

Moscow City Council



Regular Meeting ~Agenda~

Laurie M. Hopkins
City Clerk

www.ci.moscow.id.us

208.883.7015

**Monday
July 17, 2023**

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

CONSENT AGENDA

1. All Consent Items (ACTION ITEM)

A. Approval of Moscow City Council June 20, 2023 Minutes - Laurie M. Hopkins

B. Disbursement Report June 2023 - Sarah Banks

Staff presented the June 2023 Accounts Payable Report to the Public Works / Finance Committee on July 10th, 2023. The Committee received the report and approved the disbursements as presented.

ACTION: Accept the Disbursements Report for the month of June 2023.

C. Third Quarter Financial Report April 1, 2023 to June 30, 2023 for FY2023 - Sarah Banks

Staff presented the third quarter financial report of Fiscal Year 2023 (April 1, 2023 to June 30, 2023) to the Public Works / Finance Committee on July 10th, 2023. The Committee received the financial report and approved it as presented.

ACTION: Accept the FY2023 Third Quarter Financial Report.

D. Agreement for Professional Services for the Comprehensive Water and Sewer System Plans Project - Tyler Palmer/Mike Parker

As part of the management of the City of Moscow's public water and sewer utilities, it is necessary to perform a periodic review of the existing Public Drinking Water and Sewer Conveyance Systems and to conduct an assessment of the system's needs to resolve existing issues and meet long term growth, rehabilitation, and capacity demands. The State of Idaho Department of Environmental Quality (IDEQ) requires Public Drinking Water and Sewer Systems to prepare and update their "System Facilities Plan" periodically. The professional services agreement to update the City's Comprehensive Water and Sewer Conveyance System Plans, before you today, meets the requirements of the IDEQ by providing a review of the existing systems, identification of system inadequacies, and detailing system improvements to resolve deficiencies and meet future growth

needs. The updated Plan, once finalized, will serve as the management and business plan for the water and sewer utilities covering policies, operations, water quality and supply, water rights, and system improvements. It provides a detailed utilities work plan for the next decade, identifies long-term needs and opportunities, and outlines strategies for utility management for the next 50 years. Public Works and Services prepared a draft scope of work and a Request for Qualifications (RFQ) which was advertised. Three Statements of Qualification (SOQ) were received and reviewed. After thorough review, the selection committee chose HDR Engineering, Inc. to manage the project. This was reviewed by the Public Works and Finance Committee at their meeting on July 10, 2023 and was recommended for approval.

ACTION: Approve the agreement for professional services with HDR Engineering, Inc.

E. Lewis Clark State College and City of Moscow Facilities Agreement - Brian Nickerson

Lewis Clark State College (LCSC) has approached the City of Moscow to request occasional use of the Moscow Fire Department's training facilities, equipment, and tools to conduct its Firefighter Training Program. The attached Memorandum of Understanding enumerates the benefits of entering into such an agreement with LCSC, the City's general responsibilities upon approval, LCSC's general responsibilities upon approval, terms, compensation, termination of the agreement and general provisions. This MOU was approved on March 20, 2023, but Staff identified an omission in the agreement in Section 5.A to limit indemnification to the extent permitted by law between two governmental entities. The MOU has been updated to include that language and is before the Council for approval. This was reviewed by the Public Works/Finance Committee on July 10, 2023 and recommended for approval.

ACTION: Approve the agreement for use of facilities with Lewis Clark State College.

REGULAR AGENDA

2. Mayors Appointments (ACTION ITEM)

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

4. Citizen Commission Report – Human Rights Commission – James Fry / Ken Faunce

5. Public Hearing: Ordinance Amending Title 4, Chapter 5, Chapter 8, and Chapter 10 of Moscow City Code Regarding the Procedures for Appeals (ACTION ITEM) - Cody Riddle

Staff is proposing an amendment to Moscow City Code to clarify the procedural requirements associated with appeals. This includes appeals of Zoning Administrator decisions to the Board of Adjustment and those of lower body decisions to City Council. The amendment is necessary to provide a clearer process for consideration of appeals. Standards for the review and consideration of appeals have historically been located in multiple sections of City Code as well as a resolution. It is unnecessary, and confusing for users, to maintain both ordinance provisions and a resolution to guide the appeal process. Council took the first step in cleaning up this issue with the repeal of Resolution 2000-17 on May 1, 2023. The proposed ordinance amendment will correct the remaining deficiencies by consolidating the procedural requirements and review standards in one Chapter of City Code (Title 4, Chapter 8). Section 8-2 addresses appeals of Zoning Administrator decisions and Section 8-5 covers appeals to City Council. Both sections clarify what individuals have standing to appeal, detail the submittal and review process, and specify how the public meeting will be conducted. The result is a clearly defined process that provides predictability and consistency for the public, staff, and final decision makers. On May 15, 2023, the City Council directed Staff to proceed with a hearing before the Planning and Zoning Commission. On June 14, 2023, the Planning and Zoning Commission conducted a public hearing and recommended approval of the proposed ordinance to City Council.

PROPOSED ACTIONS: After conducting the public hearing and consideration of testimony received, 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 other action deemed appropriate.

6. Multi-family Proposed Recycling Options (ACTION ITEM) - Tim Davis

As a result of the 2021 Sanitation Rate Study and following City Council directives, staff convened a Multi-family Recycling Work Group in August of 2022. The purpose of the work group was to analyze the current delivery of recycling services to multi-family customers, explore opportunities for expanded access to the service and to make recommendations for programmatic changes. The most common issue and concern regarding multi-family curbside recycling at many locations in Moscow was reasonably being able to provide adequate services. A three-tiered approach was developed to address multi-family recycling service delivery and is being proposed for City Council consideration. This was reviewed by the Public Works/Finance Committee on July 10, 2023 and recommended for approval.

PROPOSED ACTIONS: Approve the three-tiered option for multi-family recycling services, or take other action deemed appropriate.

7. Proposed Amendment to Title 2, Chapter 2 (ACTION ITEM) - Bill Belknap

Under City Code, the Council President and Vice President may serve as Mayor in the Mayor's absence and have all of the duties of the Mayor while serving in the Mayor's stead. It has been unclear if Council members serving as the Mayor are allowed to vote on motions. Staff is proposing to amend the City Code to clarify that Council members serving as the Mayor still count toward a quorum of the Council and may still exercise their right to vote as a council member. Additionally, under City Code, the Council Administrative and Public Works/Finance Committees are each constituted by one-half of the Council whose members are appointed at the first Council meeting of the year. The Code also describes what topics are generally to be considered by each Committee. Recently, the Council has somewhat regularly canceled certain meetings of the Administrative and Public Works/Finance Committee when there is a lack of agenda items and Committee members commonly request members of the other Committee to attend in their stead when unable to attend. Staff believes it would be appropriate to amend City Code to provide guidance that both Committees may consider all topics when one of the Committee meetings is canceled and to recognize that a Committee member may request a member from the other Committee to attend in their stead. Staff has prepared a draft ordinance to address these two items for the Council's consideration. This was reviewed by the Public Works/Finance Committee on July 10, 2023, and recommended for approval with minor modifications.

PROPOSED ACTIONS: 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 other action deemed appropriate.

REPORTS

City Council

Mayor

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.