

Moscow City Council



Regular Meeting ~Agenda~

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Laurie M. Hopkins
City Clerk

208.883.7015

Monday, October 7, 2024

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 and the City's YouTube channel. 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 September 16, 2024 Minutes - Laurie M. Hopkins

B. Idaho Outdoor Recreation Fund Grant Application - Alisa Anderson / Scott Bontrager

The City received notification of a grant opportunity through the Outdoor Recreation Fund Advisory Council (ORFAC) accepting applications to build projects that expand recreational opportunities. For 2024, ORFAC has been allocated \$5 million dollars to spend on capital projects (trails, bridges, campgrounds, etc.) that create or enhance outdoor access. City staff has identified two park projects to include the Mountain View Park Connector Pathway and Anderson Frontier Park Pathway Connection, which will provide ADA access to both locations. Staff is requesting to submit a grant application in an amount not to exceed \$160,000. Staff will include engineering, design, and construction management as an in-kind match. No cash match is required under this program. This was reviewed by the Administrative Committee on September 23, 2024, and recommended for approval.

ACTION: Ratify the approval to submit a grant application not to exceed \$160,000 to the Idaho Outdoor Recreation Fund.

C. Professional Services Agreement between the City of Moscow and Presnell Gage, PLLC - Sarah Decker

In June 2024, the City of Moscow issued a Request for Qualifications (RFQ) from certified public accounting firms to audit our respective financial statements for the fiscal year ending September 30, 2024, with the option of auditing for four subsequent fiscal years. Firms had to address the requirements of the RFQ and submit a sealed proposal to

include pricing for the five-year period. The City received one response to the RFQ from Presnell Gage, PLLC. Staff reviewed the proposal and deemed that it met all requirements of the RFQ. This was reviewed by the Administrative Committee on September 23, 2024, and was recommended for approval.

ACTION: Approve the Professional Services Agreement between the City of Moscow and Presnell Gage, PLLC to audit our respective financial statements for the fiscal year ending September 30, 2024, and the four subsequent fiscal years with the ability for the City to terminate at any time.

D. City of Moscow Utility Billing Policy Update - Sarah Decker

In accordance with Moscow City Code, property owners are responsible for the cost of utility services delivered to their property(s), regardless of the user of the utility being provided. The City of Moscow has historically provided property owners with the convenience of billing a non-owner occupant (tenant) even though the City is under no legal obligation to do so. On February 16, 2021, the City formalized the Utility Billing process, Resolution 2021-01, by adopting the City of Moscow Utility Billing Policy, City of Moscow Utility Billing Application, and City of Moscow Utility Billing Directive. On August 19, 2024, the Idaho Supreme Court issued a decision that confirmed the City's ability to hold property owners responsible for the utility services provided to their property, but the Court found that the City did not provide enough detail within the Utility Billing Application regarding the means by which the City could pursue to collect unpaid balances through the use of liens. This decision necessitates an amendment to the City of Moscow's Utility Billing Policy, Utility Billing Application, and Tenant Utility Billing Directive to continue to provide the convenience of tenant billing to property owners. This was reviewed by the Administrative Committee on September 23, 2024, and was recommended for approval.

ACTION: Approve the updated City of Moscow Utility Billing Policy, City of Moscow Utility Billing Application, and City of Moscow Tenant Utility Billing Directive.

E. Second Amendment to Franchise Agreement Exhibit G - Tim Davis

Fees from Exhibit G of the Solid Waste Franchise Agreement between the City of Moscow and Latah Sanitation, Inc., dba Inland North Waste, are adjusted upward or downward each fiscal year to reflect changes in the cost of operations, as reflected by fluctuations in the Consumer Price Index (CPI), as published by the U.S. Bureau of Labor Statistics. The statistics utilized are for a one-year period and are the end-adjusted figures for the annual change for the calendar year, as published in January of each year. The fee modification date is October 1 of each year. Every year the fees are increased or decreased for the coming year in a percentage of 100% of the net change of the CPI for the prior year period. The CPI adjustment for FY2025 is 3.82%. In addition to the CPI adjustment, staff updated Exhibit G to reflect the existing contract provisions as it pertains to the billing for biosolids composting. These updates have been reviewed and approved by Latah Sanitation, Inc.

ACTION: Approve the Second Amendment to Exhibit "G" of the Solid Waste Franchise Agreement.

REGULAR AGENDA

- 2. Public Comment and Mayor's Response Period (limit 15 minutes)**
- 3. Presentation of Mayor's Golf Tournament Proceeds**
- 4. Citizen Commission Report - Parks and Recreation Commission - David Schott / Cat Harner**

5. Wildrose Court Final Plat and Final PUD (ACTION ITEM) - Mike Ray

On May 6, 2024, Moscow City Council approved the annexation, Comprehensive Plan land use designation, zoning designation, preliminary subdivision plat, and preliminary planned unit development (PUD) for the Wildrose Court Addition with six conditions. On August 13, 2024, the applicant submitted the final subdivision plat and final PUD to be reviewed by the Planning and Zoning Commission and City Council. The Planning and Zoning Commission reviewed the final subdivision plat and final PUD at their meeting on August 28, 2024 and recommended approval to City Council with no conditions. The Public Works/Finance Committee reviewed this item at their September 9, 2024 meeting and recommended approval.

PROPOSED ACTIONS: Approve the Wildrose Court Addition Final Plat and Final PUD, or take other action deemed appropriate.

6. Public Hearing: SOMO Annexation, Comprehensive Plan Land Use Designation, Zoning Designation, and Preliminary Plat (ACTION ITEM) - Mike Ray

The applicant, 2-GM, LLC, is proposing a Comprehensive Plan land use designation, zoning designation, and a preliminary subdivision plat for a 51.53-acre property proposed to be annexed into the City of Moscow and generally located south of the South Fork of the Palouse River and East of Highway 95 within the City of Moscow. The current Comprehensive Plan Land Use Designation is a combination of Auto-Urban Commercial, Industrial, and Rural and Agricultural and the proposal is the Auto-Urban Commercial designation. The zoning of the subject property is currently a combination of the Motor Business (MB) and Agriculture Forestry (AF) Zone and the proposal is the Motor Business (MB) Zone. The proposed preliminary plat is a 29.46-acre area to create 15 lots ranging from 0.82 to 4.18 acres in size, referred to as SOMO Subdivision. The City of Moscow Planning and Zoning Commission conducted a public hearing for the proposed Comprehensive Plan Land Use Designation, Rezone, and Preliminary Plat on May 24, 2023, and recommended approval with two conditions.

PROPOSED ACTIONS: Conduct the public hearing upon the annexation, Comprehensive Plan land use designation, zoning designation, and preliminary plat and upon consideration of any testimony presented:

1. Approve the Annexation 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 Annexation Ordinance on first reading; or reject the Annexation Ordinance; or take other action as deemed appropriate.
2. If the Annexation Ordinance is approved, approve the proposed Comprehensive Plan Land Use Designation Resolution and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria; or reject the proposed Comprehensive Plan Land Use Designation Resolution and direct staff to prepare a Reasoned Statement of Relevant Criteria; or take other action as deemed appropriate.
3. If the Annexation Ordinance is approved and Comprehensive Plan Land Use Designation Resolution is approved, 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 other action as deemed appropriate.
4. If the Annexation Ordinance is approved, the Comprehensive Plan Land Use Designation Resolution is approved, and the proposed Zoning Ordinance is approved, approve the preliminary plat for SOMO Addition with two (2) conditions and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria; or approve the preliminary plat with no conditions and direct staff to prepare a Reasoned Statement of Relevant Criteria; or reject the

preliminary plat and direct staff to prepare a Reasoned Statement of Relevant Criteria; or take other such action deemed appropriate.

7. West Palouse River Drive Site Study Agreement (ACTION ITEM) - Bill Belknap

The Moscow School District anticipates the need to construct a new elementary school in the near future and is currently considering where it may be located. The District would like better distribution of elementary school locations in the community to serve surrounding neighborhoods. The City and District have discussed the potential of locating a future elementary school on the City's West Palouse River Drive Property in conjunction with the potential development of a City park and additional athletic fields. Earlier this year, the City and District entered into a Memorandum of Understanding to jointly fund a planning study to assess the feasibility of developing the West Palouse River Drive property for a future elementary school, park, and athletic fields. It is anticipated the study will assess pedestrian access, vehicular access and circulation, site grading, building, parking, park, and athletic facility development to determine the suitability of the site for the proposed uses and help inform future decisions regarding the property. City Staff worked with Lombard Conrad Architects LLC., an architectural firm that was recently selected by the Moscow School District for District architectural services, to prepare a scope of work and professional services agreement to conduct the site study. The scope has been reviewed and approved by the Moscow School District. This was reviewed by the Administrative Committee on September 23, 2024 and recommended for approval.

PROPOSED ACTIONS: Approve the proposed Professional Services Agreement with Lombard Conrad Architects Inc.; or take other action deemed appropriate.

REPORTS

City Council

Mayor

ADJOURN TO EXECUTIVE SESSION PER IDAHO CODE 74-206 (1)(B) AND (1)(F) - THE MEETING WILL NOT RECONVENE.

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.