

Moscow City Council



Regular Meeting ~Agenda~

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Laurie M. Hopkins
City Clerk

208.883.7015

Monday, June 7, 2021

7:00 PM

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

The Moscow Mayor, City Council and Staff welcome you to tonight's meeting. The meeting is open to the public but due to the continued presence of COVID-19 cases in our area, we encourage those that have not received the COVID-19 vaccination, to continue to keep 6-foot physical distance from non-household members and wear face coverings when distance is unable to be maintained. We appreciate and encourage public participation. 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. For regular agenda items the public will usually have the opportunity for comment on that agenda item after the staff presentation. These agenda items do not include the consent agenda and reports. Please limit any remarks to three (3) minutes or less. 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. Citizens wishing to comment on business on the agenda may also communicate with the City Council through email (council@ci.moscow.id.us). 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 May 17, 2021 Minutes - Laurie M. Hopkins

B. Request Authorization for Beer Garden for Rendezvous in the Park 2021 - David Schott

Rendezvous in Moscow, Inc., is requesting that the City Council approve a Resolution allowing them to have a beer garden provided by a licensed vender in East City Park for Rendezvous in the Park 2021, between 12:00 p.m. and 10:00 p.m. on July 24, 2021. The event is open to the public and there have been no issues related to this request since the first beer garden was approved.

The location of the beer garden has changed from the past to utilize the existing stage at East City Park. Rather than generally located on the east side of the park, the beer garden in 2021 will be on the west side of the park.

Security will be provided by Allied Universal Security Services. No City police officers are required. The Chief of Police has reviewed the request, as well as the safety requirements addressed in the Resolution, and had no issue with the request.

The Administrative Committee reviewed and recommended approval during their May 24, 2021 meeting.

ACTION: Approve the Resolution authorizing the beer garden request for Rendezvous in the Park 2021.

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 – Transportation Commission – Bill Belknap/Bob Sanders**
6. **Airport Grant – Terminal Design and Apron Construction (ACTION ITEM) – Tony Bean, Executive Director Pullman-Moscow Regional Airport**

It is desirable to apply for entitlement and discretionary grants from the U.S. Department of Transportation Federal Aviation Administration (FAA) Airport Improvement Program for the purpose of Terminal Design and Apron Construction. The amount of the grant is \$12,000,000 with a local match of \$1,053,338.00 from the Airport's CARES grant. To facilitate the FAA grant, it is appropriate to preauthorize its acceptance. The proposed Resolution has been prepared for that purpose. The Resolution also authorizes the execution of related assurances and certifications. This was reviewed by the Public Works/Finance Committee on May 24, 2021 and recommended for approval.

PROPOSED ACTIONS: Adopt the proposed Resolution preauthorizing the acceptance grant offer AIP 3-53-0051-058 from the FAA Airport Improvement Program, or take such other action deemed appropriate.

7. **Public Hearing: Edington Annexation, Comprehensive Plan Land Use Designation, Zoning Designation, and Preliminary Plat (ACTION ITEM) - Mike Ray**

The applicant, BBC LLC, is requesting the annexation, Comprehensive Plan land use designation amendment, rezoning, and a preliminary subdivision plat of a 235-acre property generally located south of the west Palouse River Drive ball fields property and west of the Schweitzer Engineering Laboratories property. The current Comprehensive Plan Land Use Designation is a combination of Auto-Urban Residential and Rural and Agricultural and the proposal is a combination of the High-Density Residential and Auto-Urban Residential designations. The zoning of the subject property is currently Agriculture Forestry (AF) and the proposal is to rezone to a combination of the Residential Office (RO) Zone and the Medium Density Residential (R-3) Zone. The proposed preliminary plat is a 27-acre area with 105 lots ranging from 2,328 to 63,105 square feet in size, referred to as Edington Subdivision. The City of Moscow Planning and Zoning Commission conducted a public hearing for the proposed Comprehensive Plan Land Use Designations, Rezone, and Preliminary Plat on May 12, 2021 and recommended approval with one condition.

PROPOSED ACTIONS: Conduct the public hearing upon the annexation, Comprehensive Plan land use designations, zoning designations, and preliminary plat and upon consideration of any testimony presented:

1. Approve the Annexation 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 Annexation Ordinance on first reading; or reject the Annexation Ordinance; or take other action as deemed appropriate.
2. If the Annexation Ordinance is approved, approve the proposed Comprehensive Plan Land Use Designation Resolution and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria; or reject the proposed Comprehensive Plan Land Use Designation Resolution and direct staff to prepare a Reasoned Statement of Relevant Criteria; or take other action as deemed appropriate.

3. If the Annexation Ordinance is approved and Comprehensive Plan Land Use Designation Resolution is approved, approve the proposed Zoning Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria; or consider the Zoning Ordinance on first reading; or reject the Zoning Ordinance and direct staff to prepare a Reasoned Statement of Relevant Criteria; or take other action as deemed appropriate.

4. If the Annexation Ordinance is approved, the Comprehensive Plan Land Use Designation Resolution is approved, and the proposed Zoning Ordinance is approved, approve the preliminary plat for Edington Addition with conditions and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria; or approve the preliminary plat with no conditions and direct staff to prepare a Reasoned Statement of Relevant Criteria; or reject the preliminary plat and direct staff to prepare a Reasoned Statement of Relevant Criteria; or take other such action deemed appropriate.

8. Public Hearing: Ordinance Amending Title 4, Chapter 6 of Moscow City Code Regarding Amendments to the Sign Code (ACTION ITEM) - Mike Ray

The 2015 Supreme Court Case, Reed vs. Town of Gilbert, clarified when municipalities may impose content-based restrictions on signage. There are numerous sections within the City's sign code which apply content-based restrictions and need to be amended to comply with the Supreme Court's decision. Staff has worked with the City Attorney to make the necessary amendments, as well as converting portions of code from narrative to table format. The Planning and Zoning Commission conducted a public hearing on the proposed ordinance on May 12, 2021 and recommended approval to City Council. The Administrative Committee reviewed this item at their May 24, 2021 meeting.

PROPOSED ACTIONS: After considering public testimony, approve the 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. FY2022 Proposed Stormwater User Fee (ACTION ITEM) - Tyler Palmer

As the Council is aware, the City of Moscow was issued a Phase II Stormwater Permit from the US Environmental Protection Agency that became effective October 1, 2019. The Permit requires the City to develop and implement a comprehensive stormwater management program in an effort to reduce pollutants to the City's Stormwater Control System and improve watershed health. Earlier this year, the Council adopted Title 5, Chapter 19 of Moscow City Code which provides for the establishment of a system of stormwater user fees and requires that the fees collected are set aside and designated solely for use for the maintenance, operations, improvements, regulatory requirements, and program costs of the City's Stormwater Control System. The code requires that the fee shall be reasonably determined based on the volume of runoff from a customer's property (as reflected in the extent of impermeable surface) into the City Stormwater Control System.

The City has been working over the last several years toward the development of: (1) stormwater user fees based on impervious surface area (ISA) measurements for properties of select customer classes (e.g., residential and commercial) within the City, and (2) a final stormwater user fee billing database. The majority of stormwater service providers charge fees based on ISA derived billing units called Equivalent Residential Units (ERUs) or Equivalent Service Units (ESU). The City of Moscow has adopted the ESU billing unit approach. One ESU is defined as the average amount of ISA on residential properties, which is determined by measuring ISA on a sample of residential properties. The number of billing units, or ESUs, for a non-residential customer is calculated by dividing the measured amount of ISA on the property by the average amount of ISA on residential properties.

Staff is in the final stages of finalizing the customer billing database and final ESU count, Financial

Plan, and proposed user fee of \$7.92 per ESU to draft the Fiscal Year 2022 budget in anticipation of an October 1, 2021 roll-out of user fee assessments. This was reviewed by the Public Works and Finance Committee at their meeting on May 24, 2021 and was recommended for approval.

PROPOSED ACTIONS: Approved the proposed stormwater user fee rate of \$7.92 for FY2022, 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.