

New Plymouth City Council Meeting
TUESDAY
19 January 2010
7:00 p.m.
New Plymouth City Council Chambers (Library)

The regular meeting of the New Plymouth City Council was held at the New Plymouth City Hall on Tuesday, 19 January 2010 following the public hearing scheduled at 7 pm.

The meeting was called to order by Mayor Joe Cook. Roll call was taken with council members Mayer, Cline and York present. Staff members in attendance were Beau Ziemer, Beth Ann Christensen and Leon K. Jensen. Guests included Steve West, Jeff Kirn, Dallas Hawker, Ron LaHaie, Elden Isask, Seth Austin, Jody Austin, Andy Gehrke of Holladay Engineering, Charles Watkins, Cindy and Tony Shaver, Cory Loveland and Steve Myers.

City Council elect members Rick York and Ben Esplin were sworn in by the City Clerk.

Regular Agenda - **Councilman Esplin moved to approve the agenda, seconded by Councilman York. The voting was unanimous in favor of the motion.**

Consent Agenda - **Councilman Esplin moved to approve the consent agenda, seconded by Councilwoman Mayer. The voting was unanimous in favor of the motion.**

Old Business

New Plymouth Water Users Association – Report by Beau Ziemer as an update. The water bill format was presented to the council. It was determined that the property owner maintains the ditch on his property. The water rate which has been presented to the council was set by the Irrigation Company Board of Directors. **Councilman Esplin moved to approve the irrigation bill for 2010. The motion was seconded by Councilwoman Mayer. The motion was carried by a 3 – 0. Councilman York abstained from voting due to his affiliation with the irrigation district.**

Fire Station Development Plan and site plan – Public Works Director Beau Ziemer discussed the need for him to see plans and write a development agreement. He stated that he needed more information. Dallas Hawker then presented a plan for the proposed new fire station which is planned to be built at the south end of town contiguous to Highway 30 and South East Blvd. The fire district is concerned about the cost and having enough monies to construct the building. The location for the pipeline crossing the property was discussed. This location needs to be on the plan so that no encroachment will take place on the existing pipeline. It was determined that storm drainage would be collected in a water pocket which will be built on site. Right of way adjacent to the fire district property was discussed by Mr. Hawker and the council. Councilman Esplin suggested that the fire district Board and the City Council get together and discuss the plans and he also stated that he did not want a tin building on a dirt lot. Mr. Esplin also stated that options had been presented in the past regarding the building and the fire district had objected to the presented suggestions. The possibility of moving the fire station was briefly discussed but no input was given with the exception of Councilwoman Mayer stating that Mr. Moscrip thought that all parties should get together when the time is right and discuss the best possible solution for the Fire District. Seth Austin – Reported to the council on his completed Eagle Project and thanked them for

their support of his project. The council responded with a round of applause and a thank you.

New Business

Eldon Isaac (Assembly of God Church) rezone. No discussion was held. **Councilman Esplin moved to deny the request, the reason being, spot zoning. Councilwoman Mayer seconded the motion.** The vote ended in a tie, Council members Esplin and Mayer voted in favor of the motion and Council members Cline and York voted in opposition to the motion. Discussion followed the vote. Spot zoning was the issue brought up. Owners' property rights and property values in the area of the rezone request were considered. Parking and play areas were discussed. A development agreement was discussed. Ms Mayer stated that even though the planning and zoning commission voted to approve the request, it does not mean that this request is a good fit. She gave examples where properties were divided and streets approved and now the streets are too narrow and there is now a mess which just causes problems in the city. **Mayor Joe Cook voted in opposition to the motion, thus the motion was denied by a vote of 3-2.**

Councilman Cline moved to approve the request with a development agreement which was forwarded by the Planning and Zoning Commission, to be put in place. Councilman York seconded the motion. The voting ended in a tie. Councilwoman Mayer and Councilman Esplin voted in opposition to the motion. Council members Cline and York voted in favor of the motion. **Mayor Joe Cook voted in favor of the motion and it passed with a vote of 3-2.** The conditions of the development agreement are as follows:

1. The property shall be restricted to a Four Plex.
2. The property shall be maintained with painting, landscaping and curb appeal. (esthetically pleasing)
3. The property owner shall provide Covenants, Conditions, and Restrictions for the property.
4. Parking areas shall be paved in a timely manner to be determined between the City Council and the applicant and as presented in the applicant's site plan.
5. The building and grounds shall be properly maintained.
6. Ten parking areas shall be for the development in the rear of the building and eight shall be maintained in the front as presented in the site plan.
7. Playground grassy areas shall be enlarged and maintained.
8. Outreach activities currently used by the church shall be allowed.

Fee Schedule Amendment for Sewer / Water Service – Councilman Cline agreed with the ordinance but questioned the underlined areas. Staff asked if the council would like us to do more research on property, Councilman Cline indicated by the shake of his head that no further research needed to be done. **Councilman Cline moved to approve Ordinance 327 which authorizes the city to charge property owners for base infrastructure costs when their properties within the city may lie vacant. The motion was seconded by Councilman Esplin. The voting was unanimous in favor of the request.**

Jeff Kern – Bridge Resources (Gas Well Operation) is a geologist by training and he presented information about the drilling of gas wells to begin about the middle of February 2010. He spoke to the council about Bridge Resources and their drilling operations around the world. He addressed the company's plan to dig the proposed wells, the type of wells, construction of the same and steps that they are planning to take to protect the aquifer. He also discussed the close proximity of their wells to the existing city wells and one that is

planned for the city in the future. He presented maps and drawings to the council to reinforce their presentation.

Steve West, President of CENTRA Consulting Inc. (Environmental Engineering and Regulatory Affairs) an environmental and geo technical firm based in Boise, Idaho, who has been hired by Bridge Resources, also presented information to the council about the drilling and approval by Payette County of 5 wells in the area. He discussed risks, liability insurance needs and left contact information for future reference should the council or others have questions on the matter.

Cory Loveland made a presentation to the council regarding a future business venture. He would like to put on a concert for 5 or 6 bands that will play at an event which he would like to schedule around the 17th of July 2010, at the fairgrounds. He would like to allow the high school to have a booth where hamburgers and hotdogs could be sold to the public. He is proposing a garden where alcohol beverages will be served. He explained that he would likely need additional parking in the area. He stated that the Payette County Sheriff's department would provide security and that no alcohol would be served to minors. The council took no action but did not indicate that they had objections to the request by Mr. Loveland.

Holladay Engineering – Contractor's Application For Payment No. 22 Councilman Esplin moved to approve the Contractors Application for Payment No. 22. The motion was seconded by Councilman Cline. The voting was unanimous in favor of the motion.

Ordinances & Resolutions

Fee Schedule for Sewer / Water service. The ordinance has not been written in its final format and is not ready to sign at this time. **Councilman York moved to table the signing of the Ordinance until the next meeting. The motion was seconded by Councilman Cline. The voting was unanimous in favor of the motion.**

Set dates for Council meetings and Planning and Zoning Commission Meetings for 2010. **Councilman Cline moved to approve the dates for the 2010 Council and Planning and Zoning Commission Meetings. The motion was seconded by Councilman York. The voting was unanimous in favor of the motion.**

Open Forum – None

Mayor and Council Comments –

Councilwoman Mayer stated that Ron Giles pie would be at Kiwanis on the 1st of February.

Councilwoman Mayer moved to adjourn the meeting. The motion was seconded by Councilman York. The voting was unanimous in favor of the motion.

Adjournment

The meeting adjourned at approximately 9:15 pm.

Joe Cook, Mayor

Leon K. Jensen, City Clerk/Treasurer