is in the process of replacing its financial software, which will provide easier and more efficient ways to provide utility billing services. The new program requires that utility customers who pay online, or use auto-pay from their bank accounts, will have to re-establish their utility accounts. At this time staff is requesting the Council to review the current utility billing process and approve a process that requires property owners to execute an agreement when applying for City utility services which would resolve the longstanding property owner/tenant issues. This was reviewed by the Administrative Committee on February 8, 2021.

PROPOSED ACTIONS: Review current utility billing process and approve the attached Resolution authorizing a revised process requiring property owners to execute an agreement when applying for City utility services, or take such other action deemed appropriate.

5. Request from Palouse Ice Rink for Hamilton Funds (ACTION ITEM) – Gary J. Riedner

By adoption of Resolution 2017-13, and its successor, Resolution 2019-16, the Moscow City Council approved a commitment of \$1 million dollars of Hamilton Funds to the Palouse Ice Rink (PIR) for construction of an ice rink facility. Resolution 2019-16 sets the parameters of the City's commitment, which expires on May 22, 2022, which is also the date of expiration of the conditional use permit for the ice rink at its current location at the Latah County Fairgrounds. PIR has recently reported that it is in negotiation for potential purchase of the former Northwest River Supplies building located on South Main Street. PIR Vice-President Tony Mangini is requesting the City Council to renew its commitment of Hamilton Funds to be used in the new location, rather than the current Fairgrounds location. PIR has submitted a new business plan and pro forma in support of their request. Staff has requested additional information from PIR that is necessary in order for staff to advise City Council. The 2020 PIR Business Plan and additional materials relating to the Council's previous commitment of Hamilton Funds are attached to the Council packet. PIR's request was presented to City Council on December 21, 2020, at which time Council directed staff to meet with PIR to develop a proposal for City Council review. Staff has proposed a draft Memorandum of Understanding (MOU) and authorizing Resolution for City Council consideration.

PROPOSED ACTIONS: Review draft Memorandum of Understanding and Resolution stating conditions of approval of Palouse Ice Rink's Request for City participation of \$1 million of Hamilton Funds to assist in construction of the ice rink, and approve, or deny, or modify the MOU and Resolution, or take such other action deemed appropriate.

6. Monthly COVID-19 Report - Gary J. Riedner

ADJOURN

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