COMMON COUNCIL OF THE TOWN OF PAYSON
MINUTES OF THE REGULAR MEETING
May 24, 2006

CALL TO ORDER

Mayor Barbara Brewer called the meeting to order at approximately 6:00 p.m. in the Town Hall Council Chambers, 303 North Beeline Highway, Payson, Arizona.

INVOCATION

Charles Proudfoot, Pastor, Community Presbyterian Church

PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor Barbara Brewer, Vice-Mayor Judy Buettner, Council Member Tim Fruth, Council Member John Wilson, Council Member Andy Romance, Council Member, Robert Henley, Council Member, Dick Reese

STAFF PRESENT: Fred Carpenter, Town Manager, Sam Streichman, Town Attorney, Silvia Smith, Town Clerk, Glenn Smith, Chief Fiscal Officer, LaRon Garrett, Public Works Engineer, Gordon Gartner, Police Chief, Jerry Owen, Community Development Director, William Schwind, Parks and Recreation Director

Others Present: Tracie Bailey, Deputy Town Clerk, The Honorable Dorothy Little, Tim Wright, Deputy Town Attorney, Diane Stoyer, Legal Department Office Manager, Carol McCauley, Main Street/Redevelopment Area Manager, Ray Erlandsen, Zoning Administrator, and Bethany Beck, Housing Program Manager

Council Member Henley gave his farewell comments. He believed he has delivered on his commitment. He congratulated the new Mayor and Council and thanked Payson for the opportunity to serve the community.

Council Member Reese gave farewell comments and thanked his wife for her support. He wished the public well and gave his best wishes to the incoming Council Members.

Vice-Mayor Buettner gave her farewell comments. She felt she has learned a great deal about Town aspects. She thanked Staff for all of their help and thanked everyone for letting her serve Payson. She wished the new Council the best.

Mayor Brewer gave her farewell comments. The Mayor thanked her husband for his support. She felt her ten years on the Council had been very successful. She listed her accomplishments and thanked everyone who had worked for the Town for their support. She thanked those who supported her in her campaign and congratulated the new Council Members.

SPECIAL CEREMONIES:

The Honorable Dorothy Little administered the Oath of Office to Bob Edwards.

The Honorable Dorothy Little administered the Oath of Office to Ed Blair, Susan Connell and Mike Vogel.

The new Mayor and Council Members took their seats on the Dais.
Mayor Bob Edwards joined the meeting; Vice-Mayor Tim Fruth joined the meeting; Council Member Ed Blair joined the meeting; Council Member Susan "Su" Connell joined the meeting; Council Member Mike Vogel joined the meeting at 6:18 p.m.

Mayor Edwards nominated Council Member Fruth for Vice-Mayor. Council Member Vogel seconded the nomination. There were no other nominations. The Mayor called for the vote. Vote carried, 7-0.

Council Member Susan "Su" Connell discussed her goals for her term in office.

Council Member Ed Blair expressed his goals for his term in office.

Council Member Vogel discussed his goals for his term in office.

Mayor Edwards expressed his goals for his term as Mayor.

Mayor Edwards stated he would like the Council to address sections A, B, C, D, E, and F of the Agenda in their entirety and Items G.3, G.4, and Items I.1, I.2, I.6, and I.7.

Motion: Approve to address sections A, B, C, D, E, and F of the Agenda in entirety and Items G.3, G.4, and Items I.1, I.2, I.6, and I.7 of the Agenda
Moved by Council Member Mike Vogel, seconded by Council Member Ed Blair.
Vote: Motion carried 5-2.
Yes: Council Member John Wilson; Mayor Bob Edwards; Council Member Ed Blair; Council Member Susan Connell; Council Member Mike Vogel
No: Council Member Tim Fruth; Council Member Andy Romance

A. PUBLIC COMMENTS

Jon Barber congratulated the new Council Members. Mr. Barber expressed his concerns regarding open space. Mr. Barber believed the Unified Development Code intended to set guidelines for what a development should look like and preserve vegetation and not be open to the public.

Don Meloche referred to the 2006 Water Status Report, which indicated well depth. Mr. Meloche believed there was a 30-foot error in the MW2 well. Mr. Meloche believed eight wells were down 119 feet from 2002 to 2006 and he felt wells were still going down while demand has increased.

Thomas Connelly, from the law firm representing Payson Terra 40, felt Mayor Edwards had a conflict of interest regarding the Forest Edge project. Mr. Connelly delivered a letter to the Mayor. He stated that the contents of the letter was a notice of conflict of interest the Mayor has with the Forest Edge project. Mr. Connelly asked that the Mayor and Council clarify action taken on this item and that a poll be taken of the Council.

Sam Streichman, Town Attorney, advised the Mayor not to respond.

B. CONSENT AGENDA

Items listed on the agenda with an asterisk are considered to be routine in nature and will be enacted by one motion.

Motion: Approve all Items on the Consent Agenda.

Moved by Council Member Tim Fruth, seconded by Council Member John Wilson.
Vote: Motion carried by unanimous rollcall vote.
Yes: Council Member Tim Fruth; Council Member John Wilson; Council Member Andy Romance; Mayor Bob Edwards; Council Member Ed Blair; Council Member Susan Connell; Council Member Mike Vogel

C. CURRENT EVENTS PRESENTATION BY THE TOWN MANAGER, MAYOR, AND/OR COUNCIL MEMBER

Fred Carpenter, Town Manager announced that the McLane Road project would take several months to complete. The Westerly Road project should be complete by June.

Mayor Edwards asked the members of the Star Valley Council who were in attendance to stand and be recognized.

D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS

Council Member Fruth thanked the outgoing Council for all of their hard work and congratulated the incoming Council.

Proclamation. Council Member Vogel read into the record a Proclamation declaring Sunday, May 28 and Monday, May 29, 2006, Memorial Day as **Days to Remember and Honor Our Veterans**. Kathy Siler, Payson Patriots Committee, was present to accept the Proclamation.

Proclamation. Council Member Fruth read into the record a Proclamation declaring May 25, 2006, as **Payson Longhorn Boys Track Team Day**. Assistant Coach Kenny Hayes and members of the Horns Team were present to accept the proclamation.

E. MINUTES

Council Meeting Minutes:
02-02-06 Special Meeting Pages 1-2
05-04-06 Special Meeting Pages 1-3
05-11-06 Regular Meeting Pages 1-7
CONSENT APPROVED

Planning and Zoning Commission Minutes:
04-10-06 Regular Meeting Pages 1-8
CONSENT APPROVED

F. HEARINGS AND APPEALS

There were no items for this section.

G. RESOLUTIONS AND ORDINANCES

As Council, staff, and the audience have the titles to all resolutions and ordinances, authorization to forego verbal title readings.
CONSENT APPROVED

Resolution No. 2181. Council approved, on the Consent Agenda, Resolution No. 2181, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING REVISIONS TO THE TOWN OF PAYSON HOUSING REHABILITATION GUIDELINES.
CONSENT APPROVED

Resolution No. 2182. Mayor Edwards opened discussion/possible action concerning Resolution No. 2182, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND ENTITLED "THE 2006 AMENDMENTS TO THE TAX CODE OF THE TOWN OF PAYSON", AND DECLARING AN EMERGENCY.

Motion: Approve Resolution No. 2182, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND ENTITLED "THE 2006 AMENDMENTS TO THE TAX CODE OF THE TOWN OF PAYSON", AND DECLARING AN EMERGENCY.

Moved by Council Member Tim Fruth, seconded by Council Member John Wilson.
Vote: Motion carried by unanimous rollcall vote.
Yes: Council Member Tim Fruth; Council Member John Wilson; Council Member Andy Romance; Mayor Bob Edwards; Council Member Ed Blair; Council Member Susan Connell; Council Member Mike Vogel

Ordinance No. 688. Mayor Edwards opened the Public Hearing concerning Ordinance No. 688, captioned as follows: AN ORDINANCE OF THE TOWN OF PAYSON, ARIZONA, RELATING TO THE PRIVILEGE LICENSE TAX; ADOPTING "THE 2006 AMENDMENTS TO THE TAX CODE OF THE TOWN OF PAYSON" BY REFERENCE; ESTABLISHING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY AND PROVIDING PENALTIES FOR VIOLATIONS; AND DECLARING AN EMERGENCY.

There were no public comments.
Motion: Approve Ordinance No. 688, captioned as follows: AN ORDINANCE OF THE TOWN OF PAYSON, ARIZONA, RELATING TO THE PRIVILEGE LICENSE TAX; ADOPTING "THE 2006 AMENDMENTS TO THE TAX CODE OF THE TOWN OF PAYSON" BY REFERENCE; ESTABLISHING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY AND PROVIDING PENALTIES FOR VIOLATIONS; AND DECLARING AN EMERGENCY.

Moved by Council Member Tim Fruth, seconded by Council Member John Wilson.
Vote: Motion carried by unanimous rollcall vote.
Yes: Council Member Tim Fruth; Council Member John Wilson; Council Member Andy Romance; Mayor Bob Edwards; Council Member Ed Blair; Council Member Susan Connell; Council Member Mike Vogel

Resolution No. 2183. Council approved, on the Consent Agenda, Resolution No. 2183, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, TO APPROVE, PURSUANT TO A.R.S. SECTION 48-262(f), AN ANNEXATION OF ADDITIONAL TERRITORY INTO THE NORTHERN GILA COUNTY SANITARY DISTRICT OF THOSE CERTAIN PARCELS OF REAL PROPERTY AS DENOMINATED ON THE ATTACHED EXHIBIT "A" (312 EAST TYLER PARKWAY, PAYSON, ARIZONA, DANIEL MILLETT, OWNER, ASSESSOR'S PARCEL NO. 302-35-006W).

CONSENT APPROVED

Resolution No. 2186. Council approved, on the Consent Agenda, Resolution No. 2186, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA ACCEPTING A TEMPORARY CONSTRUCTION EASEMENT FROM VINCENT R. GARCIA AND JUDITH A. GARCIA, PERTAINING TO THE McLANE ROAD IMPROVEMENT PROJECT.
CONSENT APPROVED

Resolution No. 2187. Council approved, on the Consent Agenda, Resolution No. 2187, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA ACCEPTING A TEMPORARY CONSTRUCTION EASEMENT FROM CHARLES R. WILLIAMS, PERTAINING TO THE McLANE ROAD IMPROVEMENT PROJECT.
CONSENT APPROVED

Resolution No. 2188. Council approved, on the Consent Agenda, Resolution No. 2188, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA ACCEPTING A TEMPORARY CONSTRUCTION EASEMENT FROM TIMOTHY J. PONTIOUS AND BETTY R. PONTIOUS, PERTAINING TO THE McLANE ROAD IMPROVEMENT PROJECT.
CONSENT APPROVED

Resolution No. 2189. Council approved, on the Consent Agenda, Resolution No. 2189, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA ACCEPTING A TEMPORARY CONSTRUCTION EASEMENT FROM PAYSON VERDE RIVER RANCH, LLC, PERTAINING TO THE McLANE ROAD IMPROVEMENT PROJECT.
CONSENT APPROVED

Resolution No. 2190. Council approved, on the Consent Agenda, Resolution No. 2190, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING A PUBLIC UTILITY EASEMENT FROM PAYSON VERDE RIVER RANCH, LLC, PERTAINING TO THE McLANE ROAD IMPROVEMENT PROJECT.
CONSENT APPROVED

Resolution No. 2191. Council approved, on the Consent Agenda, Resolution No. 2191, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING A PUBLIC UTILITY EASEMENT FROM GARY E. KELLER AND VOYDEAN KELLER, PERTAINING TO THE McLANE ROAD IMPROVEMENT PROJECT.
CONSENT APPROVED

H. UNFINISHED BUSINESS

There were no items for this section.

I. NEW BUSINESS

Council Decision Request filed by William Schwind, Parks and Recreation Director, to approve the bid for the acquisition and delivery of decomposed granite for the base preparation and drainage requirements for the installation of synthetic turf to Payson Concrete in the amount of $18,200.00.

Motion: Approve the Council Decision Request filed by William Schwind, Parks and Recreation Director, to approve the bid for the acquisition and delivery of decomposed granite for the base preparation and drainage requirements for the installation of synthetic turf to Payson Concrete in the amount of $18,200.00.

Moved by Council Member Ed Blair, seconded by Vice-Mayor Tim Fruth.
Vote: Motion carried by unanimous rollcall vote.
Yes: Council Member Tim Fruth; Council Member John Wilson; Council Member Andy Romance; Mayor Bob Edwards; Council Member Ed Blair; Council Member Susan Connell; Council Member Mike Vogel

Council Decision Request filed by William Schwind, Parks and Recreation Director, to approve the bid for the acquisition and delivery of 1" course stone for the base preparation required for the installation of synthetic turf to Payson Concrete in the amount of $23,660.00.

Motion: Approve the Council Decision Request filed by William Schwind, Parks and Recreation Director, to approve the bid for the acquisition and delivery of 1" course stone for the base preparation required for the installation of synthetic turf to Payson Concrete in the amount of $23,660.0.

Moved by Council Member Susan , seconded by Council Member Mike Vogel.
Vote: Motion carried by unanimous rollcall vote.
Yes: Council Member Tim Fruth; Council Member John Wilson; Council Member Andy Romance; Mayor Bob Edwards; Council Member Ed Blair; Council Member Susan Connell; Council Member Mike Vogel

Council Decision Request filed by Carol McCauley, Main Street/Redevelopment Area Manager, to approve the street closure on S. Green Valley Parkway from W. Summit Street to the north side of the driveway into the Museum and Main Street office parking lot, from 4:00 p.m. until 6:00 p.m. on Friday, June 9, 2006, and from 7:00 a.m. to 5:00 p.m. on Saturday, June 10, 2006. This closure for the purpose of holding the First Annual Payson Soapbox Derby.

Motion: Approve the Council Decision Request filed by Carol McCauley, Main Street/Redevelopment Area Manager, to approve the street closure on S. Green Valley Parkway from W. Summit Street to the north side of the driveway into the Museum and Main Street office parking lot, from 4:00 p.m. until 6:00 p.m. on Friday, June 9, 2006, and from 7:00 a.m. to 5:00 p.m. on Saturday, June 10, 2006. This closure for the purpose of holding the First Annual Payson Soapbox Derby.

Moved by Council Member John Wilson, seconded by Council Member Andy Romance.
Vote: Motion carried by unanimous rollcall vote.
Yes: Council Member Tim Fruth; Council Member John Wilson; Council Member Andy Romance; Mayor Bob Edwards; Council Member Ed Blair; Council Member Susan Connell; Council Member Mike Vogel

Council Decision Request filed by William Schwind, Parks and Recreation Director, to approve the fireworks display contract in the amount of $10,000 with Fireworks Productions of Arizona, Ltd. for a fireworks display over the lake at Green Valley Park scheduled for July 4, 2006.

Motion: Approve the Council Decision Request filed by William Schwind, Parks and Recreation Director, to approve the fireworks display contract in the amount of $10,000 with Fireworks Productions of Arizona, Ltd. for a fireworks display over the lake at Green Valley Park scheduled for July 4, 2006.
Moved by Council Member Tim Fruth, seconded by Council Member John Wilson.
Vote: Motion carried by unanimous rollcall vote.
Yes: Council Member Tim Fruth; Council Member John Wilson; Council Member Andy Romance; Mayor Bob Edwards; Council Member Ed Blair; Council Member Susan Connell; Council Member Mike Vogel

J. CLAIMS

List of checks. Council approved, on the Consent Agenda, a list of checks paid from 05/04/06 through 05/15/06, Check Nos. 37017 through 37240, except Check No. 37115, and authorization to file the checks for audit.
CONSENT APPROVED

Check No. 37115. Council approved, on the Consent Agenda, Check No. 37115 paid 05/15/06, and authorization to file the check for audit. (Note: due to a perceived and/or conflict of interest, Clmn. Henley will be considered to have abstained from voting on this item.)
CONSENT APPROVED

K. MISCELLANEOUS

There were no items for this section.

L. PUBLIC COMMENTS

Mayor Edwards announced that the public comments section at the end of the agenda would be removed. All public comments would be at the beginning of the meeting.

Chuck Herron greeted the new and old Council Members. Mr. Herron wanted the Council to know there would not be a division between Payson and Star Valley.

Mayor Edwards clarified that items on the agenda not discussed will be discussed on June 8, 2006.

ADJOURNMENT:

Mayor Edwards adjourned the meeting at approximately 7:09 p.m.

Approved:

_____ Date: _____

Barbara G. Brewer, Mayor

ATTEST:

_____

Silvia Smith, Town Clerk

Certification

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Town Council of the Town of Payson held on this day the 24 of May, 2006. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this ____day of _____, 2006.

_____

Tracie Bailey, Deputy Town Clerk