

Bellevue Common Council
Bellevue City Hall, 115 E Pine St, Bellevue
Monday, May 8, 2023
Regular Meeting Minutes

Call to Order:

President Brown called the Regular Meeting to order at 5:30 p.m. A roll call attendance was conducted, and Council members present were Doug Brown, Chris Johnson, Robin Leahy, John Carreiro and Christina Giordani. For the record, Mayor Kathryn Goldman and Alder Shaun Mahoney were excused from the meeting. For the record, Council President Brown, Alderwoman Leahy, Alderman Carreiro, and Alderwoman Giordani were physically present in the official meeting location of the Council Chambers of City Hall. A quorum was present for the entire meeting. Staff present were Rick Allington, City Attorney, Ashley Dyer, City Lead Planner, Greg Beaver, Fire Chief, and Shane Garrison, Water Operator of Record.

Notice and Hearing Compliance:

The posting of this regular meeting agenda complied with Idaho Code 74-204. The regular meeting agenda was posted five (5) days prior to the meeting at the Bellevue Post Office, the bulletin board outside of City Hall and on the City website on May 3, 2023 and the Public Hearings were published in the Idaho Mountain Express on April 19, April 26 and May 3, 2023. Carreiro motioned that the notice agenda was in compliance with Idaho Code 74-204 Giordani seconded. All in favor. The motion passed 5-0.

1. Call for Conflict as outlined in Idaho Code §59-703 (f)-704 With Any Agenda Item. Goldman called for conflict from any Council member or staff member with any agenda items. No conflicts were noted.
2. Public Comment for Items of Concern Not on the Agenda that Match the Idaho State Transparent and Ethical Government Standards. Johnson talked about the temporary closure of Slaughterhouse Road to motorized vehicles until it dries out. Johnson also requested the Council look into an ordinance regarding the usage of drones over private property in the City. Carreiro thanked the 36 people who attended the recycling event this past weekend.
3. **OLD BUSINESS**
4. **Consent Agenda:**
 - a. Minutes of April 24, 2023 Meeting
 - b. Claims from April 25, 2023 to May 8, 2023

- c. Proclamation: Mental Health Awareness Month 2023
- d. Request for Funds: DEQ Loan Payment Due May
- e. Department Head Reports

Giordani motioned to APPROVE the consent calendar. Carreiro seconded. Roll call vote results: Brown–yes, Johnson–yes, Leahy–yes, Carreiro–yes, Giordani–yes. Motion passed 5-0.

5. Mayor's Update: Flood Update

The Council discussed weather conditions, the melting snow, and the potential of flooding.

6. Work Session: Discussion Regarding Draft MOU for Sports and Recreation Infrastructure Feasibility Assessment with Blain County Recreation District (BCRD): Kathryn Goldman, Mayor, Ashley Dyer, Lead City Planner, and Mark Davidson, BCRD. Mark Davidson with Blain County Recreation District provided a quick history MOU stating the focus is on participation of the various agencies at this time. Davidson stated is studying sports and recreation needs both outside and inside for the Valley, as the population in the County has increased by 12%. Davidson stated there may be an amendment to the draft MOU once the County and the other cities look at the MOU. The Council asked about swimming pools, playing fields, and funding needs.

NEW BUSINESS

7. Request to Waive Fees Associated with Building Permit for ARCH-Melrose Cabin: Kathryn Goldman, Mayor and Ashley Dyer, Lead City Planner. Dyer stated this is to make the cabin habitable.

Johnson motioned to APPROVE the request to Waive Fees Associated with Building Permit for ARCH-Melrose Cabin. Leahy seconded. Roll call vote results: Brown–yes, Johnson–yes, Leahy–yes, Carreiro–yes, Giordani–yes. Motion passed 5-0.

8. PUBLIC HEARING to Consider Adoption of City Ordinance #23-02 Adopting 2022 Development Impact Fee Schedule. Kathryn Goldman, Mayor, Ashley Dyer, Lead City Planner, and Richard Caplan & Associates. Rich Caplan of Caplan & Associates stated the developer impact fees have to be updated every five years. Since the City has the 2020 census data & projects and needed to add the Fire Marshall, office and light industrial were also updated. Johnson asked if there is a timeline for the usage of the developer fees, Caplan stated the funds need to be used within Five (5) years. Caplan stated water/sewer connect fees should be evaluated annually.

Johnson motioned to suspend the reading of Ordinance #2023-02 on three (3) different days and have the title of the proposed ordinance read once under Idaho Code 50-902 prior to adoption. Carreiro seconded. Roll call vote results: Brown–yes, Johnson–yes, Leahy–yes, Carreiro–yes, Giordani–yes. Motion passed 5-0. Carreiro read the title of the Ordinance for the record:

An Ordinance of the City of Bellevue, Idaho Amending Bellevue’s City Code by Amending Title 9-5, Development Impact Fee Schedule, Providing for Repealer Clause; and Providing for the Effective Date of this Ordinance

Bob Weidrick, owner of MetalWorks in Hailey commented on financial impacts to local business.

Johnson motioned to APPROVE the passage of Ordinance #2023-02. Giordani seconded. Roll call vote results: Brown–yes, Johnson–yes, Leahy–yes, Carreiro–yes, Giordani–yes. Motion passed 5-0.

9. PUBLIC HEARING to Consider a Preliminary Plat Application Submitted by Opal Engineers on Behalf of Brook Bonner-Drinkers of the Wind Subdivision. The Subject Property Consists of Existing Lots 1 and 2 Within Bouttier-Williams Subdivision and Tax Lots 7515 and 7516, Section 36, Township 2 North, Range 18E, Bellevue Townsite.

Ashley Dyer, Lead City Planner and David Patrie, Contracted Services. Dyer stated preliminary plat application was reviewed by the P&Z with six conditions. Samantha Stahlnecker with Opal Engineering stated the property is within both the City and the County so both agencies are reviewing their portion of the Preliminary Plat. She stated the property owners want to do a broad sitewide conservation plan.

The following individuals commented: Tom Richmond, Keri York with Land Trust, Tim Frazier, Tom Blanchard, and Linda Johnston relating to public accessibility of Parcel A, the fisherman’s 20-foot easement. The Applicant’s representative responded to some of the comments regarding the 20-foot public easement and stated the Broadford Road parking concerns were addressed at the County meeting. Johnson asked for clarification about fisherman access, the representative stated yes there is access on both sides. Dave Petrie clarified that the City is only approving Parcel A, the buildable land is within the County’s portion of approvals.

Carreiro motioned to APPROVE with the six conditions as outlined in the staff report, the Preliminary Plat Application Submitted by Opal Engineers on Behalf of Brook Bonner-Drinkers of the Wind Subdivision. The Subject Property Consists of Existing Lots 1 and 2 Within Bouttier-Williams Subdivision and Tax Lots 7515 and 7516, Section 36, Township 2

North, Range 18E, Bellevue Townsite as presented. Leahy seconded. Roll call vote results: Brown–yes, Johnson–no, Leahy–yes, Carreiro–yes, Giordani–yes. Motion passed 4-1.

10. PUBLIC HEARING to Consider Adoption of City Ordinance #23-03 Amending Title 1-4, Adding a New Subsection 1-4-4 Entitled Procedure Governing the Imposition of Civil Fines. Ashley Dyer, Lead City Planner. Dyer stated the City does not have a civil penalty provision and it will provide another enforcement option for the City. Johnson asked if the provision is useful and if the appeal process can be shortened. Butzlaff stated people seem to pay the citation and stop the bad action, the City Attorney would need to look at the Idaho Statutes to see if the appeal process can be shortened any more.

Leahy motioned to suspend the reading of Ordinance #2023-03 on three (3) different days and have the title of the proposed ordinance read once under Idaho Code 50-902 prior to adoption. Carreiro seconded. Roll call vote results: Brown–yes, Johnson–yes, Leahy–yes, Carreiro–yes, Giordani–yes. Motion passed 5-0. Leahy read the title of the Ordinance for the record:

An Ordinance of the City of Bellevue, Idaho Amending Bellevue’s City Code by Amending Title 1, Administration, Chapter 4, General Penalty, to Include a Civil Penalty as an Alternative to an Infraction or Misdemeanor and Adding a New Subsection 1-4-4 Entitled Procedures Governing the Imposition of Civil Fines; and Includes a Severability Clause; and Providing for the Effective Date of This Ordinance Upon Passage, Approval and Publication According to Law.

Leahy motioned to APPROVE the adoption of City Ordinance #23-03. Carreiro seconded. Roll call vote results: Brown–yes, Johnson–yes, Leahy–yes, Carreiro–yes, Giordani–yes. Motion passed 5-0.

11. Request to Waive Park Reservation Fee for Legislative Update Meeting on May 11, 2023 from Ned Burns. Ashley Dyer, Lead City Planner.

Giordani motioned to APPROVE the Request to Waive Park Reservation Fee for the Legislative Update Meeting on May 11, 2023 as presented. Johnson seconded. Roll call vote results: Brown–yes, Johnson–yes, Leahy–yes, Carreiro–yes, Giordani–yes. Motion passed 5-0.

12. **Adjournment.** Johnson motioned to adjourn. Carreiro seconded. All in favor and the meeting ended at 7:24 p.m.



Chris Johnson, Mayor, for Kathryn Goldman, Mayor



Michelle K. Snarr, City Clerk