

Administrative Committee



Regular Meeting ~Minutes~

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Laurie M. Hopkins
City Clerk

208.883.7015

Monday, February 8, 2021

4:30 PM

Council Chambers
206 E. Third St.

The meeting was called to order at 4:30 p.m.

PRESENT: Brandy Sullivan, Sandra Kelly, Gina Taruscio

OTHERS: Mayor Bill Lambert, Council Member Art Bettge, Council Member Maureen Laflin, Council Member Anne Zabala (Virtual), Andy Grant (Latah County Parks and Recreation, Virtual), John Wenz (Moscow Area Mountain Bike Association, Virtual)

STAFF: Dwight Curtis, Sarah Banks (Virtual), Sherri Winn (Virtual), Greg Morrison (Virtual), Tyler Palmer (Virtual), Bill Belknap (Virtual), Jen Pfiffner (Virtual), Mia Bautista (Virtual), Renee Tack (Virtual), Laurie Hopkins (Virtual), Taylor Riedner (Virtual)

REGULAR AGENDA

1. Approval of January 11, 2021 Administrative Committee Minutes (ACTION ITEM) - Taylor Riedner

Minutes presented for approval.

PROPOSED ACTIONS: Approve minutes as presented; approve minutes with amendments; or take such other action deemed appropriate.

The minutes were approved as presented.

2. Latah County/MAMBA Proposal for Mountain Bike Path Development in Virgil Phillips Farm Park (ACTION ITEM) - Dwight Curtis

Latah County Parks and Recreation (LCPR) and the Moscow Area Mountain Bike Association (MAMBA) are requesting approval to construct a mountain bike pathway through a section of Phillips Farm Park (please see attached map of path location). This project would be at no cost to the City. The new path will provide an easily accessible, non-motorized, multiuse trail suitable for beginner mountain bikers to gain skill and confidence riding while learning about trail etiquette and responsible trail use, among other valuable benefits. The proposal was reviewed by the Parks and Recreation Commission at their January 28, 2021 Commission meeting and recommended City Council approval of the MAMBA/County proposal. Parks and Recreation staff have also reviewed the proposal and recommend City Council approval.

PROPOSED ACTIONS: Recommend approval for Latah County to construct a mountain bike path as per their submitted plan, in Virgil Phillips Farm Park, or provide staff further direction.

Curtis introduced the item as written above and recalled that Phillips Farm Park is owned by the City but managed by the County. Trail maintenance will be volunteer based with community members. The bike paths proposed would not consist of permanent structures and, should the lease ever cease, could be replaced easily. Currently there are no biking trails at the park and signs can be installed if needed in order to assist with directing traffic. The current lease the City has with Latah County on the Farm will

be ending on September 30, 2022. Should Latah County decide not to run Phillips Farm as a park anymore, there should be a provision that states that the uses will cease at the end of the lease, or the City could go to MAMBA to discuss continuation. With this project, there would be no need to change or increase the current insurance for the City. The Committee recommended approval and that it be placed on the Council regular agenda.

3. Landlord Tenant Utility Billing (ACTION ITEM) – Sarah Banks / Gary J. Riedner

Moscow City Code (MCC) 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 landlord and 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 consider requiring customers to execute an agreement which would resolve the current landlord and tenant issues.

PROPOSED ACTIONS: Review current utility billing process and recommended changes, and provide staff further direction.

Riedner introduced the item as written above and explained that landlord tenant relationships include rentals such as business units, single family dwellings, and duplex/triplex units. Multi-family and owner-occupied buildings typically do not cause the same administrative complications that landlord tenant units do. The MCC defines the responsible party for utility bills to a property, however, another step needs to occur in order for a property owner to be ultimately responsible. The concern from previous Council was the frequent mobility of tenants, especially in a university community with students moving in and out. Some landlords do not wish to collect the bill each month, instead, they want the tenant to receive it who can then see that the City has a conservation-type water rate system where the less water used, the lower the bill is. For the tenant to assume responsibility of the bill, arrangements are made through the Finance Department. Billing tenants has generated multiple steps in the billing process and numerous accounts often end up delinquent. When a final bill and past due notice is mailed to both the property owner and the tenant, the account is turned to collections which is then monitored and the balance is written off after 18 months. These additional steps take more time and add more cost to the process. The City’s contract with the collection agency states that any amounts recovered are split 40% to the agency and 60% to the City, which is a typical collection agency rate. Additional statistics of average shut offs and delinquent accounts was shared including a large portion of the City’s bad debt relates to landlord tenant relationships. The process costs stated

above are pre-COVID since the city has not shut off any utilities since March of 2020. If a tenant's water gets shut off and they vacate the property, the issue is with keeping the water turned off when a new tenant comes in and there is a discrepancy of who is paying the bill. The new financial software and resolution would require both owner-occupied and non-owner-occupied residents to re-signup for services through the City and will not cost any more money. A copy of the draft resolution, application, and directive was shared and is located in the meeting packet to be viewed for additional information. Staff will be adding a letter to the next billing cycle to explain the situation to customers. The Committee recommended that this move to the Council regular agenda.

REPORTS

Upcoming Spring Sports Report – Greg Morrison

With Idaho moving into a new Idaho Rebounds stage, Parks and Recreation has implemented new protocols going forward. The curtain between the two courts will be dropped and immediate family members that live in the same household may attend and will be stationed 6ft apart from other families. All attendees including referees, score keepers, players, and spectators, will need to be wearing a mask and will be asked to use hand sanitizer. For those that have a medical condition and cannot wear a mask must provide a medical note. Those that are playing on the court are not required to wear a mask, but they must put one on once they have come off the court and have a chance to catch their breath. There will be rules and regulations posted throughout the gym and parents and guardians will be required to attend the mandatory safety meeting. Sports coordinators will be regulating the guests and attendance. Parks and Recreation is working closely with the Moscow School District to have comparable rules.

ADJOURN

The meeting adjourned at 5:50 p.m.

Minutes Approved On
March 8, 2021
Taylor Piedner
(Clerk Signature)