

Bellevue Common Council
Monday April 11, 2022
Bellevue City Hall, 115 E Pine St, Bellevue
Regular Meeting Minutes

6:03 p.m. Call to Order:

Mayor Goldman called the Regular Meeting to order. A roll call attendance was conducted, and Council members present were Doug Brown, Shaun Mahoney, Chris Johnson, Jennifer Rangel, and Robin Leahy, all appearing by teleconference. For the record, no one was absent. For the record, Mayor Goldman and Clerk/Treasurer Edwards 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; Greg Beaver, Fire Chief; Mynde Heil, Marshal; Jason Calhoun, Street Supervisor; Diane Shay, Community Development Director; Everton Oliveira, Wastewater Operator; Kristin Marlar-Gearhart, Library Director; and Marian Edwards, City Clerk/Treasurer. City Consultant Bryson Ellsworth was in attendance.

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 April 6, 2022. Brown motioned that the notice was in compliance with Idaho Code 74-204. Johnson seconded. All in favor. The motion passed.

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 noted.

OLD BUSINESS

2. Common Council Acceptance of Resignation of Alderman Greg Cappel. Kathryn Goldman, Mayor. Goldman and the Council thanked Cappel for his service. Brown motioned to accept the resignation of Alderman Cappel. Johnson seconded. Roll call vote results: Mahoney- yes, Brown- yes, Johnson- yes, Rangel- yes, Leahy- yes. Motion passed.
3. Consent Agenda:
 - a. Minutes of March 28, 2022, and April 1, 2022
 - b. Claims from March 29, 2022, to April 11, 2022
 - c. Department Head Reports

Brown asked about the seven-thousand-dollar (\$7000) water related heat machine expense and staff responded. Brown motioned to approve the consent agenda as presented. Johnson seconded. Roll call vote results: Mahoney- yes, Brown- yes, Johnson- yes, Rangel- yes. Motion

passed.

4. **PUBLIC HEARING:** Consideration of City-initiated text amendment to the Bellevue City Code, Title 10, Bulk Requirements in the General Residential District, the Business District and the Light Industrial/Mixed Business District, to increase the maximum building size in those districts to thirty-six (36,000) square feet. Any building beyond twenty-eight thousand (28,000) square feet will require the approval of a Conditional Use Permit. The Council will also consider deleting Chapter 16, Large Scale Development Conditional Use Permits in its entirety; Continued on the Record at the March 28, 2022, Meeting to the Date Certain of April 11, 2022. Diane Shay, Community Development Director. Brown motioned that the noticing requirements for the public hearing on amendments to the zoning code are in compliance with applicable regulations, IC 67-2343. Johnson seconded. All in favor. The motion passed. Shay gave a recap of the staff report and noted that she had reviewed the items proposed for deletion in Chapter 16 and stated that the controls in the conditional use permit process would protect the City. Allington noted that he agreed that the conditional use permitting process would cover the items deleted in Chapter 16. Goldman opened public comment. Chris Watson made a public comment. There were no written comments received. Goldman closed public comment. Goldman informally polled the Council to see if anyone had any further questions on this matter. Leahy noted that she appreciated the extra time to be able to get up to speed on this matter.

5. **SECOND READING:** Approval and passage of Ordinance 2022-01, an ordinance implementing new bulk requirements in the General Residential District, the Business District and the Light Industrial/Mixed Business District and deleting Chapter 16 of the Bellevue City Code in its entirety; Continued on the Record at the March 28, 2022, Meeting to the Date Certain of April 11, 2022. Diane Shay, Community Development Director. Johnson motioned to waive the third reading of Ordinance 2202-01 and have the title of the Ordinance read once more prior to adoption. Brown seconded. Roll call vote results: Mahoney- yes, Brown- yes, Johnson- yes, Rangel- yes, Leahy- yes. Motion passed. Shay read the title:

AN ORDINANCE OF THE CITY OF BELLEVUE, IDAHO, AMENDING BELLEVUE'S CITY CODE BY AMENDING TITLE 10, ZONING REGULATIONS, CHAPTER 6, GENERAL RESIDENTIAL DISTRICT, §10-6-4, CONDITIONAL USES, TO ADD BUILDINGS WITH A MAXIMUM BUILDING FOOTPRINT OF TWENTY-EIGHT THOUSAND (28,000) SQUARE FEET TO FIRST ACQUIRE A CONDITIONAL USE PERMIT WITH A MAXIMUM FLOOR AREA NOT TO EXCEED THIRTY-SIX THOUSAND (36,000) SQUARE FEET; AMENDING §10-6-5(E) TO DELETE LANGUAGE THAT ALLOWS A MAXIMUM BUILDING FOOTPRINT OF THIRTY-THOUSAND (30,000) SQUARE FEET AND REQUIRES BUILDINGS IN EXCESS OF TWENTY-EIGHT THOUSAND (28,000) SQUARE FEET TO FIRST OBTAIN A LARGE SCALE DEVELOPMENT CONDITIONAL USE PERMIT AND HAVE A MINIMUM BUILDING SETBACK OF TEN (10) FEET; INSTEAD REQUIRING BUILDINGS IN EXCESS OF TWENTY-EIGHT THOUSAND (28,000) SQUARE FEET TO FIRST ACQUIRE A CONDITIONAL USE PERMIT WITH A MAXIMUM FLOOR AREA IN THE GENERAL RESIDENTIAL DISTRICT OF THIRTY-SIX THOUSAND

(36,000) SQUARE FEET AND A MINIMUM SETBACK OF TEN (10) FEET; EXEMPTING CHURCHES AND PUBLIC FACILITIES FROM THE MAXIMUM SQUARE FOOTAGE PROVISION; AMENDING TITLE 10, CHAPTER 7, BUSINESS DISTRICT, §10-7-4, CONDITIONAL USES, TO ADD BUILDINGS WITH A MAXIMUM BUILDING FOOTPRINT OF TWENTY-EIGHT THOUSAND (28,000) SQUARE FEET TO FIRST ACQUIRE A CONDITIONAL USE PERMIT WITH A MAXIMUM FLOOR AREA NOT TO EXCEED THIRTY-SIX THOUSAND (36,000) SQUARE FEET; AMENDING §10-7-5, DIMENSIONAL STANDARDS, TO DELETE LANGUAGE THAT ALLOWS A MAXIMUM BUILDING FOOTPRINT OF THIRTY-THOUSAND (30,000) SQUARE FEET AND REQUIRES BUILDINGS IN EXCESS OF TWENTY-EIGHT THOUSAND (28,000) SQUARE FEET TO FIRST OBTAIN A LARGE SCALE DEVELOPMENT CONDITIONAL USE PERMIT AND HAVE A MINIMUM BUILDING SETBACK OF TEN (10) FEET; INSTEAD REQUIRING BUILDINGS IN EXCESS OF TWENTY-EIGHT THOUSAND (28,000) SQUARE FEET TO FIRST ACQUIRE A CONDITIONAL USE PERMIT WITH A MAXIMUM FLOOR AREA IN THE BUSINESS DISTRICT OF THIRTY-SIX THOUSAND (36,000) SQUARE FEET AND A MINIMUM SETBACK OF TEN (TEN) FEET; EXEMPTING CHURCHES AND PUBLIC FACILITIES FROM THE MAXIMUM SQUARE FOOTAGE PROVISION; AMENDING TITLE 10, CHAPTER 9, LIGHT INDUSTRIAL/MIXED BUSINESS DISTRICT §10-9-4, CONDITIONAL USES, TO ADD BUILDINGS WITH A MAXIMUM BUILDING FOOTPRINT OF TWENTY-EIGHT THOUSAND (28,000) SQUARE FEET TO FIRST ACQUIRE A CONDITIONAL USE PERMIT WITH A MAXIMUM FLOOR AREA NOT TO EXCEED THIRTY-SIX THOUSAND (36,000) SQUARE FEET WITH A MINIMUM BUILDING SETBACK OF TEN (10) FEET; AMENDING §10-9-5(D) TO DELETE LANGUAGE THAT ALLOWS A MAXIMUM BUILDING FOOTPRINT OF THIRTY-THOUSAND (30,000) SQUARE FEET AND REQUIRES BUILDINGS IN EXCESS OF TWENTY-EIGHT THOUSAND (28,000) SQUARE FEET TO FIRST OBTAIN A LARGE SCALE DEVELOPMENT CONDITIONAL USE PERMIT AND HAVE A MINIMUM BUILDING SETBACK OF TEN (10) FEET; INSTEAD REQUIRING BUILDINGS IN EXCESS OF TWENTY-EIGHT THOUSAND (28,000) SQUARE FEET TO FIRST ACQUIRE A CONDITIONAL USE PERMIT WITH A MAXIMUM FLOOR AREA IN THE LIGHT INDUSTRIAL/MIXED BUSINESS DISTRICT OF THIRTY-SIX THOUSAND (36,000) SQUARE FEET AND A MINIMUM SETBACK OF TEN (10) FEET; EXEMPTING CHURCHES AND PUBLIC FACILITIES FROM THE MAXIMUM SQUARE FOOTAGE PROVISION; AMENDING TITLE 10, CHAPTER 16, LARGE SCALE DEVELOPMENT CONDITIONAL USE PERMIT BY DELETING CHAPTER 16 IN ITS ENTIRETY; AND INCLUDES A SEVERABILITY CLAUSE, A REPEALER CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

Brown motioned to approve the passage of Ordinance 2202-01 as presented. Mahoney seconded. Roll call vote results: Mahoney- yes, Brown- yes, Johnson- yes, Rangel- yes, Leahy- yes. Motion passed.

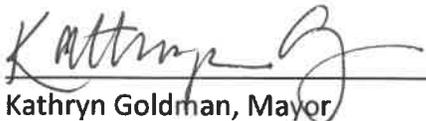
6. Approval and passage of the Summary of Ordinance 2022-01, an ordinance implementing new bulk requirements in the General Residential District, the Business District and the Light Industrial/Mixed Business District and deleting Chapter 16 of the Bellevue City Code in its entirety. Diane Shay, Community Development Director. Johnson motioned to approve the printing by summary Ordinance 2202-01 and the content of same. Brown seconded. Roll call vote results: Mahoney- yes, Brown- yes, Johnson- yes, Rangel- yes, Leahy- yes. Motion passed.

NEW BUSINESS

7. Consideration to lease City-owned property located at 380 Melrose Street to ARCH Community Housing Trust for the purpose of affordable housing development for Bellevue City employees. Michelle Griffith, Executive Director, ARCH Community Housing Trust. Goldman noted that she had received a letter from a citizen requesting a public hearing on the matter. Griffith noted that ARCH included the Bellevue owned parcel as part of its request for funding to Blaine County for adding housing and received \$220,000 from Blaine County American Rescue Plan Act for construction of a duplex on the City's Melrose parcel. Griffith noted that the remainder of the construction costs would be donated. Griffith noted that the City could control the rental of the Melrose property to Bellevue employees only via language in a land lease. Griffiths noted that the City would need to design and adopt a policy for employee housing allotments that would determine if the rentals would be first come first served or offered to a specific position first; make the use of the rental subject to continued employment, specify adjusted gross income requirements. Griffith noted that ARCH uses a secure asset management platform to qualify applicants and to conduct ongoing property maintenance. Griffith noted that the land lease needed to be completed and executed as soon as practical in order to move forward with a construction plan and that the policy for housing allotment standards could come later. The Council asked many questions about the proposal and requested more details. Shay noted that the Melrose property was the only residential property the City owns. The Council asked Allington to have a revised and adoptable land lease contract before them at the May 9, 2022, meeting.
8. Discussion of a Letter of Intent from Mayor Goldman, Mayor Burke and Blaine County Recreation District Executive Director, Mark Davidson to the Board of County Commissioners regarding the Area of City Impact: Diane Shay Community Development Director. Shay gave an update of the new Area of City Impact plans for the Eccles property north of Bellevue, noting that the proposed revision has Hailey handling the north portion, the Recreation District in the middle and Bellevue handling the southern portion. Mahoney said that it was a great idea of partnering up with Hailey and Recreation District. Brown noted that he had originally been in favor of Bellevue doing the entire parcel but has now learned that our City has not maintained its water and sewer infrastructure and cannot handle the entire parcel. Brown noted that he would like to see a light industrial component to lessen the items parked in the residential district right of way. Rangel noted that she liked the idea of a joint effort for the parcel and the plan to keep beauty and separation with a recreational component. Goldman noted that she needed an edit made to the drafted letter prior to her signing. Brown motioned to approve the letter of intent, as amended by Goldman. Mahoney seconded. Roll call vote results: Mahoney- yes, Brown- yes, Johnson- yes, Rangel- yes, Leahy- yes. Motion passed.
9. Discussion and Consideration of Resolution #2250: A Resolution of The City of Bellevue, Idaho Authorizing the Mayor to Enter into Contract with Bryson Ellsworth To Provide Services To The City Of Bellevue As Water Responsible In Charge Operator For One (1) Year for a total of \$750

per month: Kathryn Goldman, Mayor. Johnson motioned to approve resolution of 2250 as presented. Brown seconded. Roll call vote results: Mahoney- yes, Brown- yes, Johnson- yes, Rangel- yes, Leahy- yes. Motion passed.

- 10.** Proclamation that April 2022 is Fair Housing Month in Bellevue. Kathryn Goldman, Mayor. Brown motioned to adopt the Fair Housing proclamation as presented. Johnson seconded. Roll call vote results: Mahoney- yes, Brown- yes, Johnson- yes, Rangel- yes, Leahy- yes. Motion passed.
- 11.** Discussion and Establishment of Rules for Public Comment for Items of Concern not on the Agenda that match the Idaho State Transparent and Ethical Government Standards. Kathryn Goldman, Mayor. Goldman gave a summary of the requirements of the formal agenda and the need to have open communication with citizens. Goldman polled the Council on how they would like to see this item used going forward. Mahoney likes having a brief open comment at the beginning of the meeting and that there may occasionally be a brief nugget of something important said for the Council. Johnson noted that there were a lot of repetitive comments but wanted to keep the item on the agenda. Rangel noted that comments needed to be relative and not repetitive; Brown and Leahy agreed. Allington noted that comments needed to be relative, complaints against City staff should be made to the Mayor and that the standards included in the State's Ethics Manual should be used and followed.
- 12.** Confirmation of August 8, 2022, as the Public Hearing Date for the Fiscal Year 2023 Budget and Authorization to Submit that Date to Blaine County: Marian Edwards, Clerk/Treasurer. Mahoney motioned to confirm the budget hearing date as presented. Johnson seconded. Roll call vote results: Mahoney- yes, Brown- yes, Johnson- yes, Rangel- yes, Leahy- yes. Motion passed.
- 13.** COVID19- Council Discussion and Potential Added Actions Needed with Current Risk Levels and Trends. Kathryn Goldman, Mayor. Goldman noted that our health district currently had a minimal risk rating.
- 14.** Executive Session to Discuss Personnel, Pending Litigation and/or Land Acquisition Pursuant to Idaho Code §74-206. Leahy motioned to enter executive session under 74-206 (1)(b). Brown seconded. Roll call vote results: Mahoney- yes, Brown- yes, Johnson- yes, Rangel- yes, Leahy- yes. Motion passed and the Council entered executive session at 7:25pm. Johnson motioned to leave executive session. Brown seconded. All in favor and the Council returned to the regular session at 7:45pm
- 15.** Adjournment. Brown motioned to adjourn. Mahoney seconded. All in favor and the meeting ended at 7:46pm.


Kathryn Goldman, Mayor

A handwritten signature in black ink, appearing to read 'Marian Edwards', written over a horizontal line.

Marian Edwards, City Clerk/Treasurer