

New Plymouth City Council Meeting  
**MONDAY**  
17 May 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 Monday 17 May 2010 at 7:05 pm.

The meeting was called to order by Mayor Joe Cook at about 7:05 pm. Roll call was taken with council members Mayer, Cline, York and Esplin present. Staff members in attendance were Beau Ziemer, Beth Ann Christensen and Leon K. Jensen. Guests included Debbie Molthen and Dallas Hawker of the New Plymouth Fire Department and Andy Gehrke of Holladay Engineering.

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

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

*Old Business*

- Eldon Isaac (Assembly of God Church) re-zone development agreement. Mr. Isaac was not in attendance. Discussion was held by the council. Councilman York expressed concern that perhaps the development agreement should go back to the planning and zoning commission. Changes were discussed and it was determined that the planning and zoning commission did not approve any development agreement. The agreement was crafted by the city council. Due to questions by the council, coupled with the fact that Mr. Isaak has not attended either of the last two council meetings, the council discussed possible action in Mr. Isaak's absence. **Councilman Esplin moved to deny the development agreement for Mr. Isaak as it currently is written. The motion was seconded by Councilwoman Mayer. The vote by the council was two in favor and two opposed. Councilwoman Mayer and Councilman Esplin voted in favor of the motion. Councilman Cline and Councilman York were opposed to the motion. Mayor Joe Cook broke the tie vote by voting in favor of the motion, thus denying the development agreement for Mr. Isaak.**
- Mike Lambertson water usage review – Mr. Lambertson did not attend the meeting and staff suggested that we wait for one more reading before any action being taken by the council. Beau Ziemer expressed concerned that we are discounting our equipment and that precedence is being set by the council by adjusting water bills for patrons when they are abnormally high. Mr. Ziemer was asked if he had a chance to look at the property of Mr. Lambertson. Councilman Cline suggested that the city employees be given the opportunity to examine the property to check for leaks. Following more discussion regarding the Lambertson water usage question, **Councilman York moved to table this business until the next council meeting. The motion was seconded by Councilman Esplin. The voting was unanimous in favor of the motion.**

- Progress report on Building permit process – Staff reported that the website is being updated. We will continue to work on our web site and update it as quickly as possible.
- Double Diamond and The Club – Street Dance Discussion – A letter from the Payette County Sheriff was received by Mayor Joe Cook regarding the proposed street dance. The Sheriff is not in favor of this proposal and has spoken with Jared Belanger. Staff was directed to write to Jared and inform him of the decision by the Sheriff.

*New Business:*

Andy Gehrke – Holladay Engineering – Water Project EOC Change Order # 3 (Quality Adjustments) This change order amounted to a reduction of over \$42,000.00 (paving and irrigation improvements) **Councilman York moved to approve this request. The motion was seconded by Councilman Esplin. The voting was unanimous in favor of the motion.**

Andy Gehrke – Holladay Engineering - EOC Final Pay application # 5 (FINAL) **Councilman Cline moved to approve this request. The motion was seconded by Councilwoman Mayer. The voting was unanimous in favor of the motion.**

Public Works Dump Truck Purchase – Public Works Director Beau Ziemer reported that the truck in Salt Lake is a little rough on the edges and that its tires are worn out. The truck is sound and has a CAT engine. The oil sample looks very clean. It has a Muncie Plow on it and it is in very good condition. There is a Mag Chloride set up for chemical application during the winter. The truck is a 1991, single axel. The asking price is 15 K and Beau plans on selling the older truck currently in use. **Councilman Esplin moved to purchase the 1991 Truck in Salt Lake with tires at 16K, ceiling price. The motion was seconded by Councilwoman Mayer. The voting was unanimous in favor of the motion.**

**Letters regarding hazardous building** – Staff presented a letter from Chad Brock regarding a hazardous building in town. **Councilman Esplin moved to send the letter as written by Chad Brock, our building official. The motion was seconded by Councilman York. The voting was unanimous in favor of the motion.**

Limited English Proficiency Plan – Staff presented information which is required when money is borrowed from the federal government for various or select city projects. **Councilman Cline moved to adopt the Title VI Limited English Proficiency Plan. The motion was seconded by Councilman York. The voting was three (3) in favor of the motion. Councilman Esplin voted in opposition to the motion.**

Mayor / City Council -New Plymouth Fire Department building location – Mayor Joe Cook stated that little progress is being made regarding the trading of property as proposed by the owner of the Internet Truck Stop. That being, that the fire district trade the property where they have considered building a fire station to the school district, the fire district, at it current location expand into city hall and the library and that the city hall office and library move to the soon to be vacated Internet Truck Stop building, (of considerable value) which would be donated to the city by the Internet Truck Stop.

Dallas Hawker spoke to the council and informed Councilman Esplin that the town belongs to everyone. He also stated that Councilman Esplin should not be allowed to vote regarding this issue because of his involvement with the Internet Truck Stop.

Mr. Hawker stated that the current fire department building is not adequate and that the proposed site is the best location. He stated that no one has found a better site. He is working on getting an engineer from the Idaho Transportation Department (ITD) to come and engineer the site prior to applying for a building permit. He stated that he would like us to have a fire department where we are all happy and that the discontent be gone.

He asked, if the state engineered the site, would the city accept it? It was determined that the city did not care who did the engineering as long as the person / company was reputable and certified. Mayor Cook asked Mr. Hawker the following: If the city could find a piece of property for the fire department, would they accept it and then do with the current fire department what they would like. That question was not answered.

Debbie Molthen stated that 80% of the calls are south of town. Dallas stated that several different types of buildings, steel, etc. have been discussed. Bidding was discussed and building according to plans was also discussed. Bids range from 450K to 329K to 270K. Mayor Cook asked Dallas if he was not interested in the current location for the fire department along with city hall and the library. Dallas wanted to know the options and speak to his board before he could make a commitment.

#### Ordinances & Resolutions

Open Forum – None

Mayor and Council Comments – Councilwoman Mayer stated that Walk to School Week is going on and we need to be out supporting and be a part of it. Mayor Cook stated that the County Commissioners are supportive of SEREDA proposal and is hopeful for some financial support. Horseshoe Days was discussed briefly and fishing the ducks out of the canal during the annual duck race. Beau Ziemer thanked those who were washing the sidewalks. Washing the sidewalk was discussed, water usage and how to get the sand and mud out of the gutters. Water usage for a business may be abnormally high and that the business may come to the city for consideration of relief. The letter from Connor White was also noted.

#### Adjournment

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

The meeting adjourned at 8:07 pm.

---

Joe Cook, Mayor

---

Leon K. Jensen, City Clerk/Treasurer