

Moscow City Council



Regular Meeting ~Minutes~

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Laurie M. Hopkins
City Clerk

208.883.7015

**Monday
October 2, 2023**

7:00 PM

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

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

PRESENT: Mayor Art Bettge, Drew Davis, Sandra Kelly, Maureen Laflin, Hailey Lewis, Julia Parker, Gina Taruscio

OTHERS: Representative Brandon Mitchell

STAFF: Bill Belknap, Mia Bautista, Cody Riddle, Brian Nickerson, Laurie M. Hopkins

PLEDGE OF ALLEGIANCE

Council Vice President Taruscio led the Pledge of Allegiance.

PROCLAMATION

Fire Prevention Month

Council President Laflin read the proclamation and presented it to Chief Nickerson. Nickerson thanked the Mayor and Council and emphasized how important prevention is. The Fire Department recently held an event where they provided citizens smoke alarms.

CONSENT AGENDA

1. All Consent Items (ACTION ITEM)

A. Approval of Moscow City Council September 18, 2023 Minutes - Laurie M. Hopkins

B. Houston-Galveston Area Council of Governments Interlocal Contract for Cooperative Purchasing - Bill Belknap

Idaho Code § 67-2807 authorizes political subdivisions of the State of Idaho to participate in cooperative purchasing agreements with the State of Idaho, other Idaho political subdivisions, other government entities, or associations thereof with the approval of its governing board. The Houston-Galveston Area Council of Governments (H-GAC) is a cooperative purchasing consortium that conducts public competitive procurements compliant with state statutes and provides an efficient means of procuring certain goods and services. The City has previously participated in the program and purchased the last two fire engines through the program. The City desires to continue to participate in the H-GAC program and is seeking Council approval to execute a new Interlocal Contract for Cooperative Purchasing and authorize the Mayor's signature. This was reviewed by the Administrative Committee on September 25, 2023 and recommended for approval.

ACTION: Approve the Interlocal Contract for Cooperative Purchasing and authorize the Mayor's signature thereon through the proposed resolution.

C. Idaho Public Television Tower Lease Agreement - Bill Belknap

The City is currently working toward the replacement of the City's emergency communications radio system due to the current equipment reaching end-of-life as well as system coverage deficiencies. One component of that project will include the installation of additional radio

antennas and equipment on the radio tower located on Paradise Ridge which is owned by the State of Idaho and operated by Idaho Public Television (IPTV). Staff worked with IPTV to prepare a lease agreement to allow the installation of the new equipment planned for installation with the new radio system. The Lease Agreement was approved by the City Council on May 15th of this year. However, after that approval, IPTV and the University of Idaho identified a use limitation within the site lease between IPTV and the University of Idaho that would potentially preclude the City's proposed emergency communications use on the site. The University of Idaho Board of Regents approved an amended site lease at their August meeting to address this conflict, and the City and IPTV have amended the lease agreement to reflect the amended site lease and extend the lease term to be concurrent with IPTV's site lease. The agreement is back before the Council for approval with these modifications. This was reviewed by the Administrative Committee on September 25, 2023 and recommended for approval.

ACTION: Approve the proposed lease agreement.

D. Idaho Counties Risk Management Program Joint Powers Subscriber Agreement - Bill Belknap

The Idaho Counties Risk Management Program (ICRMP) provides the City with liability and property insurance coverage. ICRMP has updated its Joint Powers Subscribers Agreement that describes member's rights and obligations, ICRMP governance and other general provisions. ICRMP is requesting the Mayor's signature on the updated Joint Powers Subscribers Agreement. This was reviewed by the Administrative Committee on September 25, 2023 and recommended for approval.

ACTION: Approve the Joint Powers Subscriber Agreement.

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

REGULAR AGENDA

2. Mayors Appointments (ACTION ITEM)

None offered.

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

None offered.

4. Citizen Commission Report

None offered.

5. Proposed Repeal of Moscow City Code Chapter 10, Title 5 (ACTION ITEM) - Bill Belknap

Recent judicial decisions have identified that it is unclear whether the City has the authority to continue to charge the public street lighting fee that was established in 1998. Out of an abundance of caution, City staff is recommending that the City cease the collection of this fee until there is legislative or judicial action that firmly establishes the authority to collect public lighting fees. Staff has prepared an ordinance to repeal Chapter 10 of Title 5 which established the street light fee for the Council's consideration. This was reviewed by the Administrative Committee on September 25, 2023 and recommended for approval.

PROPOSED ACTIONS: Approve the Ordinance repealing Chapter 10, Title 5 of Moscow City Code 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.

Belknap introduced the item as written above. Council members were in support and had no questions.

Kelly moved to approve the Ordinance repealing Chapter 10, Title 5 of Moscow City Code under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary. Lewis seconded. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

Council President Laflin read Ordinance 2023-08 by title:

AN ORDINANCE OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE REPEAL OF MOSCOW CITY CODE TITLE 5, CHAPTER 10 PUBLIC LIGHTING; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE BE DEEMED SEVERABLE; AND PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM THE DATE OF ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

6. Proposed Amendment to the FY2024 Fee Resolution (ACTION ITEM) - Bill Belknap

Recent judicial decisions have identified that it is unclear whether the City has the authority to continue to charge the public street lighting fee that was established in 1998. Out of an abundance of caution, City staff is recommending that the City cease the collection of this fee until there is legislative or judicial action that firmly establishes the authority to collect public lighting fees. Additionally, recent updates to the City's cost allocation model have resulted in the ability to defer some of the proposed sanitation rate increases. Staff has prepared a resolution to amend the adopted FY2024 fee resolution to incorporate these fee amendments for the Council's consideration. This was reviewed by the Administrative Committee on September 25, 2023 and recommended for approval.

PROPOSED ACTIONS: Approve the proposed Resolution, or take other action deemed appropriate.

Belknap introduced the item as written above. Taruscio expressed support regarding deferring the roll cart fee increase. Taruscio moved, Kelly seconded, to approve the resolution. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

REPORTS

City Council

Planning and Zoning Commission – Taruscio said they had a public hearing of a replat north of Moscow.

Palouse Basin Aquifer Committee – Kelly said the Committee is looking towards the future as to who to talk with regarding one of the plans.

SMART Transit – Lewis said the Board discussed strategic planning for the next 5-10 years.

Sustainable Environment Commission – Laflin said they heard a presentation from Paul Kimmel regarding what Avista is doing for climate change.

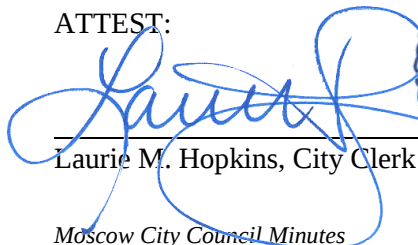
Mayor

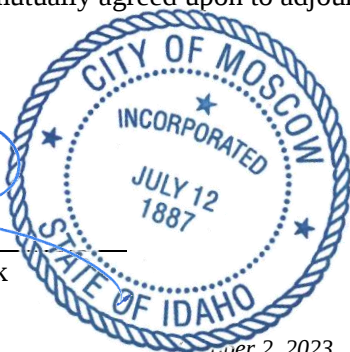
No report.

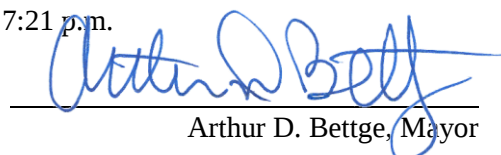
ADJOURN

It was moved, seconded and mutually agreed upon to adjourn at 7:21 p.m.

ATTEST:


Laurie M. Hopkins, City Clerk




Arthur D. Bettge, Mayor