

Bellevue Common Council  
Thursday July 2, 2020  
Bellevue City Hall, 115 E Pine St, Bellevue  
Special Meeting Minutes

2:01 p.m. Call to Order:

Mayor Burns called the Special Meeting to order. A roll call attendance was conducted, and Council members present were Kathryn Goldman, Greg Cappel, Chris Johnson, Doug Brown, and Shaun Mahoney all appearing by teleconference. For the record, Tammy Davis was absent. 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. Staff present were Rick Allington, City Attorney; Greg Beaver, Fire Chief; Diane Shay, Community Development Director; Mynde Heil, Assistant Marshal; and Marian Edwards, City Clerk/Treasurer.

Notice and Hearing Compliance:

The posting of this special meeting agenda complied with Idaho Code 74-204. The special meeting notice and agenda was posted more than twenty-four (24) hours prior to the meeting at the Bellevue Post Office, the bulletin board outside City Hall and on the website on July 1, 2020. Goldman motioned that the notice was in compliance with Idaho Code 74-204. Cappel 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 were noted.
2. Public Comment for Items of Concern not on the Agenda.  
Florence Blanchard of Friends of the Howard Preserve requested added Marshal patrolling of the Howard Park due to the upcoming July 4<sup>th</sup> holiday and Burns agreed to ensure same.

#### NEW BUSINESS

3. Consideration of Order or Resolution of the City of Bellevue, in Conjunction with Blaine County and the City of Hailey: Establishing Standards for Face Coverings for Individuals When They are in Public Places. Burns gave a brief overview of the recent mask requirement actions taken by other localities and presented both an Order and a Resolution for the Council to consider. Burns noted that he wanted to give citizens the opportunity to speak if so desired. Burns opened the meeting for public comment. Tatyana Gray, Denise Tate, Dave Hattula, Florence Blanchard, Susan Stover, Abby Rinella, Nicky Snell, Sharon Main, Rebekah Rosser, and Maria Irvine gave public comments. Burns closed public comment.

The Alderman discussed the order and resolution. The Council had a wide-ranging discussion covering age limits, penalties, enforcement, and public education. Goldman noted that this was a difficult decision due to the high tension around masks and noted that one of the goals of the Council is to support public health. The City Attorney was asked about the rights of businesses with regards to requiring masks and Allington noted that businesses can tell people to leave their premises and press charges for trespassing.

The Council discussed whether the penalty in the draft order was appropriate and Goldman proposed that a \$50.00 flat fine infraction would be a better option instead of a misdemeanor. Mahoney noted that the goal was not to collect fines, but to promote public health. Cappel requested to be placed in the record of supporting an order or resolution to promote public health.

The Council asked questions of Assistant Marshal Heil regarding enforcement and Heil noted that it would ultimately be up to the Marshal's office to determine whether to issue an infraction.

Goldman motioned to adopt Public Health Emergency Order 2020-04, amending Section 2: Penalty to a \$50.00 infraction. Cappel seconded. Roll call vote results: Mahoney-no, Goldman- yes, Brown- no, Cappel-yes, Johnson-no. Motion failed.

Goldman motioned to adopt Resolution #2178: A Resolution of Bellevue, Idaho Common Council Establishing Standards for Face Coverings for Individuals When They are in Public Places. Mahoney seconded. Roll call vote results: Mahoney-yes, Goldman- yes, Brown- no, Cappel-yes, Johnson-no. Motion passed.

4. Executive Session to Discuss Personnel, Pending Litigation and/or Land Acquisition Pursuant to Idaho Code §74-206. There was no executive session.
5. Adjournment. Goldman motioned to adjourn. Johnson seconded. All in favor. The motion passed and the meeting adjourned at 3:27pm.



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Ned Burns, Mayor



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Marian Edwards, City Clerk/Treasurer