

NEW PLYMOUTH CITY COUNCIL  
REGULAR MEETING MINUTES  
MONDAY  
October 21, 2024  
6:00 PM  
New Plymouth City Council Chambers  
215 N Plymouth Avenue

1. Meeting Called to Order at 6:00 PM

2. Pledge of Allegiance

Roll Call - Councilmember Martinez, Councilmember Davis, Councilmember Evans were in attendance, and Mayor Binggeli was present via phone. Councilmember Balcer was absent.

Staff in attendance: City Clerk Marianne Gatchell, Deputy Clerk Suzanna Evans, City Attorney Jill Holinka, City Superintendent Beau Ziemer, and City Engineer Andy Gehrke.

3. October 7<sup>th</sup>, 2024 City Council Minutes- (**Action Item**)  
**Councilmember Evans motioned to approve the October 7<sup>th</sup>, 2024, council minutes. Councilmember Martinez seconded the motion. All in favor. Motion carried.**

4. Approval of Payables- (**Action Item**)  
**Councilmember Evans motioned to approve the payables for \$134,273.76. Councilmember Davis seconded the motion. All In Favor- Motion Carried**

5. Mayor & Council Comments:  
Mayor Binggeli gave a status on the water wheels. She said that the State Highway District must approve the plans for the location first.

6. Citizen Comments: None

7. PUBLIC HEARING – (**Action Item**) Mayor Lisa Binggeli recuses herself from the public hearing and through item B. of New Business as she is personally involved in item 2. Public Hearing and item B. New Business. Councilmember Martinez takes over the meeting.

**Councilmember Davis made a motion to open the public hearing. Councilmember Evans seconded the motion. All in favor. Motion carried.**

Open Public Hearing 6:07 pm.

1. An application for Zoning classification of Residential B request by Jamie & Nissa Watts, for .39 acres of property with the property address of 401 E Idaho St, described as Tax 5, Blk 1 7 2 New Plymouth Original. The current zone is Residential A. The full legal description is available at New Plymouth City Hall.

Opening statement by applicant Jamie Watts 401 E Idaho St NP. He is asking for a rezone from A to B. He will then split the property so he can build a single-family home on the 2<sup>nd</sup> lot. Zone B has a smaller-lot requirement.

Public Testimony:

FOR: 0

NEUTRAL: 0

AGAINST: 0

Applicant closing testimony Jamie Watts 401 E Idaho St NP. Thanked the council for their time.

Discussion with council. Councilmember Martinez asked if there were any traffic concerns. Jamie Watts said there is an issue with speeding, but that is out of his control, but he would like it to be addressed. Beau said that is more of an enforcement issue. Watts said perhaps a more visible stop sign. Watts said he and his wife have developed other properties and have done a good job and the people around them have been happy with the finished project.

2. Preliminary Plat Application for Southwest Subdivision by Travis and Lisa Binggeli. The total site acreage is .997 with two residential lots. The property is zoned Residential B. The property is located at 427 SW Ave, described as Tax 9, Blk 7 New Plymouth Original. The full legal description is available at New Plymouth City Hall.

Opening Statement by Applicant Lisa Binggeli via phone. Clarification on property description, there is only 1 lot, not 2 residential lots. We are subdividing to create two residential lots. Lisa Binggeli said this property is close to an acre. The property is half acre of pasture on the west, and half acre on the east with a house, it butts up to the canal. They purchased the property to help an elderly ill client. The plan was to subdivide the property which is perfectly set up for an even split. The sidewalk in front of the Harvest Creek subdivision is just temporary and currently not fit for walking. By subdividing this property, it mandates curb, gutter and sidewalks. It will improve the empty pasture that is just weeds. The sidewalk in front of this property will then meet the sidewalks the city is doing with the pathway project. When it is all done it will pretty much complete that whole area with sidewalks.

Public Testimony:

FOR: 0

NEUTRAL: 0

AGAINST: Virginia Barton 205 W Canal St NP. She is just repeating her concerns at the P&Z meeting. This property is sitting on a blind corner, which loses part of the view of traffic patterns. She has concerns about this becoming even more dangerous with multiple driveways.

Questions from the council regarding the issues with a duplex being built on the property. Can we say they can only build a single-family home. Discussion of a possible development agreement.

Applicant closing testimony Lisa Binggeli. When the property owner completes a building permit for the property it comes with egress and ingress codes that must be met. The speeding around that corner is a concern, but that isn't an issue she can control. She does believe that by developing the pasture area and completing the sidewalks it would help slow down speeding. The city can't discriminate about what might be built on the new lot, if it meets the code it is zoned for. She would prefer it to be a single-family home, but she can't control what is built there.

**Councilmember Davys made a motion to close the public hearing.**  
**Councilmember Evans seconded the motion. All in favor. Motion carried.**  
Close Public Hearing 6:34 pm

8. New Business

- a. An application for Zoning classification of Residential B request by Jamie & Nissa Watts, for .39 acres of property with the property address of 401 E Idaho St, described as Tax 5, Blk 1 7 2 New Plymouth Original. The current zone is Residential A. The full legal description is available at New Plymouth City Hall – **(Action Item)**  
Councilmember Martinez said that P&Z has sent over a favorable recommendation for this item. Councilmember Evans has no issues with this item. Councilmember Davis said that it was not a unanimous vote.  
**Councilmember Evans made a motion to approve the application for Zoning classification of Residential B by Jamie & Nissa Watts for 401 E Idaho St. Councilmember Martinez seconded the motion. Councilmember Martinez, yes. Councilmember Davis, no. Councilmember Evans, yes. Motion carried.**
- b. Preliminary Plat Application for Southwest Subdivision by Travis and Lisa Binggeli. The total site acreage is .997 with two residential lots. The property is zoned Residential B. The property is located at 427 SW Ave, described as Tax 9, Blk 7 New Plymouth Original. The full legal description is available at New Plymouth City Hall. -- **(Action Item)**  
Discussion with council. Councilmember Martinez tends to agree with Lisa that with building up that property it would help slow down traffic in that area. He feels that with the school being in that area it shouldn't be an issue because the school zone speed limit slows down there anyway.  
**Councilmember Evans made a motion to approve the Preliminary Plat Application for Southwest Subdivision. Councilmember Martinez seconded the motion. Councilmember Martinez, yes. Councilmember Davis, no. Councilmember Evans, yes. Motion denied for lack of majority vote of the full council. New Plymouth City Code 12-3-3 (G)(3).**
- c. Professional Services Agreement-Presentation by Bristlecone Land Use LLC- Elizabeth Allen- Comp Plan **(Action Item)**  
Elizabeth Allen 1330 Williams Lane Nampa ID 83666 from Bristlecone Land Use introduced herself to the council and explained what services she will provide to the city. She worked as a senior planner with the city of Caldwell. Before that she was a long-range planning division manager at Canyon County. She has worked on a variety of comprehensive plans including City of Hayden. She has a master's degree in planning. She will start with a project kick-off, where she meets with staff, council and commissioners. She will outline the project responsibilities and timeline. Then identify if a citizen advisory committee or a planning work group would be desired. At this time, we develop branding, which helps reach out to the public. Then a plan audit with staff and commission as needed. At this same time we would start doing public outreach. Perhaps holding a public meeting to decide what the public want to see for the future of the city. This is usually done at the same time as the plan audit. Which is creating a vision for what the city will look like in 20 years. Then we start drafting the plan based off the outreach that has been done. Then another round of public outreach to make sure that the public is pleased with the outcome. After that it would go through the adoption with a public hearing with planning and zoning that makes a

recommendation to city council. Then city council will hold a public hearing where they would adopt the plan. Mayor Binggeli asked about the cost. There is a PSA which sets an hourly fee. For the full cost we will sit down with staff, to determine that. She approximates it will take about 200 hours to do the update, with an \$80 dollar per hour fee. Approximately about \$16,000. The framework has been done by the planning and zoning commission already. Mayor Binggeli wants to make sure we don't just regurgitate that same plan. This is accounted for in the cost projection, making sure we take a full look at the current plan and make the changes necessary. This will be a full update to the comp plan. The only thing is doesn't account for is a map for future land use. We will need to leave some room in the budget for a clean nice future land use map. The comp plan is usually a 20-year comp plan. Which needs to be looked at every 5 years to make sure it still works for the city.

**Councilmember Davis motioned to accept the Professional Service Agreement with Bristlecone Land Use LLC and allow the mayor to sign. Councilmember Martinez seconded the motion. All in favor. Motion carried.**

- d. Resolution No. 2024-06 – A RESOLUTION OF THE CITY OF NEW PLYMOUTH RE-ADOPTING RESOLUTION NO. 2023-02 PROVIDING FOR ADJUSTMENT OF WATER AND SEWER FEE RATES; DECLARING ANY RESOLUTIONS, ORDERS, OR PARTS THEREOF IN CONFLICT ARE HEREBY REPEALED, RESCINDED, AND ANNULLED; AND SETTING AN EFFECTIVE DATE (**Action Item**) City Clerk Marianne Gatchell explained to the council that is a resolution that was approved in 2023 for our city water & sewer 3% rate increase. These increases were never actually increased in our billing system. These new rates will be effective on the first water usage bill for the fiscal year. Our city attorney Jill Holinka advised us this is the way to do this legally. We won't be raising our rates again this year. There is a notice that went out on last month's bill and again on this next bill as well as on the website stating the increase.

**Councilmember Davis made a motion to approve Resolution 2024-06.**

**Councilmember Evans seconded the motion. All in favor. Motion carried.**

- e. City of New Plymouth, Idaho Ordinance No. 428 AN ORDINANCE OF THE CITY OF NEW PLYMOUTH, IDAHO AMENDING TITLES 6-2-1 (DEFINITIONS), 6-2-2 (CANINE LICNESE REQUIRED), 6-2-4 (A) (APPLICATION FOR LICENSE AND LICENNSING FEES), 6-2-6 (DOGS RUNNING AT LARGE PROHIBTED), 6-2-7 (ANIMALS, POULTRY AND FOWL RUNNING AT LARGE), 6-2-8 (COMMERCIAL KENNELS PROHIBITED). 6-2-13 (NUISANCES), 6-2-17 (RECOVERY OF IMPOUNDED ANIMALS), 6-2-18 ( LICENSED DOGS IMPOUNDED), 6-2-19 (UNLICENSED DOGS IMPOUNDED) AND 6-2-21 (FREEING OF IMPOUNDED ANIMALS PROHIBITED) 6-2-23 (VICIOUS ANIMALS DESTRUCTION, REMOVAL FROM CITY, FINES AND FEES), OF THE MUNICIPAL CODE OF THE CITY OF NEW PLYMOUTH RELATING TO ANIMAL CONTROL; REPEALING AND REPLACING TITLES 6-2-9 (RABIES, DISEASES AND QUARANTINE), 6-2-15 (IMPOUNDING), OF THE MUNICIPAL CODE OF THE CITY OF NEW PLYMOUTH RELATING TO ANIMAL CONTROL; AND ADDING NEW SECTIONS 6-2-34 ( KEEPING OF LIVESTOCK, POULTRY AND OTHER LARGE AND SMALL ANIMALS), 6-2-35 (VIOLATION AND PENATLY), AND 6-2-36 (UNIFORM SUMMONS; FEE AND FINE SCHEDULE) TO TITLE 6 OF THE MUNICIPAL CODE OF THE CITY OF NEW PLYMOUTH RELATING TO ANIMAL CONTROL; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE;

AUTHORIZING PUBLICATION BY SUMMARY; AND PROVIDING AN EFFECTIVE DATE (**Action Item**) City Attorney Jill Holinka said everything in yellow is new or changed. After going back through the draft there were some inconsistencies. Those have been corrected in this version. This new draft addressed the issues with the impounding of animals and the ability to adopt or euthanize animals. Jill would recommend that we have this come back one more time so she can make the changes that have been discussed.

**Councilmember Davis made a motion to table this item until the next meeting. Councilmember Martinez seconded the motion. All in favor. Motion carried.**

9. Department Reports

- a. Library Report: Melanie shared that the conference she attended last month was wonderful. Lots of learning and meeting with other librarians from all over. She said the youth of the city are using the public space at the library, which is good. A lot of people are using the Libby online reading program. Councilmember Martinez is thankful the library is making positive changes. Mayor Binggeli appreciated the report on the conference and the time Melanie takes to attend.
- b. Public Works Report- Beau said they've been busy watch-dogging the new subdivision. Both he and Jeremy attended IRWA conference this past month. The sewer lining is almost done. Systems went down due to a cell service issue but it was resolved. Beau asked Councilmember Davis about using the highway districts traffic tubes for Pleasant St.

Adjournment

Meeting adjourned at 7:30 PM

**Motion to adjourn by Councilmember Davis, seconded by Councilmember Evans.  
All In Favor- Motion Carried**

Approve:

Attest:

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Lisa Binggeli, Mayor

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Marianne Gatchell, City Clerk