

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

On the 16th of July 2012 the New Plymouth city council meeting was called to order at approximately 7:05 pm by Mayor Joe Cook. Roll call was taken with council members Mayer, Warnke, York and Esplin in attendance.

Staff members in attendance were Leon K. Jensen and Beth Ann Christensen. Chad Brock, building official for the city of New Plymouth was present. Andy Gehrke from Holladay Engineering was present. Brent Edwards and Levi King were also present.

Regular Agenda – **Councilman York 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. Councilman York seconded the motion. The voting was unanimous in favor of the motion.**

Brent Edwards spoke to the council and expressed his desire to have a bingo night at his restaurant each week, by a non-profit organization. It was mentioned that the seniors already have a bingo night. Mr. Edwards said that he did not know that and would do some checking so as to avoid any conflict. He stated that this year he is hopeful to have a mule sale in town on the 25th of August and requested permission to close a street in conjunction with the sale and its location. About 25 to 30 head of mules would be sold. The hours of the sale would be from 6 pm to midnight. He also told the council that the car show for this year is not going to be held but that arrangements for the car show have been made for this next year.

Levi King testified that he has done many of these auctions. He stated that he would set up a portable sale ring and clean up the site the following morning and put the material in a dumpster. Virtually all activities with the mules prior to the sale will be at the fairgrounds. He did not see that the auction would go too long. He stated that the auctioneer should be finished between the hours of 7-10 pm. **Councilman York moved to approve the request for a mule sale in town on 25 August 2012 during the hours from 6 pm to midnight. The motion was seconded by Councilwoman Mayer. The voting was unanimous in favor of the motion.**

FY 2009-10, FY 2010-11 Audit reports – Councilman Warnke asked about one paragraph in both reports about missing information etc. It was determined that the paragraph is common language which is required to be in all audit reports. There is no information requested that was not presented upon request. **Councilwoman Mayer moved to accept 2009-10 and 2010-11 FY Audits. The motion was seconded by Councilman York. The voting was unanimous in favor of the motion.**

Repayment of Street loans to the city – Staff was directed to provide the city council with potential contract information for the city council to review. Length of contract and terms of payment including interest are to be provided to the council. **Councilwoman Mayer moved to continue this discussion until further information has been made available. Councilman York seconded the motion. The voting was unanimous in favor of the motion.**

Auditor Folke proposal for future audit contract with the city – The council asked if the staff was happy with the audit and Beth Ann Christensen stated that we were but that there were some adjustments which she is sorting out so that we do not double up anywhere. He is easy to work with and staff does not anticipate any problems. **Councilman Esplin moved to approve the contract proposal as provided by Tim Folke, CPA for the next two years, 2013 and 2014. The motion was seconded by Councilwoman**

Mayer. The voting was unanimous in favor of the motion.

Manufactured Home Placement at 317 W Maple St. – Councilman York asked that this discussion be tabled until the public works director was present. **Councilman York moved to table the discussion.** Mr. Brock, the city building official, explained from his perspective what had happened during this building permit process. **Councilman York withdrew his motion.** Beau Ziemer had written a letter and provided it to the council along with photographs of the home and area in question. Discussion was held regarding the lack of proper setback distances with the placement of this home. Instructions were given to the patron; measurements for proper setbacks were taken and explained. The contractor was asked to stop while setback issues were resolved. Shortly afterward the owner stated that he was going ahead with the placement of the home and would not be moving it further back. He stated that he thought the setbacks were correct.

Councilman Esplin asked about an approved occupancy. No certificate of occupancy has been issued but it is believed that the home is being occupied. Councilman Warnke asked about who has the ultimate authority in this situation. The public works department, planning and zoning and the building official work together when building permits are issued. The council expressed disappointment in the patron. Questions were raised about the sewer and water hookups and if the system could be turned off. The council asked if the patron knew for sure what he was doing regarding the setbacks. All agreed that he had been told by the building official, the public works official and the planning and zoning administrator of the proper setbacks.

Councilwoman Mayer moved that the city seek legal counsel about this situation. Councilman York seconded the motion. The voting was in favor of the motion.

Ordinances and Resolutions – There were none for approval.

Open Forum – None

Mayor and Council Comments – Councilwoman Mayer stated that she would be out of town on the 6th of August.

Adjournment

Councilman Esplin moved to adjourn the meeting. The motion was seconded by Councilman Warnke. The voting was unanimous in favor of the motion.

The meeting adjourned about 7:25 pm.

Joe Cook, Mayor

Leon K. Jensen, City Clerk/Treasurer