

Administrative Committee



Regular Meeting ~Minutes~

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Laurie M. Hopkins
City Clerk

208.883.7015

Monday, April 28, 2025

4:00 PM

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

The meeting was called to order at 4:00 p.m.

PRESENT: Bryce Blankenship, Drew Davis, Gina Taruscio

OTHERS: Mayor Art Bettge

STAFF: Bill Belknap, Mia Bautista, Laurie M. Hopkins, Bob Buvel, Scott Bontrager, Mike Ray, Alisa Anderson

REGULAR AGENDA

1. Approval of Administrative Committee March 24, 2025 Minutes (ACTION ITEM) - Laurie M. Hopkins

The minutes were approved as presented.

2. Request for Waiver for On-Premises Consumption Within 300 Feet of a School or Church per Idaho Code (ACTION ITEM) - Laurie M. Hopkins

The owners of Karma Indian Cuisine are in the process of obtaining an alcohol license. Idaho Code § 23-913, 23-1011B, and 23-1307A, prohibits any business from selling liquor, beer and/or wine for on-premise consumption within three hundred feet (300') of any church, school or any other place or worship, unless the City Council approves waiver of the requirement. Karma Indian Cuisine is located at 1420 S Blaine Street, which is within 300 feet of Real Life. The state license has been issued. The county license has been applied for and is pending approval. Letters of support from The Jubilee School and Real Life have been submitted. A letter from Suriya Mohan, the owner of Karma Indian Cuisine, requesting a waiver has been submitted for your review and consideration.

PROPOSED ACTIONS: Consider applicant's request for City Council to waive the prohibition from selling alcohol for on-premises consumption within three hundred feet (300') of any church, school or any other place or worship and recommend approval contingent on issuance of the county license; or provide staff further direction.

Hopkins introduced the item as written above. Having no questions, the Committee recommended approval and that it be placed on the Council consent agenda.

3. Deakin Ave Pavement Rehabilitation and City Utility Improvements - Memorandum of Agreement (ACTION ITEM) - Scott Bontrager

This University of Idaho initiated project's scope is to completely reconstruct the Deakin Avenue corridor from University Avenue to Sweet Avenue. During the review process of the University's project, the City recognized the need to also replace the aging underground utilities (domestic water, sanitary sewer, and storm sewer) along Deakin Avenue while the University is replacing the road, curb, gutter, and sidewalks. The University of Idaho, through the Idaho State Division of Public Works, has contracted with McKinstry as the Construction Manager/General Contractor to construct the project. On April 4, 2025, the City received a copy of the proposal from McKinstry to construct the entire

project for a total of \$961,031, of which the City's utility upgrade portion of the project would total \$355,637. Included in the packet is a Memorandum of Agreement between the City of Moscow and the University of Idaho for the City to provide a lump sum payment to the University in the amount of \$355,637 for the City's portion of the project.

PROPOSED ACTIONS: Recommend approval of the Memorandum of Agreement between City of Moscow and University of Idaho and provide a Lump Sum payment in the amount of \$355,637.00; or provide staff with further direction.

Bontrager introduced the item as written above, adding some of the existing utilities are over 100 years old and smaller than current regulations within the comprehensive plan. While this was not in the capital improvement plan, when there is road replacement and the utilities need replacement, if at all possible, the City wants to take advantage while the roadway is deconstructed. The UI received deferred maintenance funding and chose this segment of roadway. The MOU is a unique situation where the State is bidding and administering the project. The City is providing funding to the University, who will pass it on to the State who will complete the work on behalf of the City and University. With the MOU, the City is not obligated to any contingency amounts. If during the course of the project something remarkably unusual is discovered, Staff will talk with the University. The MOU is a one-time payment. The project begins today with completion prior to fall semester. The infrastructure will meet all ADA standards and other requirements. The Committee recommended approval and that it be placed on the Council consent agenda.

4. South Moscow Business Park (SOMO) Development and Monumentation Agreements (ACTION ITEM) - Bob Buvel

Jeff Motley, on behalf of Two-GM, LLC., has submitted to the City a final plat for the development of a property east of the intersection of Old Highway 95 and US 95 and just south of the South Fork of the Palouse River. On October 07, 2024, the City Council approved the preliminary plat for this property. The final plat is titled South Moscow Business Park and will be presented for City Council approval on May 5th. If Council approves the final plat, development and monumentation agreements will be required. The development agreement is necessary to address project phasing, construction of public improvements, parkland dedication, as-constructed drawings, City participation in up-sizing proposed utilities, and a proportionate share fee for the future installation of a traffic control signal. Staff have prepared both agreements for approval.

PROPOSED ACTIONS: Recommend approval of the Development and Monumentation Agreements for the South Moscow Business Park; or provide staff further direction.

Buvel introduced the item as written above. This development agreement includes city participation in the highway intersection signal based on \$4,285 per lot for a total of \$64,284. The developer is required to build the watermain but in order to upside the main for future development, the city will participate at the cost of \$43,884. To meet the requirement of the parkland dedication, the developer will be adding \$4,050 in addition to the 1.83 acres located on the north side of the development. The Committee recommended approval and that it be placed on the Council consent agenda.

5. SOMO Addition Final Plat (ACTION ITEM) - Mike Ray

On October 7, 2024, Moscow City Council approved the annexation, Comprehensive Plan land use designation, and zoning designation of a 51.33-acre area. Also included in the proposal was a preliminary subdivision plat of a 29.46-acre area to create 15 lots ranging from 0.82 to 4.18 acres in size, referred to as the SOMO Addition, which was approved by the Council with two conditions. On January 21, 2025 the applicant submitted the final subdivision plat to be reviewed by the Planning and Zoning Commission and City Council. The Planning and Zoning Commission reviewed the final plat at their regular meeting on March 28, 2025 and recommended approval to City Council. Since one of

the preliminary plat conditions pertaining to access approval from Idaho Transportation Department is still not complete, staff is recommending that this condition be carried over to the final plat.

PROPOSED ACTIONS: Recommend approval of the SOMO Addition Final Plat with the condition recommended by staff; or provide staff further direction.

Ray introduced the item as written above. The parkland is on the north side of the plat located on the south fork of the Palouse River, almost entirely in the floodplain. Two pathways are planned. One providing access to land south of the development. Another provides access to the stormwater detention pond and a possible future pathway along the parkland dedication. ITD requires the development agreement prior to access approval, thus Staff suggests continuing the condition of ITD approval for the connection to the highway to the final plat. The intersection will be a future signalized intersection but stop controlled for now. The Committee recommended approval and that it be placed on the Council consent agenda.

6. Moscow Chamber of Commerce Visitor and Tourism Services Agreement Renewal (ACTION ITEM) - Bill Belknap

The City of Moscow has financially supported the visitor and tourism activities of the Moscow Chamber of Commerce and Visitor Center for many years. In review of this arrangement, in 2022, Staff identified the need to have a services agreement to document the specific services that the Chamber provides in exchange for the funding provided by the City. The agreement was approved in November 2022 and will expire in November of this year. Staff have prepared an updated agreement that is similar to the prior agreement, with the addition of the Chamber assuming responsibility for quarterly ArtWalk events. Staff will present the agreement for the Council's consideration.

PROPOSED ACTIONS: Recommend approval of the Visitor and Tourism Services Agreement; or provide staff with further direction.

Belknap introduced the item as written above. The previous agreement obligated the Chamber to organize and hold three downtown events per year. One of those events will now be the June Artwalk event. They are also required to have no less than one quarterly Artwalk event. The Arts Division is being downsized to only the manager. This transfer of Artwalk will help alleviate some pressure and ensure the program continues. Artwalk will be branded as a Chamber event. Blankenship inquired about the potential of increasing the three percent step with the addition of programs. Belknap explained the Chamber uses this funding to match funds for state tourism grants. Enhanced programming could be reviewed but 3% should cover any inflationary cost increases. The Committee recommended approval and that it be placed on the Council consent agenda.

7. Renewal of Intermodal Transit Center Lease with SMART Transit - Bill Belknap

The City currently leases space in the Intermodal Transit Center to Regional Public Transportation (RPT) dba SMART Transit. The existing lease will expire on September 30, 2025. SMART approached the City regarding the ability to amend the existing lease agreement to include an adjacent office that was last occupied by the Partnership for Economic Prosperity Executive Director. Staff have prepared an updated lease agreement that includes the use of the additional office space and a five-year term to expire on September 30 of 2030, for the Council's consideration.

ACTION: Approve the Lease Agreement Between Regional Public Transportation (dba SMART Transit) and the City of Moscow.

Belknap provided a brief history of the building and provided the above information. It is the same square feet cost as the previous agreement and includes a 3% inflationary step. The City has not identified use for the office. Having no questions, the Committee recommended approval and that it be placed on the Council consent agenda.

8. Proposed Repeal of Moscow City Code Title 9, Chapter 10, Moscow Day Care Ordinance (ACTION ITEM) - Bill Belknap

The Idaho Legislature passed House Bill No. 243 and House Bill No. 312, with Governor Little having signed them into law on March 27, 2025, with an effective date of July 1, 2025. The Bill's amend the day care licensing regulations, which include repeal of Idaho Code Section 39-1108, relating to the local option for day care licensing. The City has utilized the local option over the last thirty years and regulated day care licensing within the City of Moscow with standards that met the minimum state standards with some standards that were more stringent than the State. Based on the repeal of Idaho Code Section 39-1108 removing the local option for day care regulations, the City is required to repeal Moscow City Code Title 9, Chapter 10, Moscow Day Care Ordinance with an effective date of July 1, 2025.

PROPOSED ACTIONS: Recommend approval of the proposed Ordinance repealing Title 9, Chapter 10, Moscow Day Care Ordinance of the Moscow City Code with an effective date of July 1, 2025; or provide staff further direction.

Belknap introduced the item as written above. There were above 9 cities in Idaho that regulated daycares. All daycare facilities have been licensed for the 2025 year. The state will accept the City facility license and when expiration comes up, the daycare will go through the state renewal process. Provider license will be issued through May and then in June Staff will send applicants to the State as there is a 2–3-week processing time.

Differences between the City and State regulations include the ratios of staff to child was slightly more restrictive; frequency of licensing was more often, and more extensive disqualifying offences.

Davis felt this is legislation is government overreach. Blankenship said some may be grateful for this deregulation, but he had knots in his stomach looking at it. This legislation could potentially harm children. He asked Staff what happens if the Council were to vote no on repealing this ordinance. Belknap said there would be no legal authority to enforce it. Taruscio agreed with Davis and Blankenship. The Committee asked that the item be placed on the regular agenda for discussion with no recommendation.

9. Proposed Repeal of Moscow City Code Title 10, Chapter 1, Section 1-16 (ACTION ITEM) - Bill Belknap

The Idaho Legislature passed House Bill 270, with an effective date of March 26, 2025, which amends Idaho Code Section 18-4116, the Indecent Exposure statute. House Bill 270 expands what acts are included in the crime of Indecent Exposure. Moscow City Code 10-1-16 is narrower in scope than House Bill 270; thereby creating a conflict between the two laws, which necessitates the City repealing Moscow City Code 10-1-16.

PROPOSED ACTIONS: Recommend approval of the proposed Ordinance repealing Title 10, Chapter 1, Section 1-16; or provide staff further direction.

Belknap said this item is in response to legislation passed by the legislature this session. It is more broadly defined indecent exposure, and the City cannot be less restrictive than State law. The origin of the city's public nudity section of code was related to the topless carwash years ago. At this point, repealing is the best course of action. The Committee asked that it be placed on the regular agenda with no recommendation.

ADJOURN

The meeting concluded at 4:38 p.m.

Minutes Approved On
May 27, 2025

(Clerk Signature)