

**COMMON COUNCIL OF THE TOWN OF PAYSON
AGENDA OF THE REGULAR MEETING
JULY 27, 2006**

CALL TO ORDER: 6:00 p.m. in the Town Hall Council Chambers, 303 North Beeline Highway, Payson, Arizona.

INVOCATION (Participation Voluntary)

Father Lowell E. Andrews
Holy Nativity Anglo-Catholic Church

PLEDGE OF ALLEGIANCE

ROLL CALL: BE__ TF __ EB __ SC __ AR__ MV__ JW__

STAFF PRESENT: FC__ SIS__ GS__ MD__ CPW__ GHG__ SS__ JO__ LG__ TM__ WS__
RS__

OTHERS PRESENT: _____

The Council may discuss, consider or take action on any item listed on this agenda. Council reserves the right to consider any matter out of sequence.

To accommodate all those who wish to address the Town Council and to facilitate the expeditious consideration of the agenda, it is requested that each person wishing to address the Mayor and Common Council under an agenda item limit his or her comments to a maximum of three minutes.

A. PUBLIC COMMENTS (SPEAKER'S REQUEST FORM SUBMITTED)

1. Communications and comments or suggestions from citizens present who have submitted a Speaker's Request Form to the Mayor, Town Clerk, or designee, prior to the meeting being convened, concerning matters other than those listed on the agenda for consideration, shall be heard by the Council. All remarks shall be addressed to the Council as a whole and not to any member thereof. Members of the Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01(G), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date. No public discussion of comments under this section is permitted, except that other members of the public may, at the discretion of the Mayor, present follow-up comments on a matter raised by a Speaker's Form. _____

B. CONSENT AGENDA

Items listed on the agenda with an asterisk which are considered to be routine in nature and which will be enacted by one motion. No separate discussion of these items shall be held unless a Council Member so requests, in which event the item will be _____

removed from the Consent Agenda and will be considered in its normal sequence on the main agenda.

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

1. Brief summary oral presentation of current events by Town Manager, Mayor, and/or Council Members. The Arizona Open Meeting Law Reform Act specifies the Town Council may not take action on any matter mentioned during this presentation unless the specific matter is properly noticed for legal action. _____

D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS

1. Comments, Commendations, and Presentations by Mayor, Council Members, and/or Town Staff. _____
2. **Proclamation** declaring August 5th, 2006, as **Payson High School Class of 1986 Reunion Day**. Members of the 1986 class will be present to accept the proclamation. _____

E. MINUTES

- *1. **Council Meeting Minutes:** ***CONSENT***
 . 02-02-06 Joint Meeting w/P&Z Pages 1-2 **APPROVAL**
 . 06-15-06 Special Meeting Pages 1-5
 . 06-22-06 Regular Meeting Pages 1-10
 . 07-13-06 Regular Meeting Pages 1-9

BOARDS/COMMISSIONS MEETING MINUTES (Note: Minutes of various boards/commissions/committees are for Council information only and may or may not have been approved by the respective board/commission.)

- *2. **Planning and Zoning Commission Minutes:** ***CONSENT***
 .06-05-06 Regular Meeting Pages 1-4

F. HEARINGS AND APPEALS

1. **This is a Public Hearing** concerning an Application for Extension of Premises/Patio Permit (Temporary) filed by Randy D. Nations, Agent, Oxbow Saloon (#06040034), 604 W. Main St., Payson, Arizona, August 18 and 19, 2006. (For August Rodeo event.) **This is Public Hearing**. (Application on file in the Town Clerk's Office.) _____

G. RESOLUTIONS AND ORDINANCES

- *1. As Council, staff, and the audience have the titles to all resolutions and ordinances, authorization to forego verbal title readings. ***CONSENT***
APPROVAL
2. Discussion/possible action concerning **Resolution No. 2200**, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING THE FINAL PLAT AND APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT _____

TO CONSTRUCT SUBDIVISION IMPROVEMENTS FOR COTTAGE CREEK SUBDIVISION.

3. Discussion/possible action concerning **Resolution No. 2201**, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND ADOPTING AN AMENDED PAY SCALE AND AN AMENDED POSITION CLASSIFICATION SCHEDULE FOR EMPLOYEES OF THE TOWN OF PAYSON. _____

4. **First Reading and Public Hearing** concerning **Ordinance No. 692**, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADDING SECTION 130.38 TO THE CODE OF THE TOWN OF PAYSON TO PROTECT THE TOWN'S ROADWAYS DURING THE CONSTRUCTION OF SUBDIVISIONS. First Reading and Public Hearing. _____

H. UNFINISHED BUSINESS

I. NEW BUSINESS

1. Council Decision Request filed by LaRon G. Garrett, Public Works Engineer, to direct staff to proceed with the **Mud Springs Road** Phase 1 project constructing one 11' wide traffic lane in each direction, a 5' wide bike lane on the pavement on each side of the road, curb and gutter on each side of the road, and 5' sidewalk adjacent to the curb (or meandering away from the curb where possible) on the west side of the road, and to negotiate a scope of services and design fee with an engineer to design the Mud Springs Road and Granite Dells Road intersection using a round-a-bout concept. _____

~~2. Council Decision Request filed by Buzz Walker, Public Works Engineer, regarding a proposed policy for owners of private wells to establish public water service. (Note: to be green sheeted.)~~ ****Removed from Agenda 7/25/06, 5:10 p.m**

3. Council Decision Request filed by the legal department to direct the legal department to draft an **ordinance** that would require any approval or recommendation for approval from the Planning and Zoning Commission be made by a least four Commissioners. _____

4. Discussion/possible action concerning **Ponderosa Heights** Phase 2 Subdivision Preliminary Plat (S-128-06). Action requested: to approve S-128-06, a Preliminary Plat for the proposed Ponderosa Heights Phase 2 Subdivision; consisting of a portion of Tax Parcel #302-35-004A, with the 16 listed conditions. _____

5. Discussion/possible action concerning **East Gateway** Phase 2 _____

Subdivision (S-127-06). Action requested: to approve S-127-06, a Preliminary Plat for the proposed East Gateway Phase 2 Subdivision; consisting of a portion of Tax Parcel #304-01-004G, currently addressed as 1200 E. Frontier Street, with the four (4) listed conditions.

J. CLAIMS

K. MISCELLANEOUS

- *1. Appointment of Minette Hart-Richardson to the Green Valley Redevelopment Area Committee, replacing Judy Miller, term to expire 12/31/08. (Application on file in the Town Clerk's Office.) ***CONSENT* APPROVAL**
- *2. Appointment of Jere Strizek to the Fire Department Alternate Pension & Benefit Plan Board, term to expire 12/31/07. (Letter on file in the Town Clerk's Office.) ***CONSENT* APPROVAL**
- 3. Should the need arise, Council reserves the right to suspend the order of the agenda for consideration of a motion to recess/adjourn to executive session, pursuant to ARS 38-431.03 et seq, to discuss any item(s) listed on the regular meeting agenda that would be authorized for executive session under ARS 38-431.03. _____

L. PUBLIC COMMENTS

- 1. Public Comments: Note: Communication and comments or suggestions from citizens present who have not submitted a Speaker's Request Form, on matters other than those listed on the agenda for consideration, shall be heard by the Council. All remarks shall be addressed to the Council as a whole and not to any member thereof. The Council cannot discuss nor take action upon comments received; however, the Council may direct staff to address the issue and/or it may be referred to a later agenda. No public discussion of comments under this section is permitted. _____

CLASSIFICATIONS FOR EXECUTIVE SESSION

Note: Should an executive session be convened on any item(s) listed on the regular meeting agenda, Council will review, discuss, or receive advice of Counsel, which will be considered under the respectively approved classifications listed below:

- a. ARS 38-431.03.A.1 Personnel Matters. Discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body, except that, with the exception of salary discussions, an officer, appointee or employee may demand that the discussion or consideration occur at a public meeting. The public body shall provide the officer, appointee, or employee with written notice of the executive session as is appropriate but not

less than twenty-four hours for the officer, appointee or employee to determine whether the discussion or consideration should occur at a public meeting.

- b. ARS 38-431.03.A.2 – Discussion or consideration of records exempt by law from public inspection; including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.
- c. ARS 38-431.03.A.3 – Discussion or consultation for legal advice with the attorney or attorneys of the public body.
- d. ARS 38-431.03.A.4 – Discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation.
- e. ARS 38-431.03.A.5 – Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations with employee organizations regarding the salaries, salary schedules or compensation paid in the form of fringe benefits of employees of the public body.
- f. ARS 38-431.03.A.6 – Discussion, consultation or consideration for international and interstate negotiations by a city or town, or its designated representatives, with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city or town.
- g. ARS 38-431.03.A.7 – Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiation for the purchase, sale or lease of real property.

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THE TOWN OF PAYSON ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO PERSONS WITH DISABILITIES. WITH 48 HOURS ADVANCE NOTICE, SPECIAL ASSISTANCE CAN ALSO BE PROVIDED FOR SIGHT AND/OR HEARING IMPAIRED PERSONS AT PUBLIC MEETINGS. PLEASE CALL 474-5242 (VOICE) OR 472-6449 (TDD) TO REQUEST AN ACCOMMODATION TO PARTICIPATE IN THIS MEETING.

NOTE: The information discussed in the Executive Session and the minutes of the Executive Session are confidential.