

New Plymouth City Council Meeting  
MONDAY  
21 May 2012  
7:00 p.m.  
New Plymouth City Council Chambers (Library)

The regularly scheduled council meeting to be held on the 7<sup>th</sup> of May 2012 began with a roll call at city hall at the appointed time. Roll call was taken and no quorum was present. After a fifteen minute delay the Mayor and members of the council present, Councilman Warnke and Councilman York announced that there would be no meeting held due to the lack of a quorum and that the business scheduled for the 7<sup>th</sup> of May would be continued at the next regularly scheduled meeting, it being the 21<sup>st</sup> of May 2012 at the New Plymouth City Hall library.

On the 21<sup>st</sup> of May 2012 the New Plymouth city council meeting was called to order at 7:00 pm by Mayor Joe Cook. Roll call was taken with council members Mayer, Warnke, York and Esplin in attendance.

Staff members in attendance were Beau Ziemer, Beth Ann Christensen and Leon K. Jensen. Andy Gehrke from Holladay Engineering was present.

Regular Agenda – **Councilman Esplin moved to approve the agenda. Councilwoman Mayer seconded the motion. The voting was unanimous in favor of the motion.**

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

#### Old Business

Resolution 1-2012 – Staff reported that the document is for the transfer of funds to the street fund and a mechanism for repayment of those funds.

Report on Planning and Zoning discussion regarding the placement of manufactured homes on the Ray Brogan property on SE Ave between SE Locust and SE Blvd. Staff reported that the Planning and Zoning Commission discussed the situation briefly at the end of their last meeting and determined that more information was needed, viz; copies of the minutes of the city council meeting where the council gave the property owner at that time, Chet Council, permission to place manufactured homes on the property he just purchased. Warrantee deed information was provided to the council. A copy of the City Council meeting minutes, Dec 1989 was provided to the council.

Rezone of property used as a manufactured housing court/park – The council asked that staff contact the planning and zoning commission and have them make a recommendation to the council regarding rezoning the property or other possible actions.

New Plymouth Code, Chapter 5 OPEN BURNING – Staff reported that a copy of the code is in their packets and discussion ensued about trash and other non-organic burning being done in the city, in violation of the code. There is a conflict within the code regarding times of burning. Councilman Warnke stated that the code was pretty good but enforcement was the problem. How do we enforce the ordinance, especially at times when an officer is not on duty? Councilman York explained the process of contacting the county when burning is proposed to be done by a patron. He also stated that there are conditions when one cannot burn and the patron could be in violation of the EPA rules on burning. Heavy fines can be applied by EPA in those instances. Councilman Warnke mentioned that there are some in the city who burn garbage, even on the weekends. Councilwoman Mayer pointed out that the code Section 7-5-4: (F) 2 conflicts with 7-5-5: (A). Councilman Esplin suggested that the time for burning end at 6pm throughout the year. Councilwoman Mayer suggested that the time could be 8 am to 6 pm year round and that a contact point be stated in the ordinance as well. Councilman Esplin suggested that we contact the city attorney and ask him to look for an ordinance already in place in another city which may be shorter and concise, that the city could adopt and/or amend for city use. **Councilman Esplin moved that**

**the city attorney look at our burning ordinance and do a review to determine if there is a cleaner ordinance we could adopt or amend to make our ordinance cleaner, move the burning time from 8 am to 6 pm year round and write instructions for city residents on how to contact Payette County Dispatch with information on the time, location and date of the proposed burning. Councilman York seconded the motion. The voting was unanimous in favor of the motion.**

#### New Business

Salvation Army Presentation – Presenter did not attend the meeting

Engineering Report – Andy Gehrke – Spoke to the council and stood for questions from the council. The council had no questions for Mr. Gehrke.

New Plymouth Rural Fire Station update – Beau Ziemer presented a letter which he wrote to the fire department, following his receipt of their updated information to the city. Both Mr. Ziemer and the city engineer reviewed the information presented to the city and found that the information is not complete. Mr. Ziemer spoke with Dallas Hawker of the New Plymouth Rural Fire District. There are concerns about elevations of some concrete which has been poured. Also Mr. Ziemer mentioned that the fire department does not have a current access permit from the Idaho Transportation Department. Thus far the plans have not been stamped by a licensed engineer.

Block Party request – Jeanette Mayer requested council permission to have a city wide block party on the 30<sup>th</sup> of June 2012. The block party is to be a family friendly activity. **Councilman Esplin moved to approve the block party request of Jeanette Mayer to be held on the 30<sup>th</sup> of June 2012 at SW Park Ave between S Plymouth Ave and SW Ave. Councilman York seconded the motion. The voting was 3 in favor with 1 abstention. The motion passed.**

Recognition Plaque – The council discussed a plaque to be prepared for later presentation by the city. **Councilman Esplin moved to approve the plaque. The motion was seconded by Councilman York. The voting was 3 in favor with 1 abstention. The motion passed.**

#### Ordinances and Resolutions

Resolution 1-2012 – **Councilman Esplin moved to approve the signing of the resolution contingent upon language in the document stating that repayment of the sanitation funds is not required. The Mayor can sign the document when the corrections are made. All readings are suspended. The motion was seconded by Councilwoman Mayer. The voting was unanimous in favor of the motion.**

#### Open Forum

Councilman York addressed the need for a walking/bike path around the Boulevard. He stated that there is a lot of walking traffic as well as Frisbee golf in the Boulevard area. He stated that the project may have to be done in phases. It would be good for the cross country teams, etc. The project has been planned in the past with some information presented by the city. He acknowledged that there may be some criticism of the bike path when other streets still need repaired in the city. He suggested looking at 1-2 years to get the project started and completed. Routes, right of way and the possibility of a pedestrian foot bridge was discussed.

Councilman Esplin offered congratulations to the athletes from New Plymouth who completed at the State level, including the baseball and softball teams, who both finished as runner-up in the state tournament. He suggested that a letter of congratulations be sent to the high school.

Mayor Cook asked for the council member's opinion regarding the Dan Godinas property which has a home on it on Linden St in New Plymouth. The home burned out about three years ago and thus far there appears to have been little action taken to clean up the property. The house is boarded up and the lawn is

mowed occasionally. It was suggested that the city attorney give some counsel with this situation. It was suggested that this item be put on the agenda for the next city council meeting.

Adjournment

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

The meeting adjourned at approximately 7:40 pm.

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Joe Cook, Mayor

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Leon K. Jensen, City Clerk/Treasurer