

Bellevue Common Council
Monday May 23, 2022
Bellevue City Hall, 115 E Pine St, Bellevue
Regular Meeting Minutes

5:31 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 (arrived 6:08pm), 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; Chris Bromley, City Water 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. 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. There were no public comments for items of concern not on the agenda.

OLD BUSINESS

3. Consent Agenda:
 - a. Minutes of May 9, 2022
 - b. Claims from May 10, 2022, to May 23, 2022
 - c. Department Head Report
 - d. Financial Reports

Brown requested an amendment to the minutes reflecting that the hearing and other related agenda items for proposed Ordinance 2022-02 be clarified to show that the matter was removed from consideration for the May-9th meeting. Brown motioned to approve the consent agenda as amended. Rangel seconded. Roll call vote results: Mahoney- not present, Brown- yes, Johnson- yes, Rangel- yes, Leahy- yes. Motion passed.

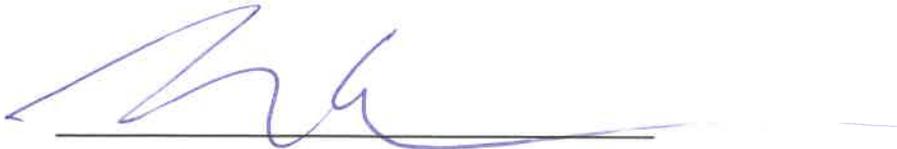
NEW BUSINESS

4. Request for Funds: Settlement of Bellevue's Pumping in the Ground Water Management Area Matter in the Amount of \$3,774.30, Payable to Wood River Resource Conservation and Development Council, Line Item Conjunctive Management, 51070-Water. Rick Allington, City Attorney or Chris Bromley of McHugh Bromley PLLC, City Water Rights Attorney. Goldman asked the Council to move originally numbered agenda item # 6 to #4 as Chris Bromley was available to present. Brown motioned to move agenda item # 6 to item #4. Rangel seconded. Roll call vote results: Mahoney- not present, Brown- yes, Johnson- yes, Rangel- yes, Leahy- yes. Motion passed. Bromley gave a brief recap of the actions last year regarding curtailment of water and the financial agreement reached which requires funds to be used for infrastructure improvements. Bromley noted that Bellevue's share of the financial settlement is \$3,774.30 of the total \$84,934.50. Brown motioned to approve the request for funds as presented. Johnson seconded. Mahoney- not present, Brown- yes, Johnson- yes, Rangel- yes, Leahy- yes. Motion passed.
5. PUBLIC HEARING: Consideration of enacting a Resolution establishing a set fee for making an application for a Planned Unit Development (PUD). Diane Shay, Community Development Director. Shay covered notice. Brown motioned that the noticing requirements for the public hearing on establishing an PUD application fee was in compliance with Idaho Code 63-1311A. Rangel seconded. All in favor. The motion passed. Shay gave the staff update noting that no PUD application fees have been charged in the past. Shay noted that she researched the other local jurisdictions and felt the proposed fee was appropriate. Goldman opened the meeting for public comment. There were no public comments. There were no written comments received. Goldman closed public comment. The Council discussed the matter. Leahy asked for clarification on whether the fee was flat or per proposed lot and Shay responded that it was a flat fee regardless of number of proposed lots.
6. Consideration and Approval of City Resolution #2254- New PUD application and Fee. Diane Shay, Community Development Director. Brown motioned to approve the resolution as presented. Johnson seconded. Roll call vote results: Mahoney- not present, Brown- yes, Johnson- yes, Rangel- yes, Leahy- yes. Motion passed.
7. Discussion and Acceptance of the May 17,2022 City of Bellevue Special Election Results if Canvass Information Received from Blaine County. Marian Edwards Clerk/Treasurer. Edwards gave a brief recap of the administrative process needed to accept the results, which needs to wait until the formal canvass by Blaine County is completed. Edwards noted that with the next regular meeting not occurring until June 13th, a special meeting later in the week would be needed to adhere to the state requirements. Brown said he was very proud of the City and the results. Brown thanked the following key players: the Mayor and Council for coming together on short notice and having the right strategy for victory; Rick Allington for squeezing in work

around a court case; and Edwards and Maria Palomera for research and getting information before the voters. Goldman thanked the voters and noted that an eighty percent approval tells us something very positive about all of that work that was done by the participating parties. The Council discussed and informally agreed to be available for a special meeting on the evening of Thursday May 26, 2022 if Edwards was able to receive the Blaine County canvass by appropriate notice time.

8. City Park Hours- Staff and Council Discussion and Potential Added Actions Needed. Mynde Heil, Marshal and Kirtus Gaston, Assistant Marshal. Heil noted that the current Park use Ordinance section on hours was not clear. Heil noted that the current Park hours are listed as dawn to dusk, and she suggested that they be changed to sunrise to sunset which are much clearer and easier to determine via an internet search. Heil noted that her department has received several complaints about noise at Memorial Park and that the Marshal's office has installed no trespassing signs on the stage due to bike and skateboards being used on the structure which results in a lot of noise and unnecessary wear. Heil noted that she wants everyone to enjoy the parks and coexist. Heil requested that the section of the Ordinance regarding park open and closing hours be changed to give more clarity. Shay volunteered to assist with preparing the text amendment change and the Council directed for the item to be noticed and presented at the next regular meeting.
9. Request for Funds: Payment Application #2 for the Lagoon Liner Replacement Project in the Amount of \$91,011.47, Payable to JC Constructors, Inc., Line Item Plant Upgrades, 58210-Wastewater. Marian Edwards, Clerk/Treasurer. Goldman gave an update on the construction noting that the contractor plans to mobilize to the site on May 31st and that meetings have been held with the Idaho Department of Environmental Quality to discuss the sludge management process. Brown motioned to approve the request for funds as presented. Rangel seconded. Roll call vote results: Mahoney- yes, Brown- yes, Johnson- yes, Rangel- yes, Leahy- yes. Motion passed.
10. 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.
11. Executive Session to Discuss Personnel, Pending Litigation and/or Land Acquisition Pursuant to Idaho Code §74-206. There was no executive session.
12. Adjournment. Johnson motioned to adjourn. Rangel seconded. All in favor and the meeting ended at 6:29pm.


Kathryn Goldman, Mayor



Marian Edwards, City Clerk/Treasurer