

CITY COUNCIL AGENDA  
**MONDAY**  
2 May 2011  
City Council Chambers (Library)  
Immediately following Budget workshop

On the 2<sup>nd</sup> of May 2011 the city council meeting was called to order at approximately 7:05 pm by Mayor Joe Cook. Roll call was taken with council members Mayer, Cline, York and Esplin in attendance. Staff members in attendance were Beau Ziemer, Leon K. Jensen and Beth Ann Christensen. Andy Gehrke of Holladay Engineering was also at the meeting.

Regular Agenda – **Councilman York moved to approve the agenda. Councilman Esplin 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.** Councilman Esplin noticed an item missing on the agenda, item d, a draft letter written by Councilman Esplin with regard to well drilling in the delineation zone of the city of New Plymouth. **Councilman Esplin amended his motion and moved that the consent agenda be approved as amended. Councilwoman Mayer seconded the motion. The voting was unanimous in favor of the motion**

Old Business:

Set Public Hearing date on demolition code / requirements –Staff member Leon K. Jensen reported that a copy of the code was given to the council in their packets and noted some minor changes. Upon further review only one change in wording appeared to be needed.

The council then discussed the demolition of single family homes and the cost of a permit for those. The discussion continued regarding non attached buildings and not a residence needing a demolition permit. There was a lengthy discussion on bonding and the need for bonding. Councilman Esplin expressed concern that a requirement for bonding may cause bonding to be so expensive that smaller companies may not be able to afford a bond to demolish, thus driving them out of town and losing the business. Cost of bonding was set at 3% of the square footage replacement cost. Questions were raised about liability insurance and whether it would cover damages to other structures during the demolition process. in the case of demolition of the building. Councilman Esplin pointed out that the bond is incase a catastrophe happens. Discussion continued on this subject by all members of the council. How to obtain a bond was discussed, what does a bond cost was discussed. Brent Edwards was in attendance and Mayor Cook asked for his input on the requirements for bonding. Mayor Cook suggested that the council ask City Attorney Bert Osborn to attend the next council meeting and be available for questions by the council. Councilman Esplin and other members of the council did not think it was necessary to have the city attorney attend. It was determined by the council that they need more information about the cost of a bond and what exactly does it cover. Staff was directed to contact the city attorney and ask for clarification on some points in the draft ordinance. Mayor Cook again stated that we have an attorney hired to help answer questions and that the council should use his service. **Councilman Esplin moved that city staff member Leon K. Jensen contact Bert Osborn and ask about a demolition permit, clarification of what bond is required and also to make more clear the wording that there is no fees requirement for residential teardown. The motion was seconded by Councilwoman Mayer. The voting was unanimous in favor of the motion.**

Set Public Hearing date on Bulk Water Rates / requirements – Public Works Director presented

more information regarding having rates in bulk form for businesses who want to use city water in applications such as road work, weed spraying etc. He has asked Bert Osborn to draft an ordinance so the city can charge fees for commercial use of the water. The council discussed and decided upon a motion by Councilman Esplin to hold a public hearing date on 6 June at 6:55pm or immediately following the next budget workshop on the 6<sup>th</sup> of June 2011. The motion was seconded by Councilwoman Mayer and all agreed in favor of the motion.

Letter to Arnold Howard family – Staff read a letter to the council to be sent to the family of Arnold Howard. The Mayor and Council signed the letter and gave instructions that it be sent to the family of Arnold Howard. Discussion continued about writing a letter to the family of Richard Platz. The Kiwanis Club is involved with some recognition for Richard Platz.

Draft letter – By Councilman Esplin to various agencies regarding hydro fracking and listing the concerns of New Plymouth when this type of activity may occur in one of the city delineation zones. Councilman York expressed his thoughts and stated that he thought it best to keep DEQ and EPA in the loop in case the city needed them in the future if problems with the city water were to arise. The council agreed the letters should be written and both letters as proposed could be sent.

New Business:

Bryan Ricker, Senator Mike Crapo's office will be in town on the 16<sup>th</sup> of May for public input. He is also hoping to make a presentation to the city council at council meeting on the 16<sup>th</sup> of May 2011. No action was taken by the council.

Brent Edwards spoke to the council about his property in the city of New Plymouth which is located on Hawthorne Street. He is cleaning it up and asked what is being done about the neighboring business parking vehicles on the city street right of way. Questions were raised by the council regarding the review of conditional use permit conditions for the parking of vehicles in the right of way. Staff was directed to find the CUP file for the business, review it and report back to the council.

Mr. Edwards asked if the city well located on his property was still good. Staff reported that the hole was good and that the city did not want to abandon the well. Mr. Ziemer also stated that in the future the city may need to activate the well again and thought it inappropriate to close the well at this time.

Mr. Edwards also presented some petitions with the signatures of people who are in support of the well drilling in the area.

Ordinances and Resolutions – none were presented for signature

Open Forum – No comments

Mayor and Council comments - Councilwoman Mayer stated that the Easter egg hunt was an amazing success and that anyone who went home without any candy were those who arrived 5 minutes late. Kiwanis is looking at upgrading Frisbee Golf as a service project. Rules, Frisbees and school participation will be discussed by the Kiwanis club.

Mayor Cook presented a letter from the School asking for a contribution to help some students from Business Professionals of America. Some members of the council stated that the

organization is doing very well. But even so, thought it inappropriate for the city to use public funds in this manner.

Councilman York stated that he had a great time at the QRU auction. It was reported that they did well again this year with their auction. He also expressed interest in the city having a paved walk way around the boulevard for foot traffic, etc.

Councilman Esplin stated that the city looks good and thanked Public Works Director Beau Ziemer.

Mr. Ziemer stated that pot hole repairs will be starting. Asphalt has been a little difficult to acquire. He also stated that bids are out for the reconstruction of South Plymouth Ave. Those are to be in by the 11<sup>th</sup> of May and the opening will be in the Public Works office at 3 pm.

Beau stated that no pot holes on S Plymouth will be repaired and only minimal work will be done on Holly Ave.

A discussion about the house owned by Dan Godinas which destroyed by fire ensued. No members of the council had any news of what was going to be done with the house which suffered fire damage.

There is still one rooster running loose in town. Efforts to nab him have not been successful as yet. He is very leery.

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

The meeting adjourned at approximately 8:07pm.

---

Joe Cook, Mayor

---

Leon K. Jensen, City Clerk/Treasurer