

Moscow City Council



Regular Meeting ~Minutes~

Laurie M. Hopkins
City Clerk

www.ci.moscow.id.us

208.883.7015

**Monday
March 7, 2022**

7:00 PM

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

The meeting was called to order at 7:00 p.m.

PRESENT: Mayor Art Bettge, Sandra Kelly, Maureen Laflin, Julia Parker, Gina Taruscio, Anne Zabala

ABSENT: Hailey Lewis

STAFF: Bill Belknap, Mia Bautista, Cody Riddle, Amanda Argona, Mike Ray, Laurie M. Hopkins

PLEDGE OF ALLEGIANCE

Councilmember Taruscio led the Pledge of Allegiance.

CONSENT AGENDA

1. All Consent Items (ACTION ITEM)

A. Approval of Moscow City Council February 22, 2022 Minutes - Laurie M. Hopkins

B. Police Department - Annual Small Grant Requests for FY22-23 - Alisa Anderson / James Fry / Eric Warner

The City of Moscow Police Department (MPD) applies for several small grants on an annual basis which assist the department with the purchase of equipment to include bullet proof vests, child passenger safety seats, and to host various traffic enforcement mobilizations and other prevention and safety activities. The grants awarded to MPD provide funding and resources to protect our youngest citizens, operational and personal safety equipment, and program support to implement and host multiple safety programs. These resources assist MPD in their mission of community-oriented policing to improve the quality of life for Moscow residents through community partnerships and problem-solving approaches while also making sure the officers are outfitted and equipped with everything they need to safely do their jobs. Grant funding programs include the Bulletproof Vest Partnership, Traffic Enforcement Emphasis, Child Passenger Safety Seats, Partnership for Success Law Enforcement, Drug and Alcohol Patrol and Education, and Shop with a Cop. This was reviewed by the Public Works/Finance Committee on February 28, 2022 and recommended for approval.

ACTION: Approve the funding requests and awards for small grants applied for by the Moscow Police Department not to exceed a combined total of \$50,000 for the FY22-23 fiscal year.

C. Moscow Police Department - OHS Highway Safety Grant FFY 2023 - Alisa Anderson / Eric Warner

The Moscow Police Department (MPD) has identified a funding opportunity to apply for a grant, which is a nationwide program called Selective Traffic Enforcement Program (STEP). The Idaho Transportation Department (ITD), Office of Highway Safety (OHS) is sponsoring this program to address specific behaviors related to traffic safety priority areas and safety deficiencies within local law enforcement jurisdictions. The STEP is focused on combatting traffic crashes resulting in fatal and serious injuries. Using problem identification, the agencies focus on traffic safety issues within their jurisdiction. The Idaho STEP is a yearlong grant and awards are granted annually. STEP grants reimburse law enforcement departments for time dedicated to traffic enforcement. Police

Officer(s) that participate in the STEP grant must track all performance to include problem identification, a project plan including objectives, performance measures and targets, and budget expenses. The MPD is requesting to apply for the program a maximum of 2,080 regular-time traffic officer enforcement hours plus 200 hours of overtime with the allowable benefit percentage. The estimated amount of reimbursement is anticipated not to exceed \$100,000.00 for the upcoming program period beginning October 1, 2022 through September 30, 2023, which matches the City's FY2023 budget cycle. This was reviewed by the Public Works/ Finance Committee on February 28, 2022 and recommended for approval.

ACTION: Ratify the submittal for Moscow Police Department to apply for the STEP grant in an amount not to exceed \$100,000 for the FY2023 budget period.

D. Taylor Booster Station Supply Loop Bid Award - Bob Buvel

This project consists of the installation of approximately 850 linear feet of watermain in Taylor Street to increase the system capacity supplying the Taylor Booster Station. The new watermain will be a dedicated supply line so it will be sized to prevent low pressure points during fireflow events and there won't be any water services tapped to the new supply line. In addition to the installation of the dedicated supply watermain the existing Taylor Street watermain will be connected to the high pressure side of the Taylor Booster station, increasing pressure and fire flow in an area known to be inadequate in pressure and fireflow.

Bids were opened on Tuesday, Feb 22, 2022. Two bids were received, ranging from \$315,817 to \$549,938. The bid from ML Albrights & Sons, Inc was the apparent low bid of \$315,817.00. The full bid tabulation is included in the packet. This was reviewed by the Public Works/Finance Committee on February 28, and recommended for approval.

ACTION: Accept the low bid from ML Albrights & Sons, Inc., award the contract for the bid amount of \$315,817.00, and authorize staff approval of construction change orders in an amount not to exceed 10% of the contract amount.

E. Lot Line Adjustment: 1604 and 1704 East D Street - Aimee Hennrich

The applicant, Jon Staniewski, is requesting a lot line adjustment between three properties located at 1604 and 1704 East D Street. The purpose of this adjustment is to facilitate the separation of two single family dwellings from the pasture field that exists on the property which is currently within a conservation easement. The parcels that currently contain the two single family dwellings are zoned Farm, Ranch, and Outdoor Recreation (FR). The applicant has concurrently applied for a rezone of the subject property from the FR Zone to the Moderate Density Single Family Residential (R-2) Zone. The Planning and Zoning Commission conducted a public hearing and recommended approval of the rezone application on January 26, 2022. In the Moderate Density Single Family Residential (R-2) Zone, the minimum lot size is 7,000 sf and the minimum lot width is 60 feet. All proposed lots meet the minimum lot size and width requirements of the R-2 Zone and the two single family dwellings meet all setback requirements. The rezone proposal has been scheduled for a public hearing at the upcoming March 7, 2022 City Council meeting. This was reviewed and approved by the Public Works and Finance Committee on February 28, 2022, with the condition that the proposed rezone be approved by City Council.

ACTION: Approve the lot line adjustment request with the condition that the proposed rezone be approved by City Council.

F. Lot Line Adjustment: 617 and 623 East D Street - Aimee Hennrich

The applicants, Christie and Richard Wegner and Maureen Marten, are requesting a lot line adjustment between two properties located at 617 and 623 East D Street. The proposed adjustment would reduce the lot addressed as 623 East D Street from 10,350 sf to 10,212 sf and expand the lot addressed 617 East D

Street from 8,100 sf to 8,238 sf. The applicants are requesting the adjustment in order to accommodate an existing fence and water meter that have been installed over the adjoining property line. Both houses are existing and are located within the Medium Density, Residential Zoning District (R-3). Within the R-3 Zoning District, lots with single-family dwellings require a minimum area of 6,000 sf and a minimum lot width of 60 feet. The proposed adjustment meets both of these standards and both houses will meet all setback requirements. This was reviewed and approved by the Public Works and Finance Committee on February 28, 2022.

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

G. First Step Internet Paradise Pathway Fiber License Agreement - Bill Belknap

The City was recently approached by representatives of First Step Internet who are working with the Whitepine School District to extend fiber optic service to the District's school facilities to provide high-speed internet access. First Step is seeking approval to install the underground conduit and fiber optic cable along the edge of the Paradise Path from the Alturas Drive crossing to the City's eastern city limit boundary just west of Carmichael Road. Staff has prepared a non-exclusive license agreement to allow the installation of the requested conduit and cable and, in exchange, First Step will provide the City with 1 fiber strand to the current, or future city limit boundary for the City's potential future use. The license agreement would have an initial term of 10 years, with a second 10-year renewal term. First Step would also be required to repair any damage to the pathway that may occur during the installation. This was reviewed by the Public Works/Finance Committee on February 28, 2022 and recommended for approval.

ACTION: Approve the License Agreement with First Step Internet.

Kelly moved and Taruscio seconded to approve the consent agenda as presented. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

REGULAR AGENDA

2. Staff Recognition Report - Bill Belknap

No report offered.

3. Mayor's Appointments (ACTION ITEM)

Mayor Bettge presented the appointment of Mikey Frazier Wuerth to the Human Rights Commission to the Council for consideration. Taruscio moved, Laflin seconded approval of the appointment. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

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

No comment offered.

5. Public Hearing: 1604 & 1704 East D Street Proposed Rezone (ACTION ITEM) - Mike Ray

The applicant, Jon Staniewski, is requesting to rezone an approximately 4-acre area located at 1604 & 1704 East D Street. The parcel is currently zoned Farm, Ranch, and Outdoor Recreation (FR) which the applicant is proposing to rezone to the Moderate Density Single Family Residential (R-2) Zone. The purpose of the rezone request is to facilitate the separation of two single family dwellings from the pasture field that exists on the property which is currently within a conservation easement. The Planning and Zoning Commission conducted a public hearing on January 26, 2022 and recommended approval of the rezone request with no conditions.

PROPOSED ACTIONS: Conduct the public hearing and upon consideration of any testimony received, 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 such other action deemed appropriate.

Ray introduced the item as written above and described the neighborhood.

Paul Clark (Moscow), represents the applicant, Fosberg Manor LLC. The intent is to sell the house on the corner and the pasture will remain as it's in a conservation easement.

Mayor Bettge opened the public hearing at 7:06 p.m. Hearing no public testimony, Mayor Bettge closed the public hearing at 7:07 p.m.

Kelly moved, Zabala seconded to 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. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

Mayor Bettge read Ordinance 2022-06 by title:

AN ORDINANCE OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ZONING OF AN APPROXIMATELY FOUR (4) ACRE PROPERTY, DESCRIBED IN SECTION 1, AS MODERATE DENSITY SINGLE FAMILY RESIDENTIAL (R-2); PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE BE DEEMED SEVERABLE; PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

6. 2022 Moscow Farmers Market Handbook (ACTION ITEM) - Amanda Argona

In 2018, the Moscow Farmers Market implemented the first iteration of the Moscow Farmers Market Handbook. The Handbook is an expanded policy document meant to provide clarity and serve as a resource for anyone seeking information on the Market, as well as hold Market participants accountable for operating procedures. At the end of each season, the policies that make up the Handbook are considered in depth by staff and the Farmers Market Commission. The Commission reviewed the proposed changes to the Handbook on February 1, 2022, and unanimously accepted three of the four changes for approval and adoption by the Council for the 2022 Market Season. This was reviewed by the Public Works/Finance Committee on February 22, 2022 and recommended for approval to the full Council.

PROPOSED ACTIONS: Approve the 2022 Moscow Farmers Market Handbook and associated resolution; or take other action deemed appropriate.

Argona introduced the item as written above. Proposed changes include eliminating redundancy, clarifying policies, defining vendor eligibility, vendor operating policies, site visits, food safety, and public health violations. Production and location rule of 200 air miles was reviewed but remains unchanged. Vendors must be in their assigned space and be unloaded by 7:30 a.m. and must have their tent(s) and booth(s) set-up by 8:00 a.m. Due to a couple public health issues, the Commission felt it necessary to make the purpose of site visits clearer. New vendors are eligible for Tier 1 or 2 packages and can ask to be promoted the following season.

Taruscio and Laflin commended the committee and Argona for their hard work on their handbook. Laflin was concerned about the 8:00 a.m. requirement. Argona explained it previously read by 7:30 a.m. and vehicles out a few minutes after. There are people milling about so driving those vehicles out is a safety hazard. Vendors can show up late but would then have to carry all their goods in because a vehicle is not allowed after 7:30 a.m. There is a penalty process for those that do not follow the rules or chronically late.

Argona replied to Parker's concerns regarding accommodations saying vendors are allowed to show up any time after 5:00 a.m. when the street closes. Vendors are also encouraged to think about how to pack up their booth and bring help if necessary.

Parker, any accommodations for vendors. Vendors are allowed to show up at 5am or earlier. encourage vendors that need extra time to think about how to pack up a booth as they only have one hour. Staff has tried to create a volunteer program but the vendors seem to need consistent assistance. A few stalls do have a parking addition.

Taruscio moved to approve the 2022 Moscow Farmers Market Handbook and associated resolution. Laflin seconded. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

REPORTS

City Council

Historic Preservation Commission – Kelly reported the Commission had a presentation on part of the U of I as a possible historic neighborhood; discussed a possible historic district on the east end of Sixth and Seventh Streets.

Moscow Tree Commission – Taruscio said the Commission talked about the seedlings for Arbor Day; David Rauk wrote a synopsis on downtown trees and replacement of them; Tuesday April 26 is Arbor Day.

Palouse Basin Aquifer Committee subcommittee – Taruscio said advertising for the executive director job began on Friday.

Parks and Recreation Commission – Zabala said the Commission settled on the company for the Milton Arthur Park playground equipment.

Clearwater Economic Development Association – Parker said they are working on grants, programs for workforce training, and selling building in Alturas Park.

Fair and Affordable Housing Commission – Parker reported the Commission received the Palouse Prairie report which contained 14 different ideas to help with affordable housing. The Commission will be tabling on March 10 at Latah health fair.

Other events were also reported on.

Mayor

Mayor Bettge said he delivered the State of the City address. The Airport Board is waiting on bids for structural steel and cost estimates for the terminal. The climate action plan is on the city website with an April 25 Council workshop scheduled to discuss the plan and how to move forward. The Town and Gown event was held.

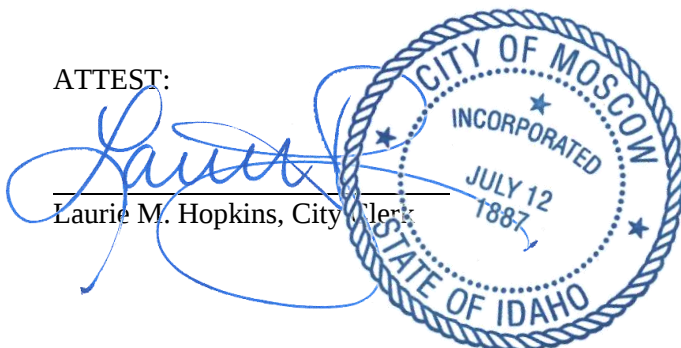
Staff

No report.

ADJOURN

It was moved, seconded and mutually agreed upon to adjourn at 7:36 p.m.

ATTEST:



Laurie M. Hopkins, City Clerk

A blue ink signature of Arthur D. Bettge is written above a horizontal line.

Arthur D. Bettge, Mayor

**BEFORE THE CITY COUNCIL
OF THE CITY OF MOSCOW, COUNTY OF LATAH,
STATE OF IDAHO**

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS REGARDING A REQUEST FOR THE REZONE OF AN APPROXIMATELY FOUR (4) ACRE PROPERTY LOCATED AT 1604 & 1704 EAST D STREET WITHIN THE CITY OF MOSCOW FROM THE FARM, RANCH, AND OUTDOOR RECREATION (FR) ZONE TO THE MODERATE DENSITY SINGLE FAMILY RESIDENTIAL (R-2) ZONE.

WHEREAS, the applicant filed an application for Rezone on December 29, 2021; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on January 26, 2022; and

WHEREAS, this matter came before the Moscow City Council during a duly noticed public hearing on March 7, 2022; and

WHEREAS, having reviewed the application, including all exhibits entered, and having considered the issues presented by the applicant and the opponents:

THE CITY COUNCIL OF THE CITY OF MOSCOW, IDAHO, AFTER DUE DELIBERATION AND CONSIDERATION, HEREBY CONCLUDES:

I. RELEVANT FACTS AND CONCLUSIONS

1. The City Council considered the request pursuant to the City of Moscow 2019 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The subject property consists of a 4-acre area of land located on the northeast corner of 'D' Street and Mountain View Road. The subject property currently contains two single family dwellings and a pasture field. The applicant has indicated that there is a conservation easement around the entire property except for the land immediately surrounding the single-family dwellings.
3. Within the 2019 Moscow Comprehensive Plan, the subject property is currently designated as Auto-Urban Residential.
4. According to the 2019 Comprehensive Plan, Auto-Urban Residential designated areas are intended to,

"contain predominantly single family detached homes on lots ranging from 7,000 to 11,000 square feet in size and are more isolated from surrounding uses which may require residents to rely more on automobile transportation. This designation includes those areas generally anticipated to be developed for low- to moderate-density residential uses at densities between three to six units per acre which could include a mix of detached single-family, twinhome, and townhome residential dwellings."

Appropriate current zoning for Auto-Urban Residential designated areas include Low Density Residential (R-1), Moderate Density Single Family Residential (R-2) and Medium Density Residential (R-3) in order to include a mixture of attached and detached dwellings where appropriate.”

5. The surrounding properties to the north, east, and south are also designated as Auto-Urban Residential (AU-R). Moscow Middle School to the west is designated as Civic/Institutional (CI).
6. The subject property is currently zoned Farm, Ranch, and Outdoor Recreation (FR) and the applicant is proposing to rezone the property to the Moderate Density Single Family Residential (R-2) Zone.
7. According to the City of Moscow Zoning Code, the R-2 zoning district is a moderate density residential zone appropriate where the following circumstances are present:
 1. Single family dwellings predominate.
 2. The terrain is not harshly irregular and smaller lot sizes can be accommodated without extensive earthwork.
 3. Utilities and other public facilities are adequate for the densities allowed.
 4. Existing lot development patterns and policies embodied in the Plan will also guide application of this zoning district.
12. Uses permitted within the R-2 Zone include single-family residential dwellings, market and community gardens, group child care facilities, and public parks and recreational facilities.
13. There are existing water and sewer mains within the surrounding streets which are of sufficient capacity to accommodate any future use that the R-2 Zone would allow on the subject property.
14. The subject property is located adjacent to the intersection of Mountain View Road and ‘D’ Street which are both designated in the Thoroughfare Plan as minor arterials. There is currently one vehicular approach to the easternmost single-family dwelling on ‘D’ Street. There is an additional vehicular approach on Mountain View Road which provides access to the westerly single-family dwelling as well as the pasture field.
15. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on November 17, 2021 to discuss the proposed rezone. All neighborhood meeting materials are attached.

BASED ON THE ABOVE RELEVANT FACTS AND CONCLUSIONS, THE CITY COUNCIL OF THE CITY OF MOSCOW HEREBY FINDS THE FOLLOWING RELEVANT CRITERIA AND STANDARDS:

II. RELEVANT CRITERIA AND STANDARDS

1. **The proposed rezone is consistent with Comprehensive Plan goals, objectives, and implementation actions.** The proposed rezone is consistent with the existing 2019 Comprehensive Plan Land Use Designation of Auto-Urban Residential.
2. **The proposed rezone would provide for the logical and orderly location of land uses and community services and facilities.** The proposed R-2 Zone provides a continuation of the existing

R-2 Zone to the west, north, and east. The proposed zoning and uses are consistent with the surrounding area and will not unduly burden the neighborhood of public infrastructure.

3. **The uses expected to occur as a result of the rezone will be compatible with the surrounding area.** The proposed zoning is consistent with adjacent zoning districts and will create a logical and orderly zoning configuration for the subject area.
4. **The size, type, and density of development expected to occur as a result of the rezone will not place an undue burden upon delivery of services provided by any political subdivision within the planning jurisdiction.** The proposed zoning and uses are suitable for the area and will not unduly burden the area of public infrastructure.
5. **The size, type, and density of development expected to occur as a result of the rezone can be adequately served by the existing transportation network, public facilities and services.** The subject property has street access via Mountain View Road and 'D' Street, which are both minor arterial streets which can adequately serve any proposed development allowed in the R-2 Zone. City water, sanitary sewer, and storm sewer mains are currently extended to the subject property.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Moscow approves the rezone request for the approximately four (4) acre property from the Farm, Ranch, and Outdoor Recreation (FR) Zone to the Moderate Density Single Family Residential (R-2) Zone with no conditions.

PASSED BY THE CITY COUNCIL OF THE CITY OF MOSCOW this 7th day of March, 2022.



Arthur Bettge, Mayor