

**MINUTES  
PAYETTE CITY COUNCIL  
Public Hearing & Special Meeting  
April 9<sup>th</sup>, 2012**

**6:00 PM – Public Hearing**

A. Proposed Gas & Oil Ordinance

Mary Cordova gave a power point presentation of natural gas development and land use and regulations in the state of Idaho. Idaho Code 47-317(3), a new section of Idaho code, states local governments can only pass regulations that pertain to the Idaho Code 67 and do not impose any operational conflict.

Councilor Sands asked if the attorney general can review the ordinance the City drafts for oil and gas development and comment on any conflicts with state law. Attorney Osborn said yes, but they also represent the oil and gas commission and judges are the determining body, not the attorney general. John McPherson from Boise working in South Dakota, asked why can't we have the oil companies fix roads? Eastern Idaho will be next. What are the rules and where can someone get a copy of the rules? Mary said each state has different laws. Mr. McPherson said when Stark's Dairy was here the natural gas killed the cows. Is there a way the gas can leak out of the ground during an earthquake? Has the water around here been tested? Before the drilling was conducted or if there was any change? Mary stated water has been tested over the years and if drilling happens in the delineation zones we can request testing before and after drilling. Issues to consider when drafting our ordinance include roads and bonding, water, infrastructure, housing, schools, economic development, environmental impacts, cultural change, health and safety concerns. There are local government impacts – losing employees, increase hours and hiring of additional employees for building, coding or zoning issues, higher public safety costs, and demand for health and education services, local resources. Mary said we need to update our comprehensive plan and we need to plan for this type of industry. Road bonding – weight limits – capital budgeting – natural gas task force? We have to follow the local Land Use Planning Act and cannot prohibit unpopular use. Zoning protects all property values by providing a clear set of rules regarding allowable uses, by right, special exception or conditional use. ILUPA requires land use controls to be consistent with and not exceed the provisions of the Oil and Gas Act. To assist cities and counties the local government associations are working on developing a model zoning ordinance with commonsense regulations. Be educated about natural gas development – what is the process, etc so we can ask answer to your constituents. Do we want to be reactive or proactive to the oil and gas issues? Councilor Sands said the odds of drilling in the City are not great, but the roads, schools, etc. will be impacted greatly. Mary said the industry and the local governments are talking and working together. Local government has different interests than the gas and oil companies, but if everyone uses common sense things will work out for all parties. Council Jensen said the major concern is roads and asked how much truck traffic will there actually be once a well is up and running. Mary said it depends on how the operation is established. There could be tanks, etc. The City needs to make sure our ordinance is in line with state code and protects the city and its residents.

The public hearing closed at 7:10 pm.

**Special Meeting**

A regular meeting of the Payette City Council was called to order at 7:00 PM by Mayor Williams in the City Council Chambers of Payette City Hall, 700 Center Avenue.

**ROLL CALL**

Members Present: Mayor Jeff Williams, Ivan Mussell, Georgia Hanigan, Jeff Sands, Lee Nelson and Craig Jensen

Members Absent: Mark Heleker

Staff Present: Mary Cordova, City Coordinator; Bert Osborn, City Attorney; and Jennifer Kelley, HR.

**NEW BUSINESS**

- A. Change Order #12 – Iowa Avenue Project
- B. Change Order #13 – Iowa Avenue Project
- C. Change Order #14 – Iowa Avenue Project

A motion was made by Sands and seconded by Mussell to approve change orders #12, #13, #14 for the Iowa Avenue Project.

After a unanimous voice vote the motion CARRIED.

- D. Special Events Permit – Azteca League

A motion was made by Hanigan and seconded by Jensen to approve the Special Events Permit for the Azteca League to use the Gateway Park this summer.

After a unanimous voice vote the motion CARRIED.

**MAYOR'S COMMENTS**

The Mayor asked if the Council is interested in participating in the clean-up afternoon, like the City did last year before Apple Blossom.

**CITIZEN'S COMMENTS**

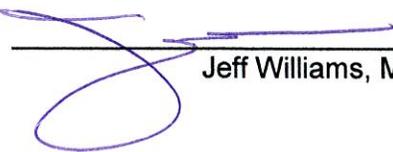
None.

**ADJOURNMENT**

A motion was made by Mussell and seconded by Jensen to adjourn the regular meeting at 7:25 PM.

The motion CARRIED.

Signed this 17 day of April, 2012.

  
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 Jeff Williams, Mayor

ATTEST:

  
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 Mary Cordova, City Clerk