

CITY OF POCA TELLO, IDAHO  
CITY COUNCIL STUDY SESSION  
MAY 12, 2016

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AGENDA ITEM NO. 1: Council President Steve Brown called the City Council Study  
ROLL CALL Session to order at 9:03 a.m. Council members present were  
Roger Bray, Gary Moore, and Michael L. Orr. Council member  
Jim Johnston was excused. Mayor Brian Blad arrived at 9:08 a.m.

Mr. Brown announced that Agenda Item No. 5 would be heard at this time.

AGENDA ITEM NO. 5: Sharee Sprague, Power County Clerk, (mailing address: 543  
POWER COUNTY HIGHWAY Bannock Avenue, American Falls, ID 83211) presented  
DISTRICT APPORTIONMENT information to Council regarding the Power County Highway  
CORRECTION FOR District apportionment correction for Fiscal Year 2015 and  
FISCAL YEAR 2015 AND partial Fiscal Year 2016.  
PARTIAL YEAR 2016

Ms. Sprague distributed information to the Council regarding the assessed and collected funds for Power County. She explained how the discrepancy in the Highway Apportionment occurred. The State of Idaho Tax Commission has changed the format and the computer software calculated the information incorrectly per County. Ms. Sprague reported as a result of the error, the Highway District owes the City of Pocatello \$6,607.70. She noted the apportionment should be calculated correctly from this point forward.

Mayor Blad joined the meeting at 9:08 a.m., at which time Council President Brown turned the chair of the meeting over to Mayor Blad.

AGENDA ITEM NO. 2: Brad Hall, Chair Person from the Japanese Sister Cities  
JAPANESE SISTER CITIES Subcommittee discussed the Subcommittee's goals and projects,  
SUBCOMMITTEE UPDATE as well as Council's policies and expectations.

Mr. Hall gave an update on recent activities of the subcommittee. He explained 11 representatives of the Youth Delegation are scheduled to travel to Iwamizawa Japan in July 2016. The Delegation has participated in various fundraising efforts. Mr. Hall shared the positive experiences of past delegations participating in the program.

Council expressed their appreciation and benefits of the program. It was mentioned several long-term friendships have been made while participating in the program.

Mr. Hall encouraged Council to let individuals know they do not need to have a background or connections with the Japanese culture to apply to be on the Committee.

AGENDA ITEM NO. 3: Jenni Berg, Lucas Berg and Brandi Zahn were joined by John  
NOP PARK/WATKINS Banks, Parks and Recreation Director, to present a proposal  
SOFTBALL COMPLEX requesting permission to implement three projects at the NOP  
30<sup>TH</sup> ANNIVERSARY Park-Watkins Softball Complex in recognition and celebration of  
CELEBRATION PROJECTS the rich history associated with the facility, and in conjunction  
with a scheduled 30<sup>th</sup> Anniversary Celebration Tournament on  
June 25, 2016.

Ms. Bert explained she and Lucas are the children of Gary Berg who was involved in the creation of NOP Park for softball events. The Bergs would like to recognize the 30 year anniversary of the creation of the Park and gave a brief history of the Park.

Mr. Berg reviewed the following three projects for the celebration event:

- 1) Fabricate and install a "Tribute to the Park" wall/graphic, to be mounted on the south wall of the current Blue field scorekeeper/restroom building. The image on the graphic would be an aerial view of the park in grey scale, which would be touched up to look like 1986, with the story of how the park came to be written over the top of the picture.
- 2) Fabricate and install an 18 inch baseball shaped sign on the left-center field fence of the current Red field. The sign would commemorate the first every home run in the NOP Park Watkins Softball Complex.
- 3) Dedicate the current Blue field to Mr. Charlie Perkins. Mr. Perkins was one of the original founding members of the Pocatello Slowpitch Softball Association. A 12 inch by 24 inch sign would have – Charles Edwin Perkins VI Memorial Field Founding Member of Pocatello Slowpitch Softball Association.

Ms. Zahn explained she is the daughter of Charlie Perkins and gave a brief history of the work her father performed on the Park.

Mr. Banks noted that all three of the projects, as well as maintenance of the improvements, will be paid for with private funding, and at no cost to the City.

Mr. Bray would like City staff to research if the Navy may be interested in leasing or donating the NOP Park land to the City.

A majority of the Council was supportive of the 30 Year Celebration projects as outlined.

AGENDA ITEM NO. 4: WIRELESS COMMUNICATION FACILITY ORDINANCE AMENDMENTS	Matthew Lewis, Planning Manager, was present to provide a synopsis concerning amendments to Municipal Code Section 15.42, Wireless Telecommunication Towers and Facilities. Many of which are based upon federal legislation better known as the Spectrum Act.
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Mr. Lewis explained Wireless Communication Facilities (WCF) are regulated by federal, state and local laws. Federal law significantly limits the City's ability to regulate WCFs. Under federal law, a local agency's decision cannot prohibit the provision of wireless service or unreasonably discriminate among wireless service providers. Additionally, based on the Telecommunications Act of 1996, the City may not regulate the placement, construction or modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency (RF) emissions, so long as facilities comply with the Federal Communication Commissions (FCC) regulations concerning such emissions.

Mr. Lewis reviewed the Spectrum Act. – The latest law governing WCF's was adopted in 2012 as part of the 2012 Middle Class Tax Act. Said federal legislation contained Section 6409, better known as the Spectrum Act, and codified at 47 U.S.C 1455. The Spectrum Act was intended to facilitate the telecommunication industry's rapid deployment of wireless infrastructure by requiring

local governments to approve any application that seeks to modify an existing wireless telecommunication facility that does not substantially alter the existing facility.

Three categories permit/applications Type 1, Type 2, and Type 3 were reviewed. A major amendment being proposed from the current ordinance can be found under Section 15.42.090 Zoning District and Land Use. The change moves from priority order as outlined in the existing ordinance to Uses Permitted = P; Conditional Use Permit = C; Restricted = R; and Not Permitted = N.

Mr. Lewis noted that staff has spent numerous hours researching and obtaining input from a committee in preparation of an ordinance.

In response to questions from Council, Mr. Lewis explained the Spectrum Act did not take away a city's full authority of regulating cell towers. New towers are still regulated by cities. However, once the tower is in place, additions to the tower must meet federal regulations and there is less input allowed by City staff.

Mr. Lewis noted that a public hearing will be scheduled to receive public comment regarding the proposed amendments.

Mayor Blad adjourned the meeting at 9:37 a.m.

APPROVED:

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BRIAN C. BLAD, MAYOR

PREPARED AND ATTEST:

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RUTH E. WHITWORTH, CMC, CITY CLERK