

Moscow City Council



Regular Meeting
~Agenda~

Laurie M. Hopkins
City Clerk

www.ci.moscow.id.us

208.883.7015

Monday, October 18, 2021

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, however attendees in City Hall are required to practice physical distancing, or wear a face covering when physical distancing is not possible. Attendees are also subject to protocols established by Governor Little's Stay Healthy Guidelines of the Idaho Rebounds Plan. If you do not have a mask, a disposable mask will be provided. 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. Citizens wishing to comment on business on the agenda are encouraged to communicate with the Mayor and City Council by phone or email (council@ci.moscow.id.us) in order to respect social distancing protocol. 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 October 4, 2021 Minutes - Laurie M. Hopkins

B. Disbursement Report for September 2021 - Sarah Banks

Staff presented the September 2021 Accounts Payable Report to Public Works / Finance Committee on October 11, 2021. The Committee received the report and approved the disbursements as presented.

ACTION: Receive the Disbursements Report for the month of September 2021.

C. Well House No. 6 Bid Results - Scott Bontrager

The City published an advertisement for bids on September 4 and 11, 2021 for the Well House No. 6 project. The project included the reconstruction of Well House No. 6, electrical improvements, an on-site chlorine generation system, and the installation of a new generator. The Engineer's Estimate for the project was \$641,019. Bid opening for the project took place on October 1st, 2021, at which time one (1) bid was received. The bid received was in the amount of \$987,630 and was submitted by Quality Contractors, LLC. A bid tabulation is included in the Council packet. This was reviewed by the Public Works/Finance Committee on October 11, 2021 and recommended for approval.

ACTION: Reject the low bid from Quality Contractors, LLC.

D. Memorandum of Understanding with Moscow School District for SRO Program – Gary J. Riedner / James Fry

The City of Moscow, through the Moscow Police Department, has been employing a School Resource Officer (SRO) position for over 18 years to provide a law enforcement presence and additional resources to the Moscow School District to assist in providing and maintaining a safe and healthy student environment. Previously, the MSD and City had agreed to have two SRO positions, with the costs of the two positions to be evenly divided between the MSD and City. However, with the advent of COVID-19, MSD requested that one of the positions be eliminated for budgetary reasons, and that we return to one SRO, with the costs of the position to be evenly divided between the City and the MSD. The Memorandum of Understanding contemplates one SRO position. This was reviewed by the Public Works/Finance Committee on October 11, 2021 and recommended for approval.

ACTION: Approve the MOU with Moscow School District for the School Resource Officer program.

E. Comprehensive Mutual Aid Agreements for Fire Assistance – Brian Nickerson

The City of Moscow benefits significantly from having mutual and automatic aid agreements with our fire and EMS partners in the quad counties. This type of agreement provides the opportunity to give and receive assistance in the event the need should arise from an emergency situation including both fire and EMS. This updated agreement also enhances the opportunity to possibly receive credit for Insurance Service Office (ISO) Rating system for fire classification for the city. This update provides the ability to create a Response Plan / Card system for response on an automatic basis with no need to special request mutual aid from our partners. The Moscow Fire Department would like to enter into this Mutual and Automatic Aid Agreement with the following agencies; Moscow Rural Fire District, City of Lewiston, City of Pullman, City of Clarkston, City of Asotin, Asotin County Fire District, Potlatch Corporation Rural Fire Protection District, City of Troy, Troy Rural Volunteer Fire Department, Deary Rural Fire District, City of Genesee, Genesee Rural Fire District, Genesee Community Firemen Inc., City of Julietta, City of Kendrick, Bovill Fire Protection District, City of Palouse, Whitman County Rural Fire District No. 4, Whitman County Fire District No. 12, Whitman County Fire District 14, The City of Colfax, J-K Ambulance, Bennett Lumber Products, and Clearwater Paper. All partners receive assistance as necessary to help our surrounding agencies. This was reviewed by the Public Works/Finance Committee on October 11, 2021 and recommended for approval.

ACTION: Approve the mutual and automatic aid agreement.

REGULAR AGENDA

2. Staff Recognition Report - Gary J. Riedner

3. Mayor’s Appointments (ACTION ITEM)

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

5. Final Decision for Appeal of Conditional Use Permit at 1400 E Seventh Street (ACTION ITEM) - Aimee Hennrich

On February 19, 2021, PI Tower Development LLC applied for a Conditional Use Permit (CUP) to construct an 80-foot-tall Wireless Communication Facility (WCF) that would resemble a church tower, located at 1400 E Seventh Street. The Board of Adjustment conducted a public hearing for the proposed CUP on March 29, 2021, and subsequently voted to deny the application. On April 16, 2021, the Community Planning and Design Department received an appeal letter from Wireless Policy Group on

behalf of Parallel Infrastructure, stating that they wish to appeal the Board of Adjustment's decision to City Council.

On May 3, 2021, Council heard the appeal and remanded the matter back to the Board of Adjustment with the instruction to develop additional material information. Specifically, to determine whether the horizontal footprint and width of the proposed Wireless Communication Facility can be reduced in order to be less intrusive to the neighborhood and surrounding land uses and ultimately satisfy Criterion #2.

The Board of Adjustment conducted a public hearing to consider the Council's instructions and accept additional information on August 24, 2021, and subsequently voted to deny the application. On September 8, 2021, the Community Planning and Design Department received an appeal letter from Wireless Policy Group on behalf of Parallel Infrastructure, stating that they would like to appeal the Board of Adjustment's August 24, 2021, decision to deny the application to City Council.

On October 4, 2021, Council heard the appeal and reversed the decision by the Zoning Board of Adjustment to deny the application for a Conditional Use Permit for a Wireless Communication Facility and approved the three-legged tower design (Design Alternative 2) with the condition that the applicant remove all religious insignias from the design of the structure. City Council then directed staff to prepare a written decision based on the Council's action.

PROPOSED ACTIONS: Approve the proposed written decision; or approve the proposed written decision with modifications; or provide staff with further direction.

6. PUBLIC HEARING: Southgate 3rd Addition Proposed Rezone (ACTION ITEM) - Mike Ray

The applicant, Mike Salisbury, is proposing a rezone for a 7.56-acre property within Phase III of Southgate 3rd Addition and located east of the current terminuses of Granville Street and Castleford Street. The zoning of the subject property is currently a combination of Low-Density Single Family Residential (R-1), Moderate Density Residential (R-2), and Medium Density Residential (R-3) and the proposal is to rezone the entire property to the Medium Density Residential (R-3) Zone. The Planning and Zoning Commission conducted a public hearing on August 11, 2021 and recommended approval of the rezone request with one condition.

PROPOSED ACTIONS: Conduct the public hearing and upon consideration of any testimony received, 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 such other action deemed appropriate.

7. PUBLIC HEARING: Park Valley Addition Preliminary Plat (ACTION ITEM) - Mike Ray

The applicant, Mike Salisbury, is requesting a preliminary plat of a 4.59-acre to create 12 lots ranging from 7,207 to 59,241 square feet in size, referred to as Park Valley Subdivision. The subject property was originally platted as Phase III of the Southgate 3rd Addition and the applicant is requesting a rezone and re-plat of the property. The Planning and Zoning Commission conducted a public hearing on August 11, 2021 and recommended approval of the preliminary plat request.

PROPOSED ACTIONS:

1. After conducting the public hearing and upon consideration of testimony received, approve the preliminary plat with conditions; or approve the preliminary plat without conditions; or reject the preliminary plat; or take other such action deemed appropriate.
2. In accordance with the decision upon the preliminary plat, adopt the Planning and Zoning Commission's Reasoned Statement of Relevant Criteria; or direct Staff to prepare a Reasoned Statement of Relevant Criteria for the Council's consideration at a future meeting.

8. PUBLIC HEARING: Sierra Vista Planned Unit Development and Preliminary Plat (ACTION ITEM) - Mike Ray

The applicant, Mike Salisbury, is requesting a proposed preliminary subdivision plat and Planned Unit Development (PUD) of a 2.97-acre area to create 8 lots ranging from 9,189 to 19,589 square feet in size, referred to as Sierra Vista Subdivision. The subject property was originally platted as Phase III of the Southgate 3rd Addition and the applicant is requesting a rezone, re-plat, and Planned Unit Development (PUD) on the property. The Planning and Zoning Commission conducted a public hearing on August 11, 2021 and recommended approval of the PUD and preliminary plat request with 4 conditions.

PROPOSED ACTIONS:

After conducting the public hearing and upon consideration of testimony received:

1. Approve the PUD for Sierra Vista; or approve the PUD with conditions; or reject the PUD; or take other such action deemed appropriate.
2. In accordance with the decision upon the PUD, adopt the Planning and Zoning Commission's Reasoned Statement of Relevant Criteria and Standards; or direct Staff to prepare a Reasoned Statement of Relevant Criteria and Standards for the Council's consideration at a future meeting.
3. Approve the preliminary plat with the four (4) conditions recommended by the Planning and Zoning Commission and the additional condition recommended by Staff; or approve the preliminary plat with no conditions; or reject the preliminary plat; or take other such action deemed appropriate.
4. In accordance with the decision upon the preliminary plat, adopt the Planning and Zoning Commission's Reasoned Statement of Relevant Criteria; or direct Staff to prepare a Reasoned Statement of Relevant Criteria for the Council's consideration at a future meeting.

9. First Amendment to Agreement to Purchase Real Property Between the City and University of Idaho for 118 E. 4th Street (ACTION ITEM) - Gary J. Riedner

On September 7, 2021, the City Council approved the sale of the current Moscow Police facility, located at 118 E. 4th Street, to the University of Idaho, with the closing date no later than November 15, 2021. It was anticipated that the Moscow Police Department would be able to relocated prior to that date to the new police facility located at Southview and US 95. Recently, the City was informed that because of delays due to COVID-19 and scarce supply sources, the furnishings for the new facility would be delayed until early December 2021. It is anticipated that after delivery, it will take two weeks to install the furnishings and prepare the facility for occupancy. Since this delay prevents the Moscow Police Department from moving into the new facility, staff approached the University of Idaho to inquire about a delayed move-out from the current facility. The University of Idaho has agreed to extend the closing date for the Purchase Agreement until no later than January 10, 2022. An amendment to the original purchase agreement is included in the packet. This item was not reviewed by City Council Committee and is being presented on the regular City Council agenda for consideration.

PROPOSED ACTIONS: Approve the First Amendment to Agreement to Purchase Real Property Between the City of Moscow and the University of Idaho, or take such other action deemed appropriate.

REPORTS

City Council

Mayor

Staff

ADJOURN

NOTICE: Moscow City Council and committee meetings are televised, videotaped and/or recorded. Individuals attending the meeting who require special assistance to accommodate physical, hearing, or other impairments, please contact the City Clerk, at (208) 883-7015 or TDD 883-7019, as soon as possible so that arrangements may be made.