

NEW PLYMOUTH CITY COUNCIL  
REGULAR MEETING MINUTES  
TUESDAY  
September 3, 2024  
6:00 PM  
New Plymouth City Council Chambers  
215 N Plymouth Avenue

1. Eileen Balcer- Called Meeting to Order at 6:00 PM

2. Pledge of Allegiance

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

Staff in attendance: City Clerk Marianne Gatchell, Public Works Superintendent Beau Ziemer, City Attorney Jill Holinka, and City Engineer Andy Gehrke

3. August 19, 2024 City Council Minutes- **(Action Item)**  
**Motion to approve by Councilmember Martinez, seconded by Councilmember Davis. All In Favor- Motion Carried**

4. May 20, 2024 Amended City Council Minutes- **(Action Item)**  
**Motion to approve by Councilmember Balcer, seconded by Councilmember Evans. All In Favor- Motion carried.**

5. Approval of Payables- **(Action Item)**  
**Councilmember Evans motioned to approve the payables for accounting period 8/24 in the total of \$179, 847.55, seconded by Councilmember Martinez. All In Favor- Motion Carried**

6. New Business

a. Amendment to Lease Agreement 213 N Plymouth Ave for Pet Allowance/Pet Deposit **(ACTION ITEM)**  
**Motion to approve the Pet Allowance and set the Pet Deposit for \$100.00 and allow the mayor to sign by Councilmember Martinez, seconded by Councilmember Davis. All in Favor-Motion carried.**

b. Harvest Creek Subdivision Final Plat and Approval of Construction Plans- **(Action Item)** Darin Taylor, representative of the developer & construction owner addressed the council with the proposed Harvest Creek Subdivision Final Plat and Construction Plans. He let the council know that all the review items made by City Engineer Andy Gehrke have been addressed. Andy Gehrke has included an approval letter for the final plat and construction plans. In Phase 2 the issues that came about in Phase 1 have been addressed and remedied, including the drainage issues. Darin has asked that any complaints be directed to him.

**Motion to approve the Harvest Creek Subdivision Final Plat and Construction Plans by Councilmember Martinez, seconded by Councilmember Davis. All in Favor- Motion carried.**

- c. Pond No. 4 Lining Project- Contractor Payment Application #5 and DEQ ARPA Reimbursement Request #5AP- **(Action Item)** Andy Gehrke said this is a Reimbursement from DEQ for \$129,200.00. They are 59% complete with work, and on track to finish in the next couple weeks.  
**Motion to Approve the Pond No. 4 Pond Lining Project- Contractor Payment Application #5 and DEQ ARPA Reimbursement Request #5AP by Councilmember Balcer, seconded by Councilmember Evans. All in Favor. Motion carried.**
- d. Resolution #2024-2- Reserving Forgone Amount- **(Action Item)**  
**Motion to Approve Resolution 2024-2 – Reserving Forgone Amount by Councilmember Davis, seconded by Councilmember Balcer. All In Favor- Motion Carried.**
- e. Resolution #2024-03-Pay Certain Vendors- **(Action Item)** City Clerk Marianne Gatchell explained the resolution to the council. This will allow certain bills to be paid before they are approved by the council. This will ensure the city doesn't receive late fees. These bills will still be included in the following city council payables for approval.  
**Motion to Approve Resolution #2024-03- Pay Certain Vendors by Councilmember Balcer, seconded by Councilmember Martinez. All in Favor- Motion carried.**
- f. Animal Ordinance & Removal of 3-Year Animal License- **(Action Item)** City Clerk Marianne Gatchell explained to the council that our ordinance officer has asked for help with the animal ordinance. Having no limits on the number of animals you can have in city limits makes it very difficult for her to do her job. Officer Dawn Fox has provided the city with City of Caldwell's Animal Ordinance to use as an example. The council has asked that we table this item until the next meeting to allow for public comment. It is also being asked that we do away with the 3-Year Dog Tag as it makes it very difficult to keep track of expirations of those tags. Having only a 1-year tag will make the process smoother and more accurate. This item will be tabled with the Animal Ordinance until the next meeting.  
**Motion to table Animal Ordinance & Removal of 3-Year Animal License until the next meeting to allow for public comment by Councilmember Balcer, seconded by Councilmember Evans. All in Favor, Motion carried.**
- g. Alive After 5 Special Events Permit- 9/25/24-Kiwanis- **(Action Item)**  
**Motion to Approve the Alive After 5 Special Events Permit 9-25-24 by Councilmember Martinez, seconded by Councilmember Davis. All in Favor, Motion carried.**
- h. City of New Plymouth and New Plymouth Fire Protection District Intergovernmental Agreement Resolution No. 2024-04. To authorize the Mayor and City Clerk, as agents of this City, to execute the City of New Plymouth and New Plymouth Fire Protection District Intergovernmental Agreement and Joint Powers Agreement for the by and between City of New Plymouth and New Plymouth Fire Protection District.– **(Action**

**Item)** Bill William F. Gigray III at 5700 E Franklin Rd Nampa ID. attorney for the N.P. Fire Protection District, joined the meeting via phone. Mr. Gigray spoke to the council about the Intergovernmental Agreement Resolution #2024-04 and Joint Powers Agreement between the City of New Plymouth and New Plymouth Fire Protection District. This is the next step in the process of Impact Fee's that the city will be collecting on new building permits that will be set aside for the New Plymouth Fire Protection District. There will be additional steps that will be taken to work toward completing this process. Once this is approved there will be a public hearing to amend the existing Comp Plan. As well as a public hearing for the impact fee ordinance.

**Motion to Approve Resolution #2024-04 and authorize the mayor to sign and execute by Councilmember Balcer, seconded by Councilmember Davis. All in Favor- Motion carried.**

7. Department Reports

- a. Public Works Report: No Comment
- b. Engineering Status Report: New items are highlighted. We've got funding for the pathway, currently working on design.

8. Council Comments

Councilman Martinez asked what we do with patrons sharing their concerns to us as councilmembers. Such as the 5-way intersection being very dangerous. The suggestion of placing reflective mirrors on the big trees for better vision for drivers has been shared. These suggestions, comments and concerns should be addressed to the city clerk, and she will forward them on to the appropriate departments/people.

9. Adjournment

Meeting adjourned at 7:18PM

**Motion to adjourn by Councilmember Davis, seconded by Councilmember Evans.**

**All In Favor- Motion Carried**

Approve:

Attest:

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Eileen Balcer, Council President

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Marianne Gatchell, City Clerk