

Bellevue Common Council
Friday March 27, 2020
Bellevue City Hall, 115 E Pine St, Bellevue
Special Meeting Minutes

12:07p.m. Call to Order:

Mayor Burns called the Special Meeting to order. A roll call attendance was conducted, and Council members present were Tammy Davis (arrived 12:15pm), Kathryn Goldman, Shaun Mahoney and Greg Cappel (arrived 12:10pm), Chris Johnson and Doug Brown, all appearing by teleconference. For the record, Mayor Burns 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. Christopher Simms was present as the City's Acting Attorney. Staff present were Greg Beaver, Fire Chief; Frank Suwanrit, Public Works Director; Diane Shay, Community Development Director; Mike Shelamer, Deputy Marshal; Ryan Breen, Public Works; and Marian Edwards, City Clerk/Treasurer.

Notice and Hearing Compliance:

The posting of this meeting agenda complied with Idaho Code 67-2343 and 74-204. The special meeting agenda was posted more than 24 hours prior to the meeting at the Bellevue Post Office, the bulletin board outside City Hall and on the website on March 26, 2020. Goldman motioned that the notice was in compliance with Idaho Code 67-2343 and 74-204. Brown seconded. All in favor. The motion passed.

1. Call for Conflict as outlined in Idaho Code §59-703 (f) – 704 With Any Agenda Item.
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.
None noted.

NEW BUSINESS

3. Public Hearing: Bellevue Emergency Powers Ordinance 2020-04. Ned Burns, Mayor and Diane Shay, Community Development Director. Simms noted that the City had satisfied all requirements under the special meeting notice and discussed the necessity of emergency powers in such situations. Simms noted that a public hearing was not necessary under the current emergency. Shay noted that former City Attorney Jim Phillips had been of great help in nuances with the City's Charter. Burns opened the meeting for public comment. There were no public comments. There were no written comments received. Burns closed public comment. Cappel noted that there were some typos in section 6 which will be corrected in the final version.
4. Adoption of Ordinance 2020-04 Bellevue Emergency Powers Ordinance; authorize the Mayor to read, by title only, waive the 2nd and 3rd readings; and to take effect by proclamation of

the Mayor upon posting in at least five (5) public places in the City. Brown motioned to waive three readings of Emergency Ordinance 2020-04 on three separate days, read by title only and to take effect by proclamation by the Mayor upon posting in at least five (5) public places in the City. Cappel seconded. Roll call vote results: Mahoney- yes, Davis- yes, Goldman- yes, Brown- yes, Cappel- yes, Johnson-yes. Motion passed. Shay read the Title of Emergency Ordinance 2020-04 for the record.

Goldman motioned to adopt Emergency Ordinance 2020-04 with changes under section 6 as discussed. Davis seconded. Roll call vote results: Mahoney- yes, Davis- yes, Goldman- yes, Brown- yes, Cappel- yes, Johnson-yes. Motion passed.

5. **Public Hearing: Public Health Emergency Order No. 2020-01** that would make uniform in all local jurisdictions removing commercial and residential construction from essential activities definition and providing for additional non-essential travel restrictions. Simms noted that the City had satisfied all requirements under the special meeting notice and discussed the necessity of emergency powers in such situations. Simms noted that a public hearing was not necessary under the current emergency. Simms noted that this Emergency Public Health Order was being enacted throughout the County and excluded construction as an essential business, which was different than the Statewide order. Burns opened the meeting for public comment. There were no public comments. Shay noted that she had received a written comment questioning whether land clearing and starting street construction in a subdivision qualified as public works exempt from restrictions. Simms noted that the Mayor was given the sole decision to make such a determination while the emergency order was in effect. There were no other written comments received. Burns closed public comment. The Aldermen discussed the order and asked questions of Attorney Simms.
6. **Adoption and Authorization to the Mayor to sign Public Health Emergency Order No. 2020-01** that would make uniform in all local jurisdictions removing commercial and residential construction from essential activities definition and providing for additional non-essential travel restrictions. Goldman motioned to adopt the Public Health Emergency Order 2020-01, in accordance with the provisions of Emergency Ordinance 2020-04, as presented. Davis seconded. Roll call vote results: Mahoney- yes, Davis- yes, Goldman- yes, Brown- yes, Cappel- yes, Johnson-yes. Motion passed.

The Common Council expressed thanks to Attorney Christopher Simms for assisting staff with the drafting of the documents to ensure that they matched the County wide effort and for attending the meeting. The Common Council expressed thanks to Diane Shay and Former City Attorney Jim Phillips for their assistance with the Emergency Ordinance and Emergency Public Health Order.

7. **Executive Session to Discuss Personnel, Pending Litigation and/or Land Acquisition Pursuant to Idaho Code §74-206.** There was no executive session.

8. Adjournment. Goldman motioned to adjourn. Cappel seconded. All in favor. The motion passed and the meeting adjourned at 12:48pm.



Ned Burns, Mayor



Marian Edwards, City Clerk/Treasurer