



**CITY OF BELLEVUE
COMMON COUNCIL
September 23, 2024**

The Common Council of the City of Bellevue, Idaho, met in a Regular Meeting, on, Monday, September 23, 2024, at 5:30 p.m. in the Council Chambers of the City of Bellevue Offices, located at 115 E. Pine Street, Bellevue, ID 83313.

Call to Order: Mayor Johnson called the Regular Meeting to order at 5:32 p.m.

Roll Call:

Members Present

Chris Johnson, Mayor

Christina Giordani, Council President

John Carreiro, Council Member

Robin Leahy, Council Member

Diane Shay, Council Member

Shaun Mahoney, Council Member – *via Zoom*

Roll Call was conducted; all Members were present. Council Member Mahoney was present *via Zoom*.

Staff Present:

Rick Allington, City Legal Representative

Greg Beaver, Fire Chief

Kirt Gaston, Marshal

Shane Garrison, Water – *via Zoom*

Casey McGehee, Streets Supervisor

Shelly Shoemaker, City Treasurer

Michelle Snarr, City Clerk

Others in Attendance: Kent Friel, Werner Morawitz, Ee-Da-Ho Ranch – *Via Zoom*, Tim Frazier – *via Zoom*, Jeff Pfaeffle, Strahorn, LLC – *via Zoom*

1. Notice of Agenda Compliance:

The posting of this regular meeting agenda complied with Idaho Code §74-204. The regular meeting agenda was posted within forty-eight (48) hours prior to the meeting at the Bellevue City Hall, Post Office, and on the city website on *September 20, 2024*.

Motion: President Giordani moved the notice agenda was in compliance with Idaho Code §74-204. Council Member Carreiro seconded the motion. The motion passed unanimously.

2. Call for Conflict as Outlined in Idaho Code §74-404:

Mayor Johnson called for conflict from any Council Member or staff Member with any agenda item. No conflict was noted.

3. Public Comment: (for Items of Concern Not on the Agenda)

Mayor Johnson opened the meeting for public comment at 5:33 p.m. He announced that Tammy Davis retracted her petition for the permit for the Howard Preserve for the Haunted Forest and will no longer be moving forward with the permit at Howard Preserve. She has another plan and will be reaching out to the local community businesses and doing something more in our downtown core. He stated Agenda Item No. 6 was removed from the agenda.

Mr. Werner Morawitz, 198 Muldoon Canyon, Ee-Da-Ho Ranch

Mr. Werner Morawitz indicated he was ready and available to meet with Mayor Johnson. He wanted to follow up regarding the spring data. He explained that he met with Mr. Shane Garrison on July 30, 2024, to review the SCADA data on the tanks, and at the time Mr. Garrison took the tank flow records for 2024 home. It was his understanding that Mr. Garrison would take the records to the office the next day, and the data would be up and running online after the meeting with the SCADA engineers that week. He has tried to make contact regarding the data; however, he has not been able to get a response. He stated he would like to see the data prior to the end of Fall. He requested copies of the tank data, which he thought should be at the office.

Mr. Morawitz said he would like an update on the SCADA data at the springs. If there isn't an update, he thought they should verify the accuracy of the existing data. Mayor Johnson told Mr. Morawitz he would be in touch with him tomorrow or this evening.

With no other public comment forthcoming, the public comment closed at 5:36 p.m.

4. Old Business:

- a. Approval of Resolution No. 2392, A Resolution of the City of Bellevue, Idaho, Authorizing the Mayor to Execute an Agreement for Services with Lunceford Excavation, Inc. for Snow Removal Services in an Amount Not-To-Exceed \$30,000

The Agreement for Services with Lunceford Excavation, Inc. for Snow Removal Services was previously approved by the Council on September 9, 2024, by Resolutions Number 2389. Staff requested the council to revisit the agreement to consider corrections to the scope of work.

It was pointed out when the first two original paragraphs under scope were replaced with the new the new scope, it struck through Exhibit 1B – Compensation. The city intends to use the provided quote, and it needed to be placed back into the service agreement.

Mayor Johnson said that Mr. McGehee relayed to him if the contractor's equipment broke, the contractor may need to use some of the city's equipment in the event of a snowstorm at the discretion of the Streets Superintendent. Mr. McGehee indicated this is the section that Mr. Allington asked for the council's guidance.

If the city is in a major snow event, and Lunceford's equipment wont operate; it was his recommendation to allow them to use the city's equipment. The city would bill-back Lunceford in case of an emergency and the use of equipment would have to be approved by the City Street Superintendent. Council Member Shay suggested additional language that would specify it could be the City Street Superintendent or Designee in the event he wasn't available.

It was inquired how it would be determined what to back-bill the contractor. Mr. McGehee indicated the city would bill Lunceford the same rate they would bill the city. President Giordani said the city would have to determine its own rate schedule to bill-back Lunceford. It was her understanding that the equipment rate included the contractor's labor as well. It was suggested the city bill-back the contractor based off the same equipment rate minus the labor, which was thought to be \$70 based on the one labor rate listed (LABOR Snow Removal | Shovel).

Mr. McGehee requested suggested language from Mr. Allington for the reimbursement to the city for the contractor's use of city equipment. He added the contractor would need another piece of equipment on its property the next day. President Giordani inquired if Lunceford's insurance covered the city's equipment, and the city should be an additional insurer as well.

Council Member Shay requested the 'Use of City Equipment' be clarified. She suggested language, such as, 'the contractor, with the approval from the City Street Superintendent or Designee, may use city equipment in case the contractor's equipment goes out of service in a city (of Bellevue) snow event. The equipment rate would be based on the contractor's equipment rate less the cost of labor.'

Summary: Mayor Johnson summarized the proposed amendments/clarifications to be made to the Service Agreement: 1. Verify: the contractor's labor rate so the city knows what the bill-back rate will be; 2. Additional Language: use of equipment would have to be approved by the City Street Superintendent or Designee in the event he wasn't available; and 3. the contractor, with the approval from the City Street Superintendent or Designee, may use city equipment in case the contractor's equipment goes out of service in a city snow event. The equipment rate would be based on the contractor's equipment rate less the cost of labor.

Mr. Allington was asked to clarify if the city could use the original resolution number (2389) approving the service agreement as approved and substantially presented to the council on September 9, 2024, with Section 4, Use of City Equipment, removed; or was a new resolution number required. Mr. Allington indicated the member that made the motion (President Giordani) would need to amend their motion, and then they could use Resolution 2389.

Determination: Following the discussion, Mayor Johnson moved the agenda item to a date certain of October 15, 2024.

5. Consent Agenda:

- a. Approval of Claims: *September 10, 2024, thru September 23, 2024*
- b. Department Head Reports: Month of *August 2024*
- c. Monthly Financial Report for the Month of *August 2024*

Motion: Council Member Shay moved to approve the consent agenda. Council Member Carrero seconded the motion. Council Members voting aye: Members Leahy, Shay, Carreiro, Obenauf, Giordani and Mahoney. Members voting nay: None. The motion passed unanimously.

6. Howard Preserve Event for the Haunted Forest: Tammy Davis

The agenda item was removed from the agenda by the petitioner, Tammy Davis, on Sunday, September 22, 2024.

7. New Business:

- a. Approval of Resolutions No. 2390, A Resolution of the City of Bellevue, Idaho, Authorizing the Mayor to Execute the Renewal of a Service Contract with Mountain Humane for Facility and Services for the Care of Impounded Animals

Mayor Johnson explained Mountain Humane kept the city's rate the same as the current year. Marshal Gaston added they have been very good to work with. In addition, Sawtooth Animal Center has been absolutely amazing to work with.

Motion: President Giordani moved to approve Resolution No. 2390, A Resolution of the City of Bellevue, Idaho, Authorizing the Mayor to Execute the Renewal of a Service Contract with Mountain Humane for Facility and Services for the Care of Impounded Animals. Council Member Leahy seconded the motion. Council Members voting aye: Members Shay, Obenauf, Mahoney, Leahy, Carreiro and Giordani. Members voting nay: None. The motion passed unanimously.

- b. Approval of Resolution No. 2391, A Resolution of the City of Bellevue, Idaho, Authorizing the Treasurer to Release \$28,272.59 from Strahorn Phase 2 Bond Savings (LGIP 4037) to Strahorn Partners, LLC

Mayor Johnson explained the release of the final bond for Strahorn would be released with the condition they finish some of the landscaping that needs to be completed located around the booster station. He added that Strahorn used xeriscape.

It was inquired what was required to release the funds. Ms. Shoemaker indicated she wasn't provided anything from Galena other than an okay to release the final bond amount via email if it was okay with the city. Mayor Johnson added there wasn't a requirement of a certain type or number of landscaping or in the security agreement. The term is, "it needs to landscaped."

He indicated this came to the council after they saw what happened to the sprinklers and getting them back online in the parking area, which is a hassle to try and develop trees in the area. So, They made an agreement to go with rangeland, xeriscape.

Mr. Jeff Pfaeffle, representing Strahorn subdivision, informed the Council if they had any questions or concerns, they could ask him. He explained the process of installation utilized and why. He stated there wasn't any specific plan requirements. They spent the same amount of money equal to sod and trees. In addition, when sod and trees were previously used, there was approximately \$15,000 to \$20,000 of debt in dead landscaping and trees. This option requires no care on the city's part.

Council Member Obenauf indicated even though it was xeriscape, the plants would still need water for the first couple of years. Mayor clarified the xeriscape is all shell rock and two to three-foot boulders. The landscaping in question, is Phase 2, around the booster station.

Ms. Shoemaker added that the security agreement indicates the city has to pay the interest back as well. The interest is \$2,251.59.

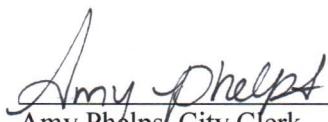
Motion: Council Member Carrero moved to approve Resolution No. 2391, A Resolution of the City of Bellevue, Idaho, Authorizing the Treasurer to Release \$28,272.59 from Strahorn Phase 2 Bond Savings (LGIP 4037) to Strahorn Partners, LLC. Council Member Shay seconded the motion. Council Members voting aye: Giordani, Carreiro, Leahy, Mahoney, Obenauf and Shay. Council Members voting nay: None. The motion passed unanimously.

8. Adjournment:

With no further business coming before the Common Council at this time, Council Member Carrero moved to adjourn the meeting. President Giordani seconded the motion. The meeting adjourned at 6:07 p.m. The motion passed unanimously.



Chris Johnson, Mayor



Amy Phelps, City Clerk