

**Bellevue Common Council  
Monday, October 14, 2019  
Bellevue City Hall, 115 E Pine St, Bellevue  
Regular Meeting Minutes**

**6:00 p.m. Call to Order:**

Mayor Burns called the Regular Meeting to order. A roll call attendance was conducted, and Council members present were Doug Brown, Tammy Davis, Kathryn Goldman and Greg Cappel. Shaun Mahoney arrived at 6:19pm. For the record, Mike Choat was absent. A quorum was present for the entire meeting. David Patrie was present as the City's Engineer. Staff present were: Rick Allington, City Attorney; Frank Suwanrit, Public Works Director; Diane Shay, Community Development Director; Kelly West, Water Superintendent; Jason Calhoun, Street Supervisor; and Marian Edwards, City Clerk/Treasurer.

The Mayor requested that all speakers including Aldermen and staff identify themselves prior to speaking for recording purposes and the potential need for preparation of transcripts.

**Notice and Hearing Compliance:**

The posting of this special meeting agenda complied with Idaho Code 67-2343. The meeting agenda was posted at the Bellevue Post Office, the bulletin board outside City Hall and on the website on October 9, 2019. Davis motioned that the notice was in compliance with Idaho Code 67-2343. Goldman seconded. All In favor. The motion passed.

**1. Call for Conflict as outlined in Idaho Code §59-703 (f) – 704 With Any Agenda Item.**  
Mayor Burns called for conflict from any Alderman with any agenda items. No conflicts noted.

**2. Public Comment for Items of Concern not on the Agenda.**

Burns opened the meeting for public comment for items not on the agenda. Jose Baeza of Ridgewood Drive spoke before the Council. He noted that he was building a new home in Sunrise and was not allowed to have landscaping on the right of way. Baeza wants to keep his newly installed landscaping on the right of way and wants to be treated fairly. He asked the Common Council to consider allowing him to keep the landscaping. The Mayor asked questions of Staff. Suwanrit gave a description as to why the landscaping was not permitted. The Mayor asked staff what the recourse was to Mr. Baeza and Suwanrit noted that he could formally appeal the staff decision to the full Common Council. Allington noted that an Appeal would need to be an Agenda item. Baeza said he would like to formally appeal the decision. Staff noted to the Council that appeals needed to be filed with the City Clerk and Mr. Baeza was directed to come to City Hall to obtain the Appeal information.

Alderman Davis requested that when the Council members or anyone else participating in any decision-making process disagree with findings, that they remember to treat everyone with respect and be on their best behavior.

## **OLD BUSINESS**

### **3. CONSENT AGENDA:**

- a. Minutes of 09/23/2019 and 09/30/2019**
- b. Claims from 10/2/2019 – 10/14/2019**
- c. Department Head Reports**

**Brown made the motion to accept the Consent Agenda as presented. Davis seconded. Roll call vote results: Davis- yes, Brown- yes, Cappel- yes, Goldman- yes. Motion passed.**

- 4. Continuation of a Public Hearing to consider a Planned Unit Development and Preliminary Plat for Phase I of Strahorn Subdivision, continued to the date certain of October 14, 2019. The subject property is approximately 17 acres and is proposed to be subdivided into 47 residential lots. The property lies on the easterly edge of Bellevue within the City limits and is zoned General Residential (GR): Diane Shay, Community Development Director. Shay confirmed the proper notice of the public hearing was made at the September 9, 2019 Common Council meeting.**

**Shay noted that there was an Addendum to the Strahorn PUD Staff report dated October 9, 2019. Allington noted that the gate issue needed to be placed on a future agenda as a separate item.**

**Allington noted that the September 30, 2019 Special Meeting was not properly recorded and that the Council need to re-affirm the findings from the meeting to ensure that a proper recording was maintained.**

**Council findings and actions from Staff Report by Diane Shay dated August 30, 2019, Standards and Criteria:**

- 4.1.6 Paragraph 9. The Council confirmed that on September 30, 2019, they had no objections to this item.**
- 4.1.7. The Council confirmed that on September 30, 2019, they had no objections to this item.**
- 4.1.8. The Council confirmed that on September 30, 2019, they had no objections to this item.**
- 4.1.9. The Council confirmed that on September 30, 2019, they had no objections to this item.**
- 4.1.10. The Council confirmed that on September 30, 2019, they approved this item with conditions.**

**4.1.11. The Council confirmed that on September 30, 2019, they had no objections to this item.**

**4.1.12. The Council confirmed that on September 30, 2019, they agreed to table this item.**

**4.1.13. The Council confirmed that on September 30, 2019, they had no objections to this item.**

**4.1.14. The Council confirmed that on September 30, 2019, they had no objections to this item.**

**4.1.15. The Council confirmed that on September 30, 2019, they had no objections to this item.**

**Goldman motioned to formally incorporate the Minutes of September 30, 2019, approved as part of the Consent Agenda earlier in the meeting, into the record for the October 14, 2019 meeting Agenda item 4. Davis seconded. Roll call vote results: Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Motion passed.**

**4.1.16. Cappel asked for clarification on pump capacity. The Council requested that Staff obtain a written report from Keller on pump capacity by the next Strahorn related Common Council meeting but did not make this report as a condition for the item. The Council confirmed that on September 30, 2019, they had no objections to this item.**

**4.1.17. The Council confirmed that on September 30, 2019, they had no objections to this item.**

**4.1.18. The Council confirmed that on September 30, 2019, they had no objections to this item.**

**4.1.19. The Council confirmed that on September 30, 2019, they agreed to table this item.**

**4.1.20. The Council confirmed that on September 30, 2019, they had no objections to this item.**

**4.1.21. The Council confirmed that on September 30, 2019, they had no objections to this item.**

**4.1.22. The Council confirmed that on September 30, 2019, they had no objections to this item.**

**4.2. The Council confirmed that on September 30, 2019, they had no objections to this item.**

**4.2.1 to 4.2.5. The Council confirmed that on September 30, 2019, they had no objections to these items.**

**4.3. The Council confirmed that on September 30, 2019, they had no objections to this item.**

**4.3.1. The Council confirmed that on September 30, 2019, they had no objections to this item.**

**4.3.2. The Council confirmed that on September 30, 2019, they had no objections to this item.**

**4.3.3. The Council confirmed that on September 30, 2019, they had no objections to this item.**

**4.3.4. The Council confirmed that on September 30, 2019, they had no objections to this item.**

**4.3.5. The Council confirmed that on September 30, 2019, they agreed to table this item.**

**The Council discussed and agreed to continue reviewing line items in IV. Subdivision Criteria- Article IV, Development and Design from the August 30, 2019 Staff Report as the findings may help in their decision process for previously the Planned Unit Development Standards and Criteria. The Council agreed that the tabled items would be re-visited after all of the standards for the Subdivision standards are addressed.**

**Council findings and actions from Staff Report by Diane Shay dated August 30, 2019, Standards and Criteria:**

**4.6. Paragraph a. Davis asked a clarifying question regarding lot size that was addressed by Staff and Applicant. Burns polled each Alderman as to whether they agreed to the finding. Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.6. Paragraph b. Burns polled each Alderman as to whether they agreed to the finding. Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.6. Paragraph c. Burns polled each Alderman as to whether they agreed to the finding. Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.6. Paragraph d. Burns polled each Alderman as to whether they agreed to the finding. Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.6. Paragraph e. Burns polled each Alderman as to whether they agreed to the finding. Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.6. Paragraph f. Burns polled each Alderman as to whether they agreed to the finding. Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.6. Paragraph g. Burns polled each Alderman as to whether they agreed to the finding. Davis-yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.7. Paragraph a. Burns polled each Alderman as to whether they agreed to the finding. Davis-yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.7. Paragraph b. Burns polled each Alderman as to whether they agreed to the finding. Davis-yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.7. Paragraph c. Burns polled each Alderman as to whether they agreed to the finding. Davis-yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.7. Paragraph d. Burns polled each Alderman as to whether they agreed to the finding. Davis-yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.8. Paragraph a. Burns polled each Alderman as to whether they agreed to the finding. Davis-yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.8. Paragraph b. Burns polled each Alderman as to whether they agreed to the finding. Davis-yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.8. Paragraph c. Burns polled each Alderman as to whether they agreed to the finding. Davis-yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.8. Paragraph d. The Council discussed the recommended finding regarding installing a gate on Sunrise Ranch Road and agreed that it would impede public safety. Goldman motioned to remove the gate recommendation and to prohibit a gate across Sunrise Road. Davis seconded. Roll call vote results: Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Motion passed. Cappel asked about getting a new map. Applicant Engineer Loomis noted that is on large block plat Exhibit A-5, but it could be amended.**

**4.8. Paragraph e. The Council discussed the initial Staff report recommended finding. Brown motioned that the Council find that the standard in 4.8. Paragraph (e) does applies to this matter, is in conformance and that the typo in the Staff report should be changed to 7 (seven) percent. Goldman seconded. Roll call vote results: Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Motion passed.**

**4.8. Paragraph f. Burns polled each Alderman as to whether they agreed to the finding. Davis-yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.8. Paragraph g. Burns polled each Alderman as to whether they agreed to the finding. Davis-yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.8. Paragraph h. Burns polled each Alderman as to whether they agreed to the finding. Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.8. Paragraph i. Burns polled each Alderman as to whether they agreed to the finding. Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.8. Paragraph j. Burns polled each Alderman as to whether they agreed to the finding. Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.8. Paragraph k. Burns polled each Alderman as to whether they agreed to the finding. Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.8. Paragraph l. Burns polled each Alderman as to whether they agreed to the finding. Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.8. Paragraph m. Goldman motioned that Sunrise Ranch Road will be extended into the proposed Strahorn subdivision with no gate. Brown seconded. Roll call vote results: Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Motion passed.**

**4.8. Paragraph n. Burns polled each Alderman as to whether they agreed to the finding. Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.8. Paragraph o. The Council discussed that Sunrise Ranch Road will be extended into the proposed Strahorn subdivision with no gate. Burns polled each Alderman as to whether they agreed to the finding. Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.8. Paragraph p. The Council noted that this correct to Parcel A. Burns polled each Alderman as to whether they agreed to the finding. Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item for Parcel A.**

**4.8. Paragraph q. Burns polled each Alderman as to whether they agreed to the finding. Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.8. Paragraph r. Burns polled each Alderman as to whether they agreed to the finding. Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.8. Paragraph s. Burns polled each Alderman as to whether they agreed to the finding. Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.8. Paragraph t. Burns polled each Alderman as to whether they agreed to the finding. Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.8. Paragraph u. Burns polled each Alderman as to whether they agreed to the finding. Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.8. Paragraph v. Burns polled each Alderman as to whether they agreed to the finding. Davis- yes, Brown- yes, Cappel- no, Goldman- no, Mahoney- yes. Overall Result: No objection to this Item.**

**4.8. Paragraph w. Burns polled each Alderman as to whether they agreed to the finding. Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**4.9. Burns polled each Alderman as to whether they agreed to the finding. Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes. Result: No objection to this item.**

**Goldman motioned to continue the Public Hearing to consider a Planned Unit Development and Preliminary Plat for Phase I of Strahorn Subdivision to the date certain of Monday, October 28, 2019 at 6pm at the Regular Meeting of the Common Council. Mahoney seconded. Roll call vote results: Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes, Motion passed.**

## **NEW BUSINESS**

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- 5. Application submitted by indieDwell for a Lot Line Readjustment on the north half of Lot 5 and Lot 6, Block 51, Bellevue Townsite. The readjustment will eliminate an underlying lot line to create one 9,000 square foot parcel: Diane Shay, Community Development Director. The Aldermen asked questions. Goldman motioned to approve the application for the lot line readjustment and directed the Clerk to certify the appropriate document with the City seal. Cappel seconded. Roll call vote results: Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes, Motion passed.**
- 6. Area of City Impact (ACI) negotiations pursuant to 67-6526. Request that the Council vote to send the following to the Planning and Zoning Commission: (1) the creation of a map identifying an area of city impact within the unincorporated area of the county and; (2) a separate ordinance providing for the applications of plans and ordinances within the area so designated: David Patrie, Acting City Engineer, Sawtooth Strategies and Diane Shay, Community Development Director. Patrie presented the staff report. The Aldermen asked questions. Brown asked if he could attend Planning and Zoning Commission meetings as a citizen and Allington confirmed that he could.**

**The Council requested a copy of the map that had been sent to the County and instructed Community Development Staff to ensure that they get all attachments and exhibits in the future. Davis motioned to send the request to the Planning and Zoning Commission as proposed in the Staff Report. Goldman seconded. Roll call vote results: Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes, Motion passed.**

- 7. Discussion and Consideration of Resolution #2161: FY2020 Contract with Mountain Humane for \$3,500.00 plus expenses- Line item 56020-Marshal, Tabled to the date certain of October 14, 2019. Burns updated that the Marshal has arranged for Sawtooth Animal Center in Bellevue to participate in a trial to provide impound services for Bellevue. The Council consulted with Allington. This item did not receive a motion and will be dropped from future consideration.**
- 8. Discussion and Consideration of Resolution #2162: Increase of \$1.60 to Flat Rate Monthly Base Water fee effective November 1, 2019: Kelly West, Water Superintendent. The Aldermen discussed water revenues changes need due to the lack of completion of the meter project and software conversion. Mahoney stressed that public education needs to be made. Brown asked about a staggered roll out of metered rates. Cappel suggested a delay in the water rate change. Staff responded to the questions. Mahoney motioned to approve Resolution #2162 as presented with the modification of the water rate implementation date being changed to December 1, 2019. Brown seconded. Roll call vote results: Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes, Motion passed. Staff was instructed to ensure that a note was placed on the November 2019 invoices, an insert was provided to both mailed and emailed invoices and that the website was updated regarding the increased water flat rate for December 2019.**
- 9. Discussion and Consideration of Resolution #2163: FY202 Contract with Frederick Allington. The Mayor and Aldermen thanked Allington for his continued service to the City. Brown motioned to approve Resolution #2163 as presented. Cappel seconded. Roll call vote results: Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes, Motion passed.**
- 10. Request for Funds/Request to Order: 2020 Crew Cab Truck: Kelly West, Water Superintendent. West noted that this item is being cut from the budget for FY2020 and withdrew the request from consideration.**
- 11. Request for Funds: Harrington Geared Motor for \$3,641.59 + Shipping: Line Item 51160-Wastewater: Frank Suwanrit, Public Works Director. Brown motioned to approve the request for funds. Mahoney seconded. Roll call vote results: Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes, Motion passed.**
- 12. Executive Session. Goldman motioned to enter Executive Session in accordance with Idaho Code 74-206, subsection (b). Davis seconded. Roll call vote results: Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes, Motion passed, and the Council entered Executive Session at 8:21pm.**  
**Cappel motioned to exit Executive Session. Goldman seconded. All in favor vote and the Council returned to the Regular meeting session at 8:59pm.**

**13. Approval of FY2020 Pay Increases for Specified Staff for the Payroll Period Beginning Oct-13-2019 and Authorizing the Clerk/Treasurer to Process Same. Brown motioned to approve pay increases for specified Staff and directed the Clerk/Treasurer to process same. Goldman seconded. Roll call vote results: Davis- yes, Brown- yes, Cappel- yes, Goldman- yes, Mahoney- yes, Motion passed.**

**14. Adjournment. Brown motioned to adjourn. Cappel seconded. All In favor. The motion passed and the meeting adjourned at 9:00pm.**



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Ned Burns, Mayor



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Marian Edwards, City Clerk/Treasurer

**Exhibit A: Executed copy of the Minutes of the September 30, 2019 Special Meeting, approved as part of the Consent Agenda, incorporated into the record for the October 14, 2019 meeting Agenda Item 4.**

# Bellevue Common Council Special Meeting

Monday September 30, 2019 - 6:00pm

## Minutes

### 6:00 pm Call to Order:

Mayor Ned Burns called the meeting to order. Council members present were Mike Choat, Doug Brown, Greg Cappel, Kathryn Goldman, Tammy Davis and Shaun Mahoney. City staff present were Diane Shay, Greg Beaver, Frank Suwanrit, Kelly West, Jason Calhoun and Jim Spinelli. City Attorney Rick Allington and Contract City Engineer Dave Patrie were also in attendance.

### Notice and Hearing Compliance:

The posting of this agenda complied with Idaho Code 67-2343. The agenda was posted at the Bellevue Post Office, the bulletin board outside City Hall and on the website on September 23, 2019. Kathryn Goldman moved that the notice was in compliance. Tammy Davis seconded and the motion carried unanimously.

Changes to the Agenda: none

### Call for Conflict:

Mike Choat declared conflict with Agenda items pertaining to Strahorn subdivision application and recused himself, citing work he has performed for the applicant (Strahorn Partners LLC) during the annexation.

Public Comment: none

### Old Business

### Consent Agenda:

Minutes of 9-18-2019, Kathryn Goldman motioned to accept the minutes and Shaun Mahoney seconded, motion passed unanimously.

Continuation of Public hearing to consider a Planned Unit Development and Preliminary Plat for Phase 1 of Strahorn Subdivision. Alderman Goldman asked if notice was covered for the hearing. Diane Shay stated that no special notice was needed as it was continued on the record to a date certain.

Mayor Burns asked what did Council do in finding 4.1.6 #1? Dave Patrie stated that Council approved this.

Finding 4.1.6 #9 Mayor Burns asks if council agrees - Doug Brown agrees with finding. Greg Cappel has a question on parcel C – tank access road. He asked for clarification on what road this referred to on the map. Frank Suwanrit got up and showed on the map that the marked with dotted lines is the existing road and then pointed out the proposed parcel C road. This clarified the issue for Greg Cappel.

Greg Cappel then moved on to ask about whether there should be consideration for up grading the existing trail located in parcel D to make it a fire break that can be utilized as access road for firefighting.

EXHIBIT A

**Shaun Mahoney then asked for input from Greg Beaver, Fire Chief.**

**Chief Beaver stated that the existing road does not need to be necessarily widened but could use some maintenance to make it more drivable.**

**Doug Brown spoke on conditions that are seen elsewhere in the valley that showed fire can be fought with retardant dropped from a plane and equipment brought in the cut fire line.**

**Greg Cappel rebuts that he is not looking to create new fire breaks but looking to just improve an existing trail to meet the needs of a fire break.**

**Mayor Burns supports a sufficient fire break**

**Greg Cappel floats the idea that the trail should be brought completely into Strahorn.**

**Chief Beaver speaks on the condition of the trail and clarifies what he spoke on for improvements.**

**Ned Burns and Greg Cappel have a back and forth on the details of what is being asked for in the finding. Shaun Mahoney joins in on the discussion of the trails.**

**Diane Shay asks if this suggestion would be a benefit to the public above and beyond, Cappel responds that yes it would be.**

**Greg Cappel motions to approve finding 4.1.6 #9 on the condition that there is an improvement to the access road (currently a trail) running along the boundary of Parcel D and be brought into alignment with Strahorn Property. Shaun Mahoney added that this would only pertain to Phase 1. Kathryn Goldman seconded, roll call vote – Doug Brown – no, Greg Cappel – yes, Kathryn Goldman – yes, Tammy Davis – yes, Shaun Mahoney – yes.**

**Jeff Loomis asks for clarification of standards of trail improvements and if the council is asking for a trail improvement or a fire break? Jeff Loomis also asks if the City would like to have the trail improved where it is accessed from on BLM property to connect to the trail on parcel D?**

**Motion on 4.1.6 #9 will need to be revisited once clarification on conditions have been done by staff in response to Jeff Loomis's questions.**

**4.1.7 - Mayor Burns asks Diane Shay to clarify the findings on the comp plan. Diane stated that chapters 5, 7 and 9 from the comp plan apply to this finding.**

**Doug Brown does not see any need for improvements unless Cedar street is opened, Mayor Burns ask Doug if that is a yes. Doug Brown – yes, Greg Cappel – yes, Kathryn Goldman – yes, Tammy Davis – yes, Shaun Mahoney – yes. All Aldermen agree with the findings. Shaun Mahoney asks to see a master plan for what the trails will look like (for reference). Patric clarifies the applicant revised the plan during the Planning and Zoning hearings and is proposing to install the bike/ped trail in Phase I.**

**4.1.8 - Mayor Burns asks if council agrees with finding. Doug Brown – yes, Greg Cappel – yes, Kathryn Goldman – yes, Tammy Davis – yes, Shaun Mahoney - yes**

**4.1.9 – Mayor Burns asks if council agrees with finding, Doug Brown – yes, Greg Cappel – yes, Kathryn Goldman – yes, Tammy Davis – yes, Shaun Mahoney – yes.**

**4.1.10 #1 – Mayor Burns asks if council agrees, Doug Brown – yes, Greg Cappel – yes, Kathryn Goldman contemplates this finding. Jeff Loomis interjects that only parcel A and B are included in the calculation and that parcel C and the trail improvement considered in 4.1.6 #9 could be added in as well. After some discussion Diane Shay would like to see that the 10% can be met. Tammy Davis makes a motion to approve the finding with a reworked calculation, Shaun Mahoney seconded. Roll call vote: Doug Brown – yes, Greg Cappel – yes, Kathryn Goldman – yes, Tammy Davis – yes, Shaun Mahoney – yes.**

**4.1.11 – Mayor Burns asks if council agrees with finding, Doug Brown – yes, Greg Cappel – yes, Kathryn Goldman – yes, Tammy Davis – yes, Shaun Mahoney – yes.**

**4.1.12 – Ned to Rick Allington “Is this finding good to you?” Rick Allington feels that P&Z accurately made the finding on this. Kathryn Goldman makes a motion to table this item as it relates to 4.1.10 that was tabled and needs more input from staff. Roll call vote, Doug Brown – yes, Greg Cappel – yes, Kathryn Goldman – yes, Tammy Davis – yes, Shaun Mahoney – yes**

**4.1.13 - Mayor Burns asks if council agrees with finding, Doug Brown – yes, Greg Cappel – yes, Kathryn Goldman – yes, Tammy Davis – yes, Shaun Mahoney – yes.**

**4.1.14 - Mayor Burns asks if council agrees with finding, Doug Brown – yes, Greg Cappel – yes, Kathryn Goldman – yes, Tammy Davis – yes, Shaun Mahoney – yes.**

**4.1.15 - Mayor Burns asks if council agrees with finding, Doug Brown – yes, Greg Cappel – yes, Kathryn Goldman – yes, Tammy Davis – yes, Shaun Mahoney – yes.**

**4.1.16 – Kathryn Goldman has concerns on the wastewater services memo from BMA (Dave Patrie). Dave Patrie clarifies the memo by stating that the treatment plant has approximately 220 connections left to serve and that collection capacities should meet treatment capacities. The Keller memo mentions a deficiency in the main lift station’s ability to transmit to full capacity to the wastewater treatment facility, which leaves only 46 connections for capacity. He mentions that there is an ongoing CDBG project to solve this problem. Frank Suwanrit gives more detail on the CDBG project history and status. He states that the CDBG project has 2 phases, the first being an upgrade to the pressure sewer main running to the wastewater treatment plant. This has resulted in a decrease in pumping times at the main lift station. The second phase will be a pump replacement at the main lift station which in theory should bring the lift station to its designed capacity. This capacity will not be known until completion of the project later this year and testing is done to determine the actual capacity. Mayor Burns asks if council agrees with finding, Doug Brown – yes, Greg Cappel – yes, Kathryn Goldman – yes, Tammy Davis – yes, Shaun Mahoney – yes.**

**4.1.17 - Mayor Burns asks if council agrees with finding, Doug Brown – yes, Greg Cappel – yes, Kathryn Goldman – yes, Tammy Davis – yes, Shaun Mahoney – yes.**

**4.1.18 – Mayor Burns has concerns on whether there is a phasing agreement? Tammy Davis motions to table, seconded by Greg Cappel, Doug Brown – yes, Greg Cappel – yes, Kathryn Goldman – yes, Tammy Davis – yes, Shaun Mahoney – yes.**

**4.1.19 - Mayor Burns asks if council agrees with finding, Doug Brown – yes, Greg Cappel – yes, Kathryn Goldman – yes, Tammy Davis – yes, Shaun Mahoney – yes.**

**4.1.20 – It is pointed out that the applicant has asked for relief on front yard setbacks, from 25 feet to 20 feet. Diane Shay points out that council recently changed the front yard setbacks in the ordinance earlier this year and that this finding is still true even without the relief. Mayor Burns asks if council agrees with finding, Doug Brown – yes, Greg Cappel – yes, Kathryn Goldman – yes, Tammy Davis – yes, Shaun Mahoney – yes.**

**4.1.21 - Mayor Burns asks if council agrees with finding, Doug Brown – yes, Greg Cappel – yes, Kathryn Goldman – yes, Tammy Davis – yes, Shaun Mahoney – yes.**

**4.1.22 - Mayor Burns asks if council agrees with finding, Doug Brown – yes, Greg Cappel – yes, Kathryn Goldman questions what the meaning of this finding is. The council debates the meaning and Diane Shay interjects that this project is not a gated community and is inline with surrounding neighborhoods. Diane also states that this finding could use a rewrite to clarify the language. Kathryn Goldman moves to table, seconded by Greg Cappel, Doug Brown – no, Greg Cappel – yes, Kathryn Goldman – yes, Tammy Davis – no, Shaun Mahoney – no. Motion fails, Mayor Burns asks if council agrees with finding, Doug Brown – yes, Greg Cappel – no, Kathryn Goldman – no, Tammy Davis – yes, Shaun Mahoney – yes.**

**4.2, 4.2.1 through 4.2.5 – Greg Cappel moves to agree with all these chapters are not applicable to this project. Mayor Burns asks if council agrees with findings, Doug Brown – yes, Greg Cappel – yes, Kathryn Goldman – yes, Tammy Davis – yes, Shaun Mahoney – yes.**

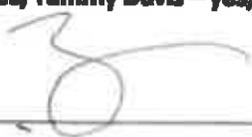
**4.3 - Mayor Burns asks if council agrees with finding, Doug Brown – yes, Greg Cappel – yes, Kathryn Goldman – yes, Tammy Davis – yes, Shaun Mahoney – yes.**

**4.3.1 - Mayor Burns asks if council agrees with finding, Doug Brown – yes, Greg Cappel – yes, Kathryn Goldman – yes, Tammy Davis – yes, Shaun Mahoney – yes.**

**4.3.2 - Mayor Burns asks if council agrees with finding, Doug Brown – yes, Greg Cappel – yes, Kathryn Goldman – yes, Tammy Davis – yes, Shaun Mahoney – yes.**

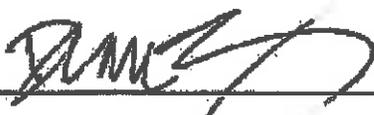
**4.3.3 - Mayor Burns asks if council agrees with finding, Doug Brown – yes, Greg Cappel – yes, Kathryn Goldman – yes, Tammy Davis – yes, Shaun Mahoney – yes.**

**4.3.4 - Mayor Burns asks if council agrees with finding, Doug Brown – yes, Greg Cappel – yes, Kathryn Goldman – yes, Tammy Davis – yes, Shaun Mahoney – yes.**

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**Ned Burns, Mayor**

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**Diane Shay, Community Development Director**