

Bellevue Common Council  
Monday June 13, 2022  
Bellevue City Hall, 115 E Pine St, Bellevue  
Regular Meeting Minutes

5:30 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. For the record, no one was absent. For the record, Mayor Goldman, Alderwoman Rangel, 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; Diane Shay, Community Development Director; Jason Calhoun, Street Supervisor; and Marian Edwards, City Clerk/Treasurer.

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 18, 2022. Brown motioned that the notice agenda was in compliance with Idaho Code 74-204. Rangel 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. Goldman noted a conflict an item #13.
2. Public Comment for Items of Concern Not on the Agenda that Match the Idaho State Transparent and Ethical Government Standards. Goldman reminded citizens that the Big Wood River was running high, and people should be cautious regarding children and pets. Rangel noted that representatives from the Mexican Consulate would be at the Community Campus in Hailey on June 24 and June 25 to provide assistance and that appointments were needed. Mahoney said it was time to fill the potholes.

OLD BUSINESS

3. Consent Agenda:
  - a. Minutes of May 23, 2022, and May 26, 2022
  - b. Claims from May 24, 2022, to June 13, 2022
  - c. Department Head Reports

Brown motioned to approve the consent agenda as presented. Johnson seconded. Roll call vote results: Mahoney- yes, Brown- yes, Johnson- yes, Rangel- yes, Leahy- yes. Motion passed.

## NEW BUSINESS

4. **PUBLIC HEARING:** Consideration to Adopt a Voter Approved Text-Amendment to Title 3 of the City Code. The Amendment Will Create a New Chapter Setting Forth a New Fee for Non-property Tax on Hotel-Motel Rooms Rented or Leased in the City of Three (3) Percent. Marian Edwards, Clerk/Treasurer. Edwards covered notice requirements. Brown motioned that the noticing requirements for the public hearing on establishing a non-property tax on hotel-motel rooms rented or leased in the City were in compliance with Idaho Code 63-1311A. Rangel seconded. All in favor. The motion passed. Edwards presented a brief recap of the non-property tax adoption actions over the past few months, culminating in the matter being voter approved during the May 17<sup>th</sup> special election. Goldman opened the matter for public comment. There were no public comments. There were no written comments received. Goldman closed the matter for public comment. The Council had a brief discussion on the matter.
  
5. Consideration of the Passage of Ordinance 2022-04, An Ordinance Adopting the Voter Approved Text-Amendment to Title 3 of the City Code Creating a New Chapter Setting Forth a New Fee for Non-property Tax on Hotel-Motel Rooms Rented or Leased in the City of Three (3) Percent. Marian Edwards, Clerk/Treasurer. Johnson motioned to suspend the reading of Ordinance 2022-04 on three (3) different days and have the title read once under Idaho Code 50-902 prior to adoption. Brown seconded. Roll call vote results: Mahoney- yes, Brown- yes, Johnson- yes, Rangel- yes, Leahy- yes. Motion passed. Edwards read the title of Ordinance 2022-04 for the record:

AN ORDINANCE OF THE CITY OF BELLEVUE, IDAHO, FINDING THAT THE CITY OF BELLEVUE IS A RESORT CITY; PROVIDING FOR DEFINITIONS; PROVIDING FOR THE IMPOSITION OF CERTAIN NON-PROPERTY TAXES, TO-WIT: A THREE PERCENT (3%) TAX ON HOTEL-MOTEL OCCUPANCY CHARGES; PROVIDING FOR A FIVE-YEAR DURATION OF THE NON-PROPERTY TAXES; ESTABLISHING THE PURPOSES FOR WHICH THE REVENUES DERIVED FROM SAID NON-PROPERTY TAXES SHALL BE USED; PROVIDING FOR CREATION OF A PROPERTY TAX RELIEF FUND; AUTHORIZING THE CITY CLERK TO ADMINISTER, REGULATE, AND COLLECT THE NON-PROPERTY TAXES; PROVIDING FOR MUNICIPAL NON-PROPERTY TAX PERMITS AND ISSUANCE THEREOF; PROVIDING FOR THE METHOD FOR PAYMENT OF TAXES; PROVIDING FOR AUDITS AND DEFICIENCY DETERMINATIONS; PROVIDING FOR REDETERMINATIONS OF DEFICIENCY; PROVIDING FOR APPEALS AND INTEREST ON DEFICIENCY; PROVIDING FOR COLLECTIONS AND ENFORCEMENT; PROVIDING FOR REFUNDS, LIMITATIONS AND INTEREST; PROVIDING FOR RESPONSIBILITY FOR PAYMENT OF TAXES; PROVIDING PERIOD OF LIMITATION ON ASSESSMENT AND COLLECTION; ESTABLISHING SUCCESSOR'S LIABILITY; PROVIDING FOR GENERAL ADMINISTRATION BY CITY CLERK; PROVIDING PENALTIES AND PENALTY CHARGES;

PROVIDING FOR EXEMPTIONS; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE OF THIS ORDINANCE.

Brown motioned to approve the passage of Ordinance 2022-04 as presented. Rangel seconded. Roll call vote results: Mahoney- yes, Brown- yes, Johnson- yes, Rangel- yes, Leahy- yes. Motion passed.

6. Consideration and Approval of the Summary of Bellevue Ordinance 2022-04 for Publishing. Rick Allington, City Attorney. Johnson motioned to approve publishing by summary. Brown seconded. Roll call vote results: Mahoney- yes, Brown- yes, Johnson- yes, Rangel- yes, Leahy- yes. Motion passed.
7. PUBLIC HEARING: Consideration to set a fee for filing an Annexation Application into the City. Diane Shay, Community Development Director. Shay covered notice requirements. Brown motioned that the noticing conformed to requirements. Johnson seconded. All in favor. The motion passed. Shay presented the staff report noting that the proposed fee was in line with Hailey's current fee. Allington noted that a lot of time has already been spent by the City in the pre-application process. Goldman opened the matter for public comment. There were no public comments. There were no written comments received. Goldman closed the matter for public comment. The Council had a brief discussion on the matter.
8. Consideration and Approval of Resolution #2255 - New Annexation Application fee. Diane Shay, Community Development Director. Johnson motioned to approve resolution #2255 as presented. Brown seconded. Roll call vote results: Mahoney- yes, Brown- yes, Johnson- yes, Rangel- yes, Leahy- yes. Motion passed.
9. Consideration and Approval of Resolution #2256 Contract with Benchmark Associates for professional services for Strahorn Phase II applications. Diane Shay, Community Development Director. Shay presented the staff report on this matter. Allington noted that he had no problems with the contracts. Brown motioned to approve resolution #2256 as presented. Rangel seconded. Roll call vote results: Mahoney- yes, Brown- yes, Johnson- yes, Rangel- yes, Leahy- yes. Motion passed.
10. Consideration and Approval of Resolution #2257 Contract with Benchmark Associates for professional services for the Ford Motor Store applications associated with zoning and design review. Diane Shay, Community Development Director. Shay presented the staff report on this matter. Allington noted that he had no problems with the contracts. Brown motioned to approve resolution #2257 as presented. Rangel seconded. Roll call vote results: Mahoney- yes, Brown- yes, Johnson- yes, Rangel- yes, Leahy- yes. Motion passed.
11. Consideration and Approval of an application submitted by Galena Engineering on behalf of RHY Lund/Family Dollar for a Lot line Adjustment. Ashley Dyer, Senior Planner. Shay covered notice of the item, noted that no public comments had been received, that the plat meets all

requirements and that the purpose was to allow Family Dollar to purchase land to expand their store. Goldman questioned as to why the item was not listed for a public hearing and Shay noted that a public hearing was not required. Johnson and Leahy asked questions. Brown motioned to approve the application as submitted. Rangel seconded. Roll call vote results: Mahoney- yes, Brown- yes, Johnson- yes, Rangel- yes, Leahy- yes. Motion passed.

- 12.** Request for Funds: Payment Application #3 for the Lagoon Liner Replacement Project in the Amount of \$15,771.90, Payable to JC Constructors, Inc., Line-Item Plant Upgrades, 58210-Wastewater. Marian Edwards, Clerk/Treasurer. Edwards and Johnson gave brief updates on the project. Brown motioned to approve the request for funds as submitted. Rangel seconded. Roll call vote results: Mahoney- yes, Brown- yes, Johnson- yes, Rangel- yes, Leahy- yes. Motion passed.
- 13.** Request for Funds: Participation in the County-wide Analysis of Solar Energy Potential at Municipal Facilities and Properties in the Amount of \$500.00, split equally between the General, Water and Sewer Funds at \$166.67 each. Marian Edwards, Clerk/Treasurer. Edwards gave a brief recap of the staff report and suggested to split the minimal cost between all three funds to cover all City properties for analysis. Johnson motioned to approve the request for funds as submitted. Brown seconded. Roll call vote results: Mahoney- yes, Brown- yes, Johnson- yes, Rangel- yes, Leahy- yes. Motion passed.
- 14.** COVID19- Council Discussion and Potential Added Actions Needed with Current Risk Levels and Trends. Kathryn Goldman, Mayor. Goldman did not have any updated information to share.
- 15.** Executive Session to Discuss Personnel, Pending Litigation and/or Land Acquisition Pursuant to Idaho Code §74-206. Brown motioned to enter executive session under 74-206 (1)(a). Rangel seconded. Roll call vote results: Mahoney- yes, Brown- yes, Johnson- yes, Rangel- yes, Leahy- yes. Motion passed and the Council entered executive session at 6:05pm. Brown motioned to leave executive session. Rangel seconded. All in favor and the Council returned to the regular session at 6:42pm.
- 16.** Adjournment. Johnson motioned to adjourn. Rangel seconded. All in favor and the meeting ended at 6:42pm.

  
Kathryn Goldman, Mayor

  
Marian Edwards, City Clerk/Treasurer