

Moscow City Council



Regular Meeting ~Agenda~

Laurie M. Hopkins
City Clerk

www.ci.moscow.id.us

208.883.7015

**Monday
December 6, 2021**

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. Attendees are subject to any protocols established by Governor Little's Stay Healthy Guidelines of the Idaho Rebounds Plan. 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. 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. Links to view the City Council meeting live can be found 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 Moscow City Council November 15, 2021 Minutes - Laurie M. Hopkins

B. Lot Line Adjustment: 2015 and 2021 Crestwood Drive - Aimee Hennrich

The applicant, Rafik Itani, is requesting a lot line adjustment between two properties located at 2015 and 2021 Crestwood Drive. The proposed lot line adjustment would reduce the lot addressed as 2015 Crestwood Drive from 10,507 sf to 9,903 sf and expand the lot addressed 2021 Crestwood Drive from 13,009 sf to 13,613 sf. The applicant is requesting the lot line adjustment in order to conform to side yard setback requirements for future construction of a single-family dwelling upon 2021 Crestwood Drive. A foundation is already in place for 2015 Crestwood Drive. The subject properties are located within the Moderate Density, Single-Family Residential Zoning District (R-2). Within the R-2 Zoning District, lots with single-family dwellings require a minimum area of 7,000 sf and a minimum lot width of 60 feet. The proposed lot line adjustment meets both of these standards. This was reviewed and approved by the Public Works and Finance Committee on November 22, 2021.

ACTION: Approve the lot line adjustment request with no conditions.

REGULAR AGENDA

2. Staff Recognition Report - Gary J. Riedner

3. Mayors Appointments (ACTION ITEM)

4. Oath of Office for Cody Riddle as Deputy City Supervisor - Laurie M. Hopkins

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

6. Citizen Commission Report - Historic Preservation Commission - Mike Ray / Nels Reese

7. Sewer General Facilities Charge (GFCs) Implementation (ACTION ITEM) - Tyler Palmer

The City of Moscow recently completed a utility rate and general facilities charge study with the assistance of FCS Group. A general facilities charge (GFCs) analysis was performed to calculate the allowable charges that the City may impose for new connections to both the water and sanitary sewer system. GFCs are one-time fees for new or redevelopment, and are used to recover a proportional share of the value of facilities required to provide service to those connections. A key component of the GFCs calculation is determining the number of users the system can support. As part of the study, FCS Group recommended that the City adopt an Equivalent Residential Unit (ERU) metric as the basis to calculate the per unit capacity demand of a new sewer connection. The City's sewer customer data was reviewed to determine the average sewage flow per single-family residential customer (unit), which in FY2019 was estimated at 131 gallons per day (gpd). City staff agreed that 131 gpd was a reasonable estimate for the City's sewer ERU value. In an effort to link the estimated capacity demand per unit to the assessment of GFCs in an equitable manner, staff are proposing that the City assess new GFCs on a plumbing fixture unit (PFU) basis, which is a measure of the maximum sewer flow potential of each customer by unit. One ERU, or 131 gpd, has been determined to be equivalent to 27 PFUs for Fiscal Year 2022, based on the three-year average (2018-2020) of PFUs per single-family unit. We will update the averages annually to calculate the PFU to ERU ratio. This results in a simple calculation of \$96.89/PFU for FY22. This approach keeps our structure in compliance with established case-law for the application of GFCs. There is no minimum charge with this approach, allowing more equitable assessment of the costs for the impact of a given structure, resulting in savings for smaller units, which has a beneficial impact on affordable housing. This was reviewed by the Public Works/Finance Committee on November 22, 2021 and recommended for approval.

PROPOSED ACTIONS: Approve the amended sewer general facilities charges, or take such other action deemed appropriate.

8. PUBLIC HEARING: Proposed Fee Amendments (ACTION ITEM) - Gary J. Riedner

On August 16, 2021, the City Council adopted Resolution 2021-15, establishing fees for services to take effect on October 1, 2021 (Fee Resolution). Since that time, staff discovered that there are four areas which are recommended for amendment. Those areas are: correcting the fee for water service rates for commercial accounts with 1.5 inch meter, amending Sewer General Facilities Charges (GFCs), adding the Magenta parking permit fee, and correcting the Sanitation tipping fee. Amendment of the Fee Resolution requires a public hearing pursuant to Idaho Code. Staff has prepared a draft amended Fee Resolution for the Council's review and consideration. This was reviewed by the Public Works/Finance Committee on November 22, 2021 and recommended to forward to City Council for public hearing.

PROPOSED ACTIONS: Conduct the public hearing and after considering testimony, approve the amended FY2022 Fee Resolution with or without changes; or take such other action deemed appropriate.

9. Replacement of Ordinance 2021-16 with Ordinance 2021-16A (ACTION ITEM) - Mike Ray

On September 20, 2021, City Council approved Ordinance 2021-16, which pertained to the annexation of a 21.73-acre property generally located north of Slonaker Drive, east of Arborcrest Road, and south of Trail Road. The City subsequently received a letter from the Idaho State Tax Commission, dated October 5, 2021, stating that there were deficiencies in the legal description submitted by the applicant which was within the ordinance. The applicant has since corrected the items identified by the Tax Commission and the revised legal description has been inserted into the replacement Ordinance 2021-16A for the Council's consideration.

PROPOSED ACTIONS: Approve the replacement of Ordinance 2021-16 with Ordinance 2021-16A; or take such other action deemed appropriate.

10. Resolution for the Use of ARPA Funds (ACTION ITEM) - Gary J. Riedner

President Biden signed the \$1.9 trillion American Rescue Plan Act (HR 1319), (ARPA) into law on March 11, 2021. ARPA supports local government's urgent COVID-19 response efforts to continue to decrease spread of the virus and bring the pandemic under control, replace lost revenue for eligible local governments in order to support vital public services and to retain jobs, support immediate economic stabilization for households and businesses, and address systemic public health and economic challenges that have contributed to the inequal impact of the pandemic. The City of Moscow was allocated a total of \$5,528,399, to be paid in two installments. ARPA funding must be obligated by December 31, 2024, and fully expended by December 31, 2026. In light of the time constraints for obligation and full expenditure of the ARPA funds, City Staff was directed to bring forward recommendations for potential uses of ARPA funding, which were considered by City Council in a workshop on October 25, 2021. Staff has prepared a proposed Resolution as a result of Council direction given at the workshop. This was reviewed by Public Works/Finance Committee on November 8 and forwarded on to City Council for consideration.

PROPOSED ACTIONS: Adopt the proposed Resolution directing the use of the City's allocated ARPA funds, or take such other action deemed appropriate.

11. Resolution Opting in the Opioid Litigation (ACTION ITEM) - Gary J. Riedner / Mia Bautista

The Attorney General's Office has drafted a proposed Allocation Agreement to govern how settlement funds will be split between the State and participating local governments. This Allocation Agreement would govern how settlement funds from the Nationwide Settlements and the Purdue and Mallinckrodt Bankruptcies are allocated. In order to be effective, this Agreement will need to be adopted by the State and either (1) eligible local governments with a population of more than 60% of the total population, or (2) eligible local governments with a population of more than 50% of the total population and including at least 15% of the counties. Local Governments can sign-on to the Allocation Agreement by authorizing a representative to sign on behalf of the City and by executing the sign-on form that is attached as an Exhibit to the Resolution. For additional information regarding the nationwide settlements, please see the Idaho Attorney General's website <https://www.ag.idaho.gov/consumer-protection/opioid-settlement>. This was reviewed by the Public Works/Finance Committee on November 22, 2021 and recommended for approval.

PROPOSED ACTIONS: Approve the proposed Resolution authorizing the City Attorney to enter into and to sign on the City's behalf the Idaho Opioid Settlement Intrastate Allocation Agreement and the National Opioid Settlement, or take other such action deemed appropriate.

12. Report on Airport Terminal Funding - Gary J. Riedner

REPORTS

City Council

Mayor

Staff

ADJOURN

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