

Moscow City Council



Regular Meeting ~Amended Agenda~

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Laurie M. Hopkins
City Clerk

208.883.7015

**Monday
September 19, 2022**

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. 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. 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

PROCLAMATION

League of Women Voters Moscow - Celebrating Over 70 Years of Service to the Community

CONSENT AGENDA

1. All Consent Items (ACTION ITEM)

A. Approval of Moscow City Council September 6, 2022 Minutes - Laurie M. Hopkins

B. Disbursement Report August 2022 - Sarah Banks

Staff presented the August 2022 Accounts Payable Report to Public Works / Finance Committee on September 12, 2022. The Committee received the report and approved the disbursements as presented.

ACTION: Accept the Disbursements Report for the month of August 2022.

C. Idaho Airport Aid Program - Grant Agreement - Bill Belknap

The Pullman-Moscow Regional Airport has applied for a grant from the Idaho Transportation Department - Division of Aeronautics from the Idaho Airport Aid Program for the construction of a new airport terminal. The grant request has been awarded for \$100,000 with a required project completion date of June 20, 2026. The attached Resolution authorizes the acceptance of the award in accordance with all Federal, State, and Local regulations and the execution of the Grant Agreement by the Mayor. This item was reviewed by the Public Works/Finance Committee on September 12, 2022, and recommended for approval.

ACTION: Approve authorization acceptance of the Idaho Airport Aid grant award of \$100,000 from the Idaho Transportation Department - Division of Aeronautics and approve the corresponding Resolution.

D. Proposed Lot Division at 411 E Seventh Street - Aimee Hennrich

The applicant, Donald Anderson, is requesting a lot division to create two lots of approximately 7,430 sf and 5,425 sf in size from one existing parcel of 12,855 sf in size. The intention of the lot division is to create a separate buildable lot from the existing house at 411 E Seventh Street so that both lots can be sold individually.

The subject property is located within the Multiple Family (R-4) Zoning District, which requires a minimum lot size of 5,000 square feet and a minimum lot width of 50 feet for single-family dwellings. Both proposed lots meet the minimum lot area and width requirements of the R-4 Zone, and the existing single family dwelling will meet all setback requirements. This was reviewed by the Public Works/Finance Committee on September 12, 2022 and recommended for approval.

ACTION: Approve the lot division request with the condition that the carriage house located on the new lot be removed in order to meet zoning requirements.

E. Moscowberfest Alcohol Use Request in Entertainment District - Amanda Argona

The Moscow Chamber of Commerce + Visitor Center is hosting the second annual Moscowberfest on Saturday, October 8th, from 4 pm to 8 pm on Main Street between 3rd and 6th Streets, including a portion of 5th Street to the alley and the first bay of the Jackson Street parking lot. The event is intended to be an annual event stylized in the spirit of fall folk festivals. The applicant anticipates no more than ten (10) beer and/or wine tents/vendors and up to six (6) food vendor tents. An additional four (4) to six (6) vendors will facilitate street games, activities, and competitions. The event has been reviewed and approved as of August 11, 2022.

Following standard operating procedures for events with alcohol that are within the Entertainment District boundaries, Moscowberfest is requesting a temporary suspension of the open container law by resolution. Per Moscow City Code, Section 10-1-12; a draft resolution has been prepared for Council's consideration. This was reviewed by the Administrative Committee on September 12, 2022 and recommended for approval.

ACTION: Approve the resolution allowing for the temporary suspension of the open container law within the event footprint of Moscowberfest for the duration of the event.

F. University Street Maintenance Agreement Update - Tyler Palmer

For many years, the City of Moscow (City) has relegated maintenance responsibilities for City rights-of-way that fall within the footprint of the University of Idaho (University) Campus. This arrangement was requested by the University of Idaho to allow for consistent treatment and aesthetics within the direct campus area. The City compensates the University for said maintenance based on a formula that captures the costs that the City would otherwise incur maintaining the designated infrastructure. The last update took place in 2008. This update makes adjustments to the contract and compensation formula to reflect changes that have occurred since the previous version was drafted including; Street budget updates, street light inventory and ownership updates, and storm permits for both the University and the City. The FY2023 payment, in accordance with the proposed formula will be \$90,208.00. This was reviewed by the Public Works/Finance Committee on September 12, 2022 and recommended for approval.

ACTION: Approve the Street Maintenance Agreement with the University of Idaho.

G. T- Mobile Wireless Communications Facility Lease Agreement - Bill Belknap

The City was approached by T-Mobile with a request to install a wireless communications facility upon the water tank located at Rotary Park. The proposed antenna and equipment installation plans have been reviewed and approved by the Engineering and Water Departments and Staff has prepared a wireless communications facility lease agreement for the Council's review and approval. Under the lease agreement, T-Mobile will pay the City \$28,800 per year with an annual escalator of three percent. The term of the agreement is five years with the option for five additional renewal terms.

This was reviewed by the Public Works/Finance Committee on September 12, 2022 and recommended for approval.

ACTION: Approve the wireless communications facility lease agreement.

REGULAR AGENDA

2. Presentation of Mayor's Golf Tournament Proceeds to Moscow Food Bank

3. Mayors Appointments (ACTION ITEM)

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

5. PUBLIC HEARING: Open Budget for Fiscal Year 2021-2022 (FY2022) Review (ACTION ITEM) - Sarah Banks / Bill Belknap

The State of Idaho provides a process for cities to amend the original fiscal year budget appropriation ordinance in accordance with Idaho Code section 50-1003. Throughout the year, the City has received additional federal, and/or state, and/or local grant awards. The City Council has authorized expenditures, including disbursement of ARPA funds to support small businesses and non-profits and the disbursement of committed Hamilton Funds to the Rotary Veterans Memorial Pavilion, Inc., an Idaho nonprofit corporation d/b/a Palouse Ice Rink nonprofit association, for the construction of an ice rink. Staff is proposing to amend Ordinance 2021-10 in the amount of \$4,189,600 to accommodate the authorized appropriations. This was reviewed by the Public Works/Finance Committee on August 22, 2022 and recommended for approval.

PROPOSED ACTIONS: *After considering public testimony, approve the Open Budget 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.*

6. Proposed Day Care Code Amendments Second Reading (ACTION ITEM) - Bill Belknap

In 2019, the City was approached by several daycare providers who expressed concerns regarding the availability of daycare services within the City and requested that the City review the City's daycare regulations to assess if any modifications could be made to increase daycare capacity and access. The City began the review in late 2019 and into 2020 but the onset of the pandemic delayed progress. City Staff have now completed the review and are proposing several amendments to the City's daycare regulations for the Council's consideration. The amendments include revisions to definitions and terms to be more consistent with State Code; revisions to the criminal disqualifying offenses provisions to remove several minor offenses from disqualifying persons from obtaining a daycare provider license; amendments to the child-provider ratio to increase daycare capacity (the City's ratios remain more restrictive than the State of Idaho's); and revision to the religious vaccination exemption to match State standards. Staff from the Police, Community Development, and Legal Departments participated in this process. Two public input sessions were held to accept comments regarding the proposed changes from daycare providers, parents, and the public. This was reviewed by the Administrative Committee on July 11, 2022, and forwarded to the full Council with no recommendation. The proposed ordinance was reviewed by the City Council on July 19, 2022, at which time the Council expressed concerns related to the minimum age for a daycare provider, the expanded family daycare size, and the proposed infant point allocation. Staff has revised the draft ordinance to address those specific items and conducted additional meetings with Idaho Stars program staff to ensure that the proposed changes were acceptable to all parties. The ordinance is now before the Council for consideration on second reading.

PROPOSED ACTIONS: Approve the Ordinance on second reading and under suspension of the rules requiring a third complete and separate reading, and that it be read by title and published by summary; or consider the Ordinance on second reading and that it be read by title; or reject the Ordinance; or take other action deemed appropriate.

7. Update to the 2016 Bike Route and Facilities Plan (ACTION ITEM) - Cody Riddle

The City's Bike Route and Facilities Plan was adopted by resolution in June of 2016. The plan identifies specific routes and treatments for bicycle facilities. Since adoption, City staff have been working to implement the plan, and to date a significant number of the improvements have been completed. City staff and leadership receive regular feedback, both positive and negative, on the impacts associated with the installation of bike facilities. Based on this, and knowledge gained through implementation and operation of facilities, staff presented a series of recommended changes to the Transportation Commission on August 11th and September 8th of 2022. The Commission unanimously supported the proposed changes. The Public Works and Finance Committee reviewed the changes on September 12th and recommended approval.

PROPOSED ACTIONS: Approve the resolution to adopt changes to the Bike Route and Facilities Plan; or take other action deemed appropriate.

REPORTS

City Council

Mayor

Staff

ADJOURN

NOTICE: It is the policy of the City of Moscow that all City-sponsored public meetings and events are accessible to all people. If you need assistance in participating in this meeting or event due to a disability under the ADA, please contact the City's ADA Coordinator by phone at (208) 883-7600, TDD (208) 883-7019, or by email at adacoordinator@ci.moscow.id.us at least 48 hours prior to the scheduled meeting or event to request an accommodation. The City of Moscow is committed to ensuring that all reasonable accommodation requests are fulfilled.