

**MINUTES  
PAYETTE CITY COUNCIL  
Special Meeting  
January 13, 2014**

**5:00 PM – Regular Meeting**

A special meeting of the Payette City Council was called to order at 5:05PM by Mayor Jeff Williams in the City Council Chambers of Payette City Hall, 700 Center Avenue.

**ROLL CALL**

Members Present: Mayor Jeff Williams, Mark Heleker, Nancy Dale, Jeff Sands, Ray Wickersham and Lee Nelson

Members Absent: Craig Jensen

Staff Present: Mary Cordova, City Administrator; and Bobbie Black, Deputy City Clerk

**NEW BUSINESS**

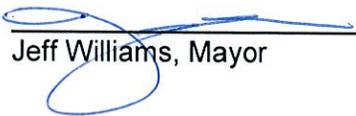
- A. Council Orientation – No action taken on this item
- B. Gas & Oil Discussion: The Council discussed what AM Idaho, LLC say they want to do, within the City limits and City right of ways. They will use vibrator trucks with 3-D imaging. They would mark with flags on them where the trucks will do the testing. The Council was shown a map that they provided to us. They listen to the vibrations coming from the ground. Some places they set off a charge in the ground. The company has to have a state permit in order to operate. The state has set limits on how close charges can be set off next to houses. Our proposed ordinance does not address this. There are 4-5 trucks at one time that stop and set off a charge that is not quiet. It has been discovered that if they set one off at Seneca, you would be able to hear or feel it at City Hall. Every 8 seconds a charge goes off. Ms. Cordova's concerns are that the City has a lot of expensive infrastructure. There have been incidents where homeowners claim that wells and foundations have been cracked during the process. They are coming to the City because they want to use some of property for testing purposes. At the moment they have no city license or peddler's license. We have a lot of transite line from the water tower on Clay Peak that goes to clear down to Iowa. They have presented two different leases for City property. One includes the airport and golf course and the other is by the Greenway. The Council asked if excluding city property are they going and getting permission from other residents. Yes they are. We don't have to give them permission. The Council doubted the vibration is held to a city lot. AM Idaho is not the only player, there are several companies out there doing this. The Council should consider that the permit is non-transferrable; we should be able to negotiate with any company. The leases also state mineral interest, and they only need the surface. Nothing says that we have to give exclusive permission and the permit should cease at the end of their operations. Mayor Williams asked if we want to stop them from doing this, as it could be potentially great rewards for the City. The Council discussed if they do something to our streets or a water line breaks, residents will come after us. They realize that the sewer plant is a very valuable asset to us. At the shooting range, there is no infrastructure out there. They also would be in the City right of way. The greatest majority of other towns do not let them in right of ways. The state has negotiated along the greenway to only allow foot traffic. The Council can set stipulations. We also have control of where they go in and out of. The sewer plant is a secured area and we might need a security guard. Council Wickersham asked if we don't let them are we going to lose anything. Are we degrading their results by not letting them in? They have to get a state permit to do anything. As a City we can also require them to get a permit. There are two different issues – actually city property we own and city right of way. The Council discussed that we need to hold a public hearing on City property and right of way. The company did advertise a notice to the public in the Statesman. The Company has no permit to go door to door yet. Payette County only requires a license. Councilor Dale's concern is an elderly person we needs the income. They might do for that reason. The City of

New Plymouth set parameters. We are one of the last ones that they have come to. We don't know what Fruitland did. We can negotiate more per acre if Council chooses to do this. Councilor Heleker stated we have always held a firm line on allowing people to make money, but once we make a mistake you can't go back. The Council does not want to see it come into City with too many questions not answered. We need to look at track records for the companies. The Council needs to listen to what he has to say, but we also need input from the citizens on what they want. The City owns all their mineral rights except on golf course. The Council was provided several articles to read. There are options if the Council does decide they want to do this. Ms. Cordova is working on different lease to present to them if Council chooses. Our property and right of way are two different things. If we do decide we want to allow, why would we do it without hearing all our options from other companies. Alta Mesa has hired them to do the studies. 3-D is the rage right now. It is appropriate to voice our concerns about parking in the road ways. They will show a map where they would like to conduct operations. Once they start they can say we allowed them to do it. The Council discussed that we have to let people make their own decision on what happens on their property.

A motion was made by Heleker and seconded by Wickersham to adjourn the regular meeting at 6:05PM

The motion CARRIED.

Signed this 23 day of January, 2014.

  
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Jeff Williams, Mayor

ATTEST:

  
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Bobbie Black, Deputy City Clerk