

Moscow City Council



Regular Meeting
~Agenda~

Laurie M. Hopkins
City Clerk

www.ci.moscow.id.us

208.883.7015

**Monday
October 4, 2021**

7:00 PM

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

The Moscow Mayor, City Council and Staff welcome you to tonight's meeting. The meeting is open to the public but due to the continued presence of COVID-19 cases in our area, we encourage those that have not received the COVID-19 vaccination, to continue to keep 6-foot physical distance from non-household members and wear face coverings when distance is unable to be maintained. We appreciate and encourage public participation. 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. For regular agenda items the public will usually have the opportunity for comment on that agenda item after the staff presentation. These agenda items do not include the consent agenda and reports. Please limit any remarks to three (3) minutes or less. 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 may also communicate with the City Council through email (council@ci.moscow.id.us). Please note that Moscow City Council meetings are televised, videotaped and/or recorded. The meeting is streamed on YouTube and Spectrum Cable 1301. A link to stream the meeting can be found on the City website (www.ci.moscow.id.us). 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 20, 2021 Minutes - Laurie M. Hopkins

B. Personnel Policy Updates - Jen Pffifner

Updates to the City of Moscow Personnel Policies continue. The On-Call policy presented includes updates to the current policies to promote consistency and equity across departments and divisions. Policy sections will continue to be presented for review.

ACTION: Approve the proposed On-Call personnel policy.

C. Moscow Police Department - OHS Highway Safety Grant FFY 2022 - Alisa Anderson / Eric Warner

The Moscow Police Department (MPD) has received a notice of award for a grant request submitted in February 2021 for the national program called Selective Traffic Enforcement Program (STEP) sponsored by the Idaho Transportation Department (ITD), Office of Highway Safety (OHS). The program addresses specific behaviors related to traffic safety priority areas and safety deficiencies within local law enforcement jurisdictions and is focused on combatting traffic crashes resulting in fatal and serious injuries. The award will reimburse the MPD for time dedicated to traffic enforcement to include problem identification, a project plan including objectives, performance measures and safety focused targets. The MPD employs a dedicated traffic enforcement officer; however, the department will form a "Traffic Enforcement Team" to fulfill the grant requirements.

The program period is October 1, 2021 to September 30, 2022 with a grant award of \$100,000 requiring a \$25,000 cash and in-kind match. The funding will cover the wages and fringe benefits for approximately 2,080 regular patrol officer wages, and/or overtime, travel, contractual services, training, and consumables. Patrol officer wages can also include hours spent providing public education, distribution of educational materials, and outreach efforts to create a general deterrence toward crash-causing behavior. The match of \$25,000 can include mileage, administrative staff hours for program management, hard costs, and overtime (not included in other grant programs) allocated to traffic patrols for special events held in Moscow to address program specific safety goals. This item was reviewed by the Public Works/Finance Committee on September 27, 2021 and recommended for approval.

ACTION: Approve the Moscow Police Department to accept the Idaho Transportation Department, Office of Highway Safety, Highway Safety Grant FFY 2022 for \$100,000.

D. Rolling Hills 9th Addition Development Agreement - Todd Drage

Ryan Itani, on behalf of Itani Land Company LLC, has submitted to the City a final plat for the development of a property east of the intersection of 3rd St. and 6th St and just south of Moser Park. On June 21, 2021, the City Council approved the preliminary plat for this property. The final plat is titled Rolling Hills 9th Addition and will be presented for City Council approval on October 4th. If the final plat is approved by the City Council, a development agreement is necessary to address construction of public improvements, parkland dedication, and as-constructed drawings. The agreement included in the packet covers these items. This item was reviewed by the Public Works Finance Committee on September 27, 2021 and was recommended for approval.

ACTION: Approve the Development Agreement with Itani Land Company LLC for Rolling Hills 9th Addition.

E. Rolling Hills 9th Addition Monumentation Agreement - Todd Drage

Ryan Itani, on behalf of Itani Land Company LLC, has submitted to the City a final plat for the development of a property east of the intersection of 3rd St. and 6th St and just south of Moser Park. On June 21, 2021, the City Council approved the preliminary plat for this property. The final plat is titled Rolling Hills 9th Addition and will be presented for City Council approval on October 4th. If Council approves the final plat, the interior property corners will not be set until after the final plat has been filed, the earthwork has been completed, and the utilities have been installed. In such instances, an agreement obligating the establishment of these interior corners is required by Idaho Code. This item was reviewed by the Public Works Finance Committee on September 27, 2021 and was recommended for approval.

ACTION: Approve the monumentation agreement with Itani Land Company LLC for Rolling Hills 9th Addition.

REGULAR AGENDA

2. Staff Recognition Report - Gary J. Riedner

3. Mayors Appointments (ACTION ITEM)

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

5. Citizen Commission Report - Parks and Recreation Commission - David Schott / Robby Cooper

6. Appeal of Denial 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.

PROPOSED ACTIONS: Sustain the decision of the Board in whole or in part; or reverse the decision of the Board in whole or in part; or remand the matter in whole or in part to the Board with comments and/or instructions for further consideration by the Board; or take other action deemed appropriate.

7. Rolling Hills 9th Addition Final Plat (ACTION ITEM) - Mike Ray

On June 21, 2021, Moscow City Council approved the Rolling Hills 9th Addition preliminary plat with two conditions. On September 13, 2021, 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 subdivision plat at their meeting on September 22, 2021 and recommended approval to City Council.

PROPOSED ACTIONS: Approve the Rolling Hills 9th Addition Final Plat; or take other action as deemed appropriate.

8. Amendment to City Code to Correct Management Reorganization (ACTION ITEM) – Gary J. Riedner / Mia Bautista

On October 7, 2019, the City Council passed Resolution 2019-19 authorizing the implementation of the reorganization management model and directed staff to prepare ordinance revisions to align with said model, which included the creation of new positions, along with the elimination of specific positions. On July 19, 2021, the City Council passed Ordinance 2021-09, approved by the Mayor, providing for the amendment of various Chapters of Moscow City Code to reflect the reorganization management model of the City. While codifying the City Code, certain sections were found to have errors. The proposed ordinance will correct those errors and amend Moscow City Code Title 6, Chapter 2 by replacing Section 24 of Ordinance 2021-09 in its entirety, retain Title 3, Chapter 11 as previously codified, and amend Title 5, Chapter 11 to accurately reflect the name of the Commission, which changed from Health and Environment Commission to Sustainable Environment Commission. This was reviewed by the Public Works/Finance Committee on September 27, 2021 and recommended for approval.

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 such other action deemed appropriate.

REPORTS

City Council

Mayor

Staff

ADJOURN

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