

Bellevue Common Council  
Monday October 25, 2021  
Bellevue City Hall, 115 E Pine St, Bellevue  
Regular Meeting Minutes

**6:01 p.m. Call to Order:**

Mayor Burns called the Regular Meeting to order. A roll call attendance was conducted, and Council members present were Kathryn Goldman, Greg Cappel, Doug Brown, Shaun Mahoney, Chris Johnson, and Jennifer Rangel, all appearing by teleconference. For the record, no one 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. Mahoney had voice connectivity issues and voted via text for items 19 and 20, which are marked with an asterisk (\*). A quorum was present for the entire meeting. Staff present were Rick Allington, City Attorney; Jeff Loomis, City Engineer; Greg Beaver, Fire Chief; Jason Calhoun, Street Supervisor; Everton Oliveira, Wastewater Operator; Tater Vaughn, Wastewater Operator IT; Diane Shay, Community Development Director; 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 October 20, 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.**  
Edwards noted that the 2021 Fiscal Year Audit will begin on November 8, 2021, as previously scheduled. Brown gave his apologies for missing the last regular meeting and appreciated being able to listen to the recording as it helped him to prepare for the current meeting.

**OLD BUSINESS**

- 3. Consent Agenda:**
  - a. Minutes of October 11, 2021
  - b. Claims from October 12, 2021, to October 25, 2021
  - c. Department Head Report
  - d. Financial 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, Rangel- yes. Motion passed.

## NEW BUSINESS

4. **PUBLIC HEARING:** Consideration of City-initiated text amendments to the Bellevue City Code, Title 10, Chapter 6, General Residential, §10-6-2, to allow multi-family developments to be built on a 3,000 square foot lot without being linked to an affordable housing entity; amending Title 10, Chapter 7, Business District §10-7-2, to permit residential units in a mixed use building and establishing a minimum dwelling unit size of 350 square feet; amending Title 10 to add a new Chapter 7A, creating a Residential Overlay District that will permit multi-family residential developments in the Business District; a map depicting the boundaries of the overlay district will also be considered. Diane Shay, Community Development. Burns consulted with Allington regarding needing separate public hearings for the ordinance related agenda items number 5 and 8 as detailed on the agenda. Allington noted that separate public hearings for the ordinances were not necessary. Shay covered notice. Goldman motioned that the notice was in compliance. Cappel seconded. All in favor. Motion passed. Shay gave a recap of the staff report noting that the Mayor had requested a high-density housing option for the City. Burns opened public comment. Jolyon Sawrey made a public comment. Goldman read a written comment she received from Evan Stelma into the record, which will be included in the packet materials on the website. There were no other written comments received. Burns closed public comment and opened the matter for Council discussion.

Burns noted that the current standards limit the building of duplexes to a local non-profit agency. Burns noted that he is not looking to turn Main St into a residential zone. Cappel noted that Bellevue does not need be responsible for the lack of housing in other valley cities, wants to maintain the small town feeling and that he is not interested in serving the needs of large commercial entities. Cappel noted that he did not like the terminology used during the discussion that it is 'discriminatory' to allow a local non-profit that helps low-income people build duplexes while others cannot. Brown noted that lot prices in Bellevue have doubled and more housing per square foot is needed. Goldman noted that the comprehensive plan calls for walkability, livability and vibrancy. Goldman noted that the proposed map had no legend and that the Council should give the public more opportunity to comment. Cappel noted that the standards should align with the comprehensive plan, which does include high density housing on Main Street. Mahoney noted this item under discussion gives the Council the opportunity to work on the downtown core and thought this was a good start but needed to be dialed in better. Rangel noted that this was a good starting point and wanted to revisit with a map that included a legend. Johnson noted that he was supportive of duplexes but concerned that use would be different after completion. Johnson noted that he wanted to see people using Main Street and would like to see sizes at 400 to 500 sq ft at a minimum. Brown asked the Council to visit the original grid to note the number of duplexes and vacant lots.

Johnson motioned to continue the public hearing to the date certain of November 8, 2021. Goldman seconded. Roll call vote results: Mahoney- yes, Goldman- yes, Brown- yes, Cappel- yes, Johnson- yes, Rangel- yes. Motion passed.

5. PUBLIC HEARING: Consideration of passage of Ordinance #2021-13, an Ordinance adopting City-initiated text amendments to Title 10, of the Bellevue City Code. Diane Shay, Community Development Director. Johnson motioned to continue the public hearing to the date certain of November 8, 2021. Goldman seconded. Roll call vote results: Mahoney- yes, Goldman- yes, Brown- yes, Cappel- yes, Johnson- yes, Rangel- yes. Motion passed.
6. Consideration and passage of the Summary of Bellevue Ordinance #2021-13. Rick Allington, Bellevue City Attorney. Johnson motioned to continue the public hearing to the date certain of November 8, 2021. Goldman seconded. Roll call vote results: Mahoney- yes, Goldman- yes, Brown- yes, Cappel- yes, Johnson- yes, Rangel- yes. Motion passed.
7. PUBLIC HEARING: Consideration of City-initiated text amendment to the Bellevue City Code, Title 10, Bulk Requirements in the General Residential District, the Business District, and the Light Industrial/Mixed Business District, to increase the maximum building size in those districts to thirty-six (36,000) square feet. The Council will also consider deleting Chapter 16, Large Scale Development Conditional Use Permits in its entirety. Diane Shay, Community Development Director. Shay covered notice. Goldman motioned that the notice was in compliance. Brown seconded. All in favor. Motion passed. Shay gave a recap of the staff report, noting that the current standards make it too onerous for most developers to participate. Shay noted that the proposed change would remove the reporting requirements for large buildings and move the size to 36,000 square feet before needing a conditional use permit. Burns opened public comment. Evan Stelma and Tony Evans made public comments. There were no other written comments received. Burns closed public comment and opened the matter for Council discussion.

Burns noted that 36,000 square feet does not put the City into 'big box' territory and is comparable to Albertson's and Campion Icehouse. Johnson noted that cleaning up code was necessary to give businesses options to look at in the future. Brown noted that he would be open to even more square footage. Goldman noted that thinking outside the big box was needed and having the two ordinances on the same night required more time to digest. Cappel noted that the conditional use process should be streamlined but that keeping the size of the building lower prior to needing further review would allow for more control and collaboration. Rangel noted that she liked the use of the conditional use permits for larger projects. Mahoney noted that the Council should look at the long-term future, that buildings like schools and hospitals would fit the size proposed and that the 'big box' thing was fear mongering.

Brown motioned to delete title 10 Chapter 16 in its entirety and replace it with a conditional use permit for any project over 36,000 square feet. Mahoney seconded. Roll call vote results: Mahoney- yes, Goldman- no, Brown- yes, Cappel- no, Johnson- yes, Rangel- yes. Motion passed

Johnson motioned to continue the public hearing to the date certain of November 22, 2021. Goldman seconded. Roll call vote results: Mahoney- yes, Goldman- yes, Brown- yes, Cappel-

yes, Johnson- yes, Rangel- yes. Motion passed.

8. PUBLIC HEARING: Consideration of passage of Ordinance #2021-14, an Ordinance adopting City-initiated text amendments to Title 10, of the Bellevue City Code. Diane Shay, Community Development Director. Johnson motioned to continue the public hearing to the date certain of November 22, 2021. Goldman seconded. Roll call vote results: Mahoney- yes, Goldman- yes, Brown- yes, Cappel- yes, Johnson- yes, Rangel- yes. Motion passed.
9. Consideration and passage of the Summary of Bellevue Ordinance #2021-14: Rick Allington, Bellevue City Attorney. Johnson motioned to continue the public hearing to the date certain of November 22, 2021. Goldman seconded. Roll call vote results: Mahoney- yes, Goldman- yes, Brown- yes, Cappel- yes, Johnson- yes, Rangel- yes. Motion passed.
10. Presentation on Resort Cities Real Estate Transfer Tax: Wendy Jacquet, former State Representative for District 25A. Jacquet noted that Bellevue is not a resort City and gave the Council the outline of how Cities can declare themselves a resort City under the Idaho code. Jacquet gave an overview of a proposal being worked on to bring to the state legislature that would allow a tax to be placed on real estate transfers in resort cities that could earmarked for use for workforce housing. Jacquet is continuing to visit with Idaho resort cities and will next present to McCall. The Council thanked Jacquet for including Bellevue in her presentation schedule.
11. Discussion and Consideration of Resolution #2229: Contract with Galena Engineering for Chestnut Well Chlorination Engineering for \$3,000- Line item 58120- Construction and Improvements- Water. Jeff Loomis, Galena Engineering. Loomis noted that the Chestnut and Chantelle well engineering items were to address source water protection issues noted by Idaho Department of Environmental Quality (DEQ). Loomis noted that the City is using gas chlorine and the goal is to change from gas to liquid chlorine and liquid is safer. Loomis noted that the Chestnut well has never had a chlorine system. Loomis noted that DEQ requested that the new chlorine system be professionally engineered. Goldman motioned to approve the resolution as presented. Cappel seconded. Roll call vote results: Mahoney- yes, Goldman- yes, Brown- not present, Cappel- yes, Johnson- yes, Rangel- yes. Motion passed.
12. Discussion and Consideration of Resolution #2230: Contract with Galena for Chantrelle Well Chlorination Engineering for \$3,000- Line item 58120- Construction and Improvements- Streets. Jeff Loomis, Galena Engineering. Loomis referred to the comments for agenda item #11. Goldman motioned to approve the resolution as presented. Johnson seconded. Roll call vote results: Mahoney- yes, Goldman- yes, Brown- not present, Cappel- yes, Johnson- yes, Rangel- yes. Motion passed.
13. Council discussion/decision on additive items for Wastewater Planning Study with Complete Grant Application Package due by November 30, 2021, tabled on October 11, 2021, to the date certain of October 25, 2021. Ned Burns, Mayor and Chris Johnson, Alderman. Goldman motioned to approve the five (5) optional items listed for follow up at the previous meeting in

the final scope of work for the grant. Johnson seconded. Roll call vote results: Mahoney- yes, Goldman- yes, Brown- not present, Cappel- yes, Johnson- yes, Rangel- yes. Motion passed.

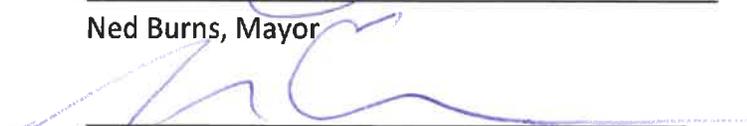
14. Request for Funds: Two (2) Kenwood Viking VP6000 Radios: \$3,216.00, Line Item 58230- Fire. Greg Beaver, Fire Chief. Cappel motioned to approve the request for funds as presented. Johnson seconded. Roll call vote results: Mahoney- yes, Goldman- yes, Brown- not present, Cappel- yes, Johnson- yes, Rangel- yes. Motion passed.
15. Request for Funds: Two (2) Sets of PPE Turn Outs: \$5,639.74, Line Item 58230- Fire: Greg Beaver, Fire Chief. Beaver noted that there are currently thirteen (13) active volunteers, and he is having a difficult time with retention. Johnson motioned to approve the request for funds as presented. Goldman seconded. Roll call vote results: Mahoney- yes, Goldman- yes, Brown- not present, Cappel- yes, Johnson- yes, Rangel- yes. Motion passed.
16. Approval of Ongoing Maintenance for Fire Department Equipment Over \$1,000 for Fiscal Year 2022. Greg Beaver, Fire Chief. Goldman motioned to approve the request for ongoing maintenance as presented. Cappel seconded. Roll call vote results: Mahoney- yes, Goldman- yes, Brown- not present, Cappel- yes, Johnson- yes, Rangel- yes. Motion passed.
17. Request for Funds: Fifty (50) Zeeweed 500d Membranes: \$109,460.00, Line Item 51160- Wastewater. Everton Oliveira, Wastewater Operator. Everton noted that the maximum use life of membranes is ten (10) to twelve (12) years and that our membranes are at fifteen (15) years. Johnson motioned to approve the request for funds as presented. Goldman seconded. Roll call vote results: Mahoney- yes, Goldman- yes, Brown- not present, Cappel- yes, Johnson- yes, Rangel- yes. Motion passed.
18. Request for Funds: Installation of OBIC Liner System onto Four (4) Lift Stations: \$26,580.00, Line Item 51160- Wastewater. Everton Oliveira, Wastewater Operator. Oliveira gave a brief recap of the need for the project and noted that the applied coating will be made up of three layers. Goldman motioned to approve the request for funds as presented. Cappel seconded. Roll call vote results: Mahoney- not present, Goldman- yes, Brown- not present, Cappel- yes, Johnson- yes, Rangel- yes. Motion passed.
19. Request for Funds: Replacement of Broken Skylight at Wastewater Plant: \$6,867.54, Line Item 51160- Wastewater. Tater Vaughn, Wastewater Operator IT. Vaughn gave a brief recap of the project and the Council thanked him for getting comparative quotes. Goldman motioned to approve the request for funds as presented. Johnson seconded. Roll call vote results: Mahoney- yes\*, Goldman- yes, Brown- not present, Cappel- yes, Johnson- yes, Rangel- yes. Motion passed.

- 20. Request for Funds: Semi-Annual Payment on DEQ Loan: \$150,630.03, Line Item 58170 Loan-Wastewater and \$54,569.97, Line Item 51125-Interest- Wastewater, Totaling \$205,200.00: Loan Balance will be \$3,180,145.89 after payment. Marian Edwards, Clerk/Treasurer. Johnson motioned to approve the request for funds as presented. Cappel seconded. Roll call vote results: Mahoney- yes\*, Goldman- yes, Brown- not present, Cappel- yes, Johnson- yes, Rangel- yes. Motion passed.**
- 21. COVID19- Council Discussion and Potential Added Actions Needed with Current Risk Levels and Trends. Ned Burns, Mayor. Burns gave a brief update on local trends. The Council did not take further action.**
- 22. Executive Session to Discuss Personnel, Pending Litigation and/or Land Acquisition Pursuant to Idaho Code §74-206. There was no executive session.**
- 23. Adjournment. Goldman motioned to adjourn. Cappel seconded. All in favor. The motion passed and the meeting adjourned at 8:55 p.m.**



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Ned Burns, Mayor



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Marian Edwards, City Clerk/Treasurer