

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

On the 6th of Aug 2012 the New Plymouth city council meeting was called to order at approximately 7:00 pm by Mayor Joe Cook. Roll call was taken with council members Warnke, York and Esplin in attendance. Councilwoman Mayer was out of town.

Staff members in attendance were Leon K. Jensen and Beth Ann Christensen and Beau Ziemer. Andy Gehrke from Holladay Engineering was present. Randy Frates was present as well as several scouts from Troops 385 and 386. Jennifer Johnson arrived after the start of the meeting.

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

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

Mfg Home Placement at 317 W Maple Street – The council discussed who is responsible for determining setback distances for construction. Councilman Esplin expressed his thoughts regarding whose responsibility it is. Councilman Warnke stated that all three areas of responsibility, building, public works and planning and zoning, should be better defined. Councilman York stated that the site plan which was provided with the building permit application did not match where the building was actually placed on the property. Following further discussion it was determined that the city needed to prepare a list of responsibilities for the building official, public works director and the planning and zoning administrator so that there is no confusion in the future about measuring setbacks and who is responsible for the measurement of set backs.

Randy Frates, owner of the property at 317 W Maple Street, stated that he did not see that there is a problem, but that in his opinion it is a perception issue. The question was asked by Councilman Warnke if there was a survey completed so that there was an actual point of reference when measuring setback distances. No survey was done. Mr. Frates stated that there is no requirement for a survey to be done. Mr. Frates stated that there is no exact point of reference to measure from for determining proper setback distance. It has been the practice in the past to measure from the center of the street, allowing for right of way and sidewalk distances to determine front setback distance. Mr. Warnke continued to request that a survey be done. Councilman York stated that once that is done, the end result will still be on how to correct the situation. Councilman Esplin urged that the city building official make the measurement and determine if the setback distance has been complied with. Mr. Ziemer gave some history of about how setback distances had been determined in the past. There have been changes over time till we reach where we are today. Mayor Cook asked Mr. Frates if he placed the home according to the site plan. He stated that he did. The council asked that staff, including the building official and the owner of the property measure the front setback distance to verify if the home is properly placed. .

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. Staff reported that Tim Folke, the city auditor, was contacted and that according to his experience he has never seen a contract for these types of actions. He stated that these types of actions are done through the minutes of the meetings where the actions were discussed. The council asked that staff provide them with several options of payment dates and payment amounts. **Councilman Esplin moved that city staff develop some options for payments back to the funds from which monies were borrowed and used for street improvements. The motion was seconded by Councilman York. The voting was unanimous in favor of the motion.**

City planning and zoning recommendation for Zoning Change – With regard to mobile homes and manufactured homes which are currently being used as a mobile home court setting but are zoned as Residential B Single Family Duplex, the city planning and zoning commission recommended to the council that the current zone and use remain the same. In the future, when the property changes hands or when the use changes then the zoning and use should be examined at that time. **Councilman Warnke moved that the city council accept the recommendation of the Planning and Zoning Commission. Councilman York seconded the motion. The voting was unanimous in favor of the motion.**

City Recommendation for a Conditional Use Permit in the city impact area – Jennifer Johnson has requested a Conditional Use Permit to extend a Non conforming use . She has requested a building permit for an outside access to her residence located at 4263 SW 2nd Ave in New Plymouth. **Councilman Esplin moved to approve the Johnson request. The motion was seconded by Councilman Warnke. The voting was unanimous in favor of the motion.**

Engineering Status Report – Andy Gehrke of Holladay Engineering presented his report. There were no questions by the council.

Ordinances and Resolutions – There were none for approval.

Open Forum – In attendance were members of Scout Troops 385 and 386. The scouts attended the meeting to fulfill a requirement for the Citizenship in the Community Merit Badge. One scout, Cameron White stated that he is a Life Scout and is working on requirements to become an Eagle Scout. Dennis Frates is working on the same merit badge and he is a First Class Scout. Dale Frates stated that he was working on his Second Class rank as well as Citizenship in the Community Merit Badge.

Mayor and Council Comments – Councilman Warnke commented on the new road in town and the chip and seal. He stated that the light posts which are now up are very nice. Councilman York asked that all go to the fair, eat and enjoy the evening. Councilman Esplin suggested that Beau get a card or forwarding system to use while he is on vacation or off duty.

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 8:00 pm.

Joe Cook, Mayor

Leon K. Jensen, City Clerk/Treasurer