

Bellevue Common Council
Monday May 10, 2021
Bellevue City Hall, 115 E Pine St, Bellevue
Regular Meeting Minutes

6:10 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, Greg Cappel, Kathryn Goldman, Chris Johnson, and Shaun Mahoney (arrived 6:15PM) 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; Kristin Gearhart, Library Executive Director; Mynde Heil, Marshal; Kirt Gaston, Assistant Marshal; 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 5, 2021. 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. None noted.
2. Public Comment for Items of Concern not on the Agenda. Tim Frazer reported that Idaho Power had done maintenance on the recently installed street light fixture near his residence and the light now shines on the ground. Tom Blanchard, Tatyana Gray, Eric Parker, Jason Connelly, John Delane, Mike Din, Lindy Lewellen, Joe Nelson and Evan Stelma made comments regarding the Marshal's Department.

OLD BUSINESS

3. Consent Agenda:
 - a. Minutes of April 26, 2021
 - b. Claims from April 27, 2021 to May 10, 2021
 - c. Department Head Reports

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

NEW BUSINESS

4. PUBLIC HEARING- Consideration and approval of a City-initiated text amendment to the

Bellevue City Code, Title 3, Business and License Regulations; Adding new language to include 3-1-1 New definition "Mobile Food Vendor"; Adding new Title five (5) 3-5-1 to include Mobile Food Vendors, adding new language to include mobile vendor business requirements; 3-5-2 Criteria, by adding new language to include criteria needed for license, 3-5-4 Fees, by adding language to include fees for the application, 3-5-5 Central Health District health certification, by adding language to include applicant must provide health certificate. Diane Shay, Community Development Director. Shay covered notice requirements. Goldman motioned that the notice confirmed with Idaho Code 67-2343. Johnson seconded. All in favor. The motion passed. Shay and Dyer presented the staff memorandum and history of the matter. Burns opened public comment. Daniel Enrique made a public comment. A written comment received was included in the packet materials as part of the record. Burns closed public comment. Shay clarified that the vendors are not required to move every five (5) days in the drafted ordinance but were limited to operate five (5) days per week. Shay and Dyer noted that it had been discussed by the Planning and Zoning Commission to allow mobile food vendors to be open five (5) days per week between the hours of 7am to 7pm to limit conflict with brick-and-mortar businesses and to have the licenses valid for six (6) months.

Burns noted his concerns over limits of operation regarding days of week, hours of operation and licensure limited to six (6) months. Cappel noted that he could see the augments on both sides with the limits as presented and that a limit on the number of mobile food vendors should be considered. Mahoney noted that a requirement for toilets should be included, that he had no problem with operations of seven (7) days and that a cap on mobile food vendors should be considered. Brown asked how much demand is there for mobile food licenses and Dyer responded that the City gets calls every summer. Brown suggested that the start of requirements begin January 1st. Goldman noted that food trucks represent a different experience for residents and encourage a diversity of options. Johnson noted to pair the hours of operation to the existing noise ordinance and that he had no problem with seven (7) days per week for operations.

5. Consideration and approval of Ordinance #2021-08 Mobile Food Vendors. Diane Shay, Community Development Director.
Johnson moved to Continue the Public Hearing and Consideration of proposed Ordinance 2021-08 to the date certain of June 14, 2021. Goldman seconded. Roll call vote results: Mahoney- yes, Goldman-yes, Brown- yes, Cappel- yes, Johnson-yes. Motion passed.
6. COVID19- Council Discussion and Potential Added Actions Needed with Current Risk Levels and Trends. Ned Burns, Mayor. The Council discussed the expanding availability of vaccines along with current local and national trends. The Council agreed to monitor anticipated changes in mask and distancing requirements expected to be made by the Centers for Disease Control and Prevention and compare same to the existing Bellevue Public Health Order at future meetings.

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. Johnson seconded. All in favor. The motion passed and the meeting adjourned at 7:16 p.m.



Ned Burns, Mayor



Marian Edwards, City Clerk/Treasurer