

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
July 13, 2006**

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

INVOCATION

Ric Hatch, Pastor First Southern Baptist Church

PRESENT: Mayor Bob Edwards, Vice-Mayor Tim Fruth, Council Member Ed Blair, Council Member Susan "Su" Connell, Council Member, Andy Romance, Council Member, Mike Vogel, and Council Member John Wilson.

STAFF PRESENT: Fred Carpenter, Town Manager, Sam Streichman, Town Attorney, Silvia Smith, Town Clerk, Gordon Gartner, Police Chief, Jerry Owen, Community Development Director, and Martin deMasi, Fire Chief.

OTHERS PRESENT: Tracie Bailey, Deputy Town Clerk, Tim Wright, Deputy Town Attorney, Ted Anderson, Airport Manager, Carol McCauley, Main Street/Redevelopment Area Manager, and Teddy Tomerlin, Street Maintenance Crew Leader

A. PUBLIC COMMENTS

There were no public comments.

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: to approve all Items listed on the Consent Agenda.

Moved by Council Member John Wilson, seconded by Council Member, Mike Vogel.

Vote: Motion carried 7 - 0

Yes: Mayor Bob Edwards, Vice-Mayor Tim Fruth, Council Member Ed Blair, Council Member Susan "Su" Connell, Council Member, Andy Romance, Council Member, Mike Vogel, and Council Member John Wilson.

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

JUL 27 2006 E.1*

Fred Carpenter, Town Manager, announced that October 1, 2006, was the latest estimate for final completion of the McLane Road project. Work continues on the West and North Rumsey Park ball field projects. Due to scheduling, turf completion has been slowed but is expected to be finished by September.

This summer's slurry seal paving projects will begin around the first of August, 2006, and will require about thirty days for completion.

Marty deMasi, Fire Chief, gave the Council a brief update on the fire fuel break.

D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS

1. Comments, Commendations, and Presentations by Mayor, Council Members, and/or Town Staff.

Council Member Vogel stated that he had many comments on how well people were dispersed after the fire works. He complimented and thanked Chief Gartner for his good work. Chief Gartner stated that all of the credit should go to Commander Don Engler who worked that event.

Council Member Fruth thanked the Town for the first ever triathlon.

Mayor Edwards recognized Silvia Smith, Town Clerk, for receiving the Clerk of the Year Award from the Arizona Municipal Clerks Association. Mayor Edwards felt this was an extremely good choice. The Mayor introduced Roy Burkhold, who would be head of the Economic Development Task Force, Monty McCord, who would be head of the Fire Safety Task Force, Chris Tilly, who would be head of the Payson Truck Route Task Force, Fran Hoffman, who would be head of the Street Task Force, Penny Durgon, who would be head of the Administrative Policies Task Force, and Jeannie Langham, who would be head of the Design Review Task Force.

E. MINUTES

Council Meeting Minutes:

06-01-06 Special Meeting Pages 1-2

06-08-06 Regular Meeting Pages 1-13

06-14-06 Special Meeting Pages 1-3

CONSENT APPROVED

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.)

Building Advisory Board:

02-22-06 Regular Meeting Pages 383-385

CONSENT APPROVED

F. HEARINGS AND APPEALS

Public Hearing. Mayor Edwards opened the Public Hearing concerning an application

for a Special Event Liquor License filed by Leland R. Schwein, agent, B.P.O. Elks Lodge #2154 for a fundraising event to be held on Saturday, 08/19/06, from 11:00 a.m. to 11:00 p.m. at 1206 N. Beeline Highway, Payson, Arizona.

There were no public comments. The Mayor closed the Public Hearing.

Motion: to approve the application for a Special Event Liquor License filed by Leland R. Schwein, agent, B.P.O. Elks Lodge #2154 for a fundraising event to be held on Saturday, 08/19/06, from 11:00 a.m. to 11:00 p.m. at 1206 N. Beeline Highway, Payson, Arizona. This is a Public Hearing.

Moved by Council Member John Wilson, seconded by Council Member, Mike Vogel.

Vote: Motion carried 7 - 0

Yes: Mayor Bob Edwards, Vice-Mayor Tim Fruth, Council Member Ed Blair, Council Member Susan "Su" Connell, Council Member, Andy Romance, Council Member, Mike Vogel, and Council Member John Wilson.

Public Hearing. Mayor Edwards opened the Public Hearing concerning an application for a Special Event Liquor License filed by Leland R. Schwein, agent, B.P.O. Elks Lodge #2154 for a fundraising event to be held Saturday 10/21/06, 11:00 a.m. to 11:00 p.m. at 1206 N. Beeline Highway, Payson, Arizona.

There were no public comments. The Mayor closed the Public Hearing.

Motion: to approve the application for a Special Event Liquor License filed by Leland R. Schwein, agent, B.P.O. Elks Lodge #2154 for a fundraising event to be held Saturday 10/21/06, 11:00 a.m. to 11:00 p.m. at 1206 N. Beeline Highway, Payson, Arizona. This is a Public Hearing. (Application on file in the Town Clerk's office.)
Moved by Mayor Bob Edwards, seconded by Council Member John Wilson.

Vote: Motion carried 7 - 0

Yes: Mayor Bob Edwards, Vice-Mayor Tim Fruth, Council Member Ed Blair, Council Member Susan "Su" Connell, Council Member, Andy Romance, Council Member, Mike Vogel, and Council Member John Wilson.

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. 2195. Mayor Edwards opened discussion/possible action concerning Resolution No. 2195, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING P-324-06, A MAJOR AMENDMENT TO THE TOWN OF PAYSON'S 2004 GENERAL PLAN AMENDING THE LAND USE DESIGNATION FOR A 51.6 ACRE PARCEL NORTH OF THE AIRPORT FROM 'EMPLOYMENT' TO 'RURAL

RESIDENTIAL.' (GENERAL PLAN AMENDMENT FOR SILVERWING)

Doug Pelton referred to the letter from Tony Garcia regarding grant money. Mr. Pelton felt the letter was open-ended. He suggested that the Town consider amending the resolution to say employment and rural residential or special use aviation. Mr. Pelton discussed issues with the general plan, sewer, trails, and affordable housing.

Gary Spragins spoke in support of the Silverwing Project. Mr. Spragins believed the airport was close to being self-sustaining. He felt this project would bring in revenue for the airport. Mr. Spragins asked the Council to approve this project.

Gordon Holm believed the Council should have the whole truth and felt that Tony Garcia had left out some words in his letter.

Richard Croy believed the community was aware of the affordable housing problem. Mr. Croy felt this project would start some seed money for affordable housing.

Pat Randall asked Jerry Owen, Community Development Director, to read the memo he had read at the last meeting. Ms. Randall felt they were patronizing the developers not the FAA.

Doug Pelton stated he would be in compliance with the Town's water policy.

Jerry Owen, Community Development Director, stated that if the lot size is larger than 2 acres a sewer is not required.

Following considerable discussion.

Motion: to deny Resolution No. 2195, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING P-324-06, A MAJOR AMENDMENT TO THE TOWN OF PAYSON'S 2004 GENERAL PLAN AMENDING THE LAND USE DESIGNATION FOR A 51.6 ACRE PARCEL NORTH OF THE AIRPORT FROM 'EMPLOYMENT' TO 'RURAL RESIDENTIAL.' (GENERAL PLAN AMENDMENT FOR SILVERWING)
Moved by Council Member John Wilson, seconded by Council Member, Mike Vogel.

Following more discussion.

Doug Pelton stated he has been working on this for seven months and was not willing to start over.

Jim Garner brought up a history of the Town of Payson and the airport.

Doug Pelton suggested amending the verbage in the resolution from employment to employment and rural residential.

Following extensive discussion.

Council Member Wilson withdrew the motion.

Motion: to approve Resolution No. 2195, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING P-324-06, A MAJOR AMENDMENT TO THE TOWN OF PAYSON'S 2004 GENERAL PLAN AMENDING THE LAND USE DESIGNATION FOR A 51.6 ACRE PARCEL NORTH OF THE AIRPORT FROM 'EMPLOYMENT' TO 'RURAL RESIDENTIAL.' (GENERAL PLAN AMENDMENT FOR SILVERWING)
Moved by Council Member, Andy Romance, seconded by Council Member, Susan Connell.

Vote: Motion failed 2 - 5

Yes: Council Member Susan "Su" Connell, and Council Member, Andy Romance.
No: Mayor Bob Edwards, Vice-Mayor Tim Fruth, Council Member Ed Blair, Council Member, Mike Vogel, and Council Member John Wilson.

Council Member Futh left the room at approximately 6:15 p.m. and returned at approximately 6:16 p.m.

Resolution No. 2198. Mayor Edwards opened discussion/possible action concerning Resolution No. 2198, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE TOWN MANAGER TO EXECUTE A GRANT APPLICATION TO THE ARIZONA DEPARTMENT OF COMMERCE FOR THE GROWING SMARTER PLANNING GRANT PROGRAM.

Motion: to approve Resolution No. 2198 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE TOWN MANAGER TO EXECUTE A GRANT APPLICATION TO THE ARIZONA DEPARTMENT OF COMMERCE FOR THE GROWING SMARTER PLANNING GRANT PROGRAM.
Moved by Council Member John Wilson, seconded by Council Member Ed Blair.

Vote: Motion carried 7 - 0

Yes: Mayor Bob Edwards, Vice-Mayor Tim Fruth, Council Member Ed Blair, Council Member Susan "Su" Connell, Council Member, Andy Romance, Council Member, Mike Vogel, and Council Member John Wilson.

Resolution No. 2199. Council approved, on the Consent Agenda, Resolution No. 2199, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. THREE TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF PAYSON AND THE STATE OF ARIZONA RELATING TO SIDEWALK REPAIR (AG CONTRACT NO. KR03-0388TRN).
CONSENT APPROVED

Ordinance No. 686. Mayor Edwards opened the Second Reading and Public Hearing concerning Ordinance No. 686, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA,

AMENDING ORDINANCE NO. 466 AND AMENDING THE ZONING CODE FOR THE TOWN OF PAYSON BY REZONING CERTAIN REAL PROPERTY GENERALLY LOCATED AT 400 NORTH TYLER PARKWAY, BEING GILA COUNTY ASSESSOR'S PARCEL NUMBER 302-23-036V, AS MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM R1-175 TO R1-6PAD (BOULDER RIDGE).

Kevin Sokol reported that he had come to a conclusion with some people who were opposing this project. Mr. Sokol was donating two lots to the Town for affordable housing.

Gene Sampson asked where would the water come from. Mr. Sokol replied it would be supplied from the Star Valley water. Mr. Sampson asked if the safe yeild study for Star Valley has been approve. Fred Carpenter, Town Manager, replied no.

Following considerable discussion the Mayor closed the Public Hearing.

Motion: to approve Ordinance No. 686, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE OFFICIAL ZONING MAP FOR THE TOWN OF PAYSON, AMENDING ORDINANCE NO. 466 AND AMENDING THE ZONING CODE FOR THE TOWN OF PAYSON BY REZONING CERTAIN REAL PROPERTY GENERALLY LOCATED AT 400 NORTH TYLER PARKWAY, BEING GILA COUNTY ASSESSOR'S PARCEL NUMBER 302-23-036V, AS MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM R1-175 TO R1-6PAD with modification 3B and E and strike out the basketball park. (BOULDER RIDGE).

Moved by Vice-Mayor Tim Fruth, seconded by Council Member John Wilson.

Vote: Motion carried 6 - 1

Yes: Mayor Bob Edwards, Vice-Mayor Tim Fruth, Council Member Susan "Su" Connell, Council Member, Andy Romance, Council Member, Mike Vogel, and Council Member John Wilson.

No: Council Member Ed Blair.

Ordinance No. 689. Mayor Edwards opened the Second Reading and Public Hearing concerning Ordinance No. 689, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTION 30.35 OF THE CODE OF THE TOWN OF PAYSON, REPEALING RULES 4.1, 4.2, AND 4.3 OF THE TOWN COUNCIL MEETINGS RULES OF PROCEDURE, AND ADOPTING AN AMENDED SCHEDULE FOR REMAINING 2006 TOWN COUNCIL MEETINGS (CHANGING REGULAR COUNCIL MEETINGS TO 5:30 PM ON THE FIRST AND THIRD THURSDAYS OF EACH MONTH.

There were no public comments. The Mayor closed the Public Hearing.

Motion: to approve Ordinance No. 689, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA,

AMENDING SECTION 30.35 OF THE CODE OF THE TOWN OF PAYSON, REPEALING RULES 4.1, 4.2, AND 4.3 OF THE TOWN COUNCIL MEETINGS RULES OF PROCEDURE, AND ADOPTING AN AMENDED SCHEDULE FOR REMAINING 2006 TOWN COUNCIL MEETINGS (CHANGING REGULAR COUNCIL MEETINGS TO 5:30 PM ON THE FIRST AND THIRD THURSDAYS OF EACH MONTH.

Moved by Council Member John Wilson, seconded by Vice-Mayor Tim Fruth.

Vote: Motion carried 7 - 0

Yes: Mayor Bob Edwards, Vice-Mayor Tim Fruth, Council Member Ed Blair, Council Member Susan "Su" Connell, Council Member, Andy Romance, Council Member, Mike Vogel, and Council Member John Wilson.

Mayor Edwards recessed the meeting at approximately 7:51 p.m. The Mayor reconvened the meeting at approximately 7:59 p.m.

H. UNFINISHED BUSINESS

Council approved, on the Consent Agenda, a motion to remove Application P-317-05 (Forest Edge Rezoning) from the table.

***CONSENT* APPROVED**

Forest Edge Rezoning. Mayor Edwards opened discussion/possible action concerning Application P-317-05 filed by Terra-Payson 65, LLC, property owner, Mark Perry, authorized agent; a request for a zone change from R1-175 to R1-44-PAD for a 64.03 acre property in the 1200 to 1700 block of E. Cedar Lane to allow a 54 single family residential unit subdivision.

Mark Perry requested an extension of time for some work he needed to complete. Mr. Perry stated he has a study currently commissioned and would like to have that information back to present to the neighborhood. Mr. Perry requested a thirty day extension.

Mr. Perry was working with the Sanitary District to see what amount of infrastructure should go in.

Following considerable discussion.

Motion: to table to the August 6, 2006, regular Council meeting Application P-317-05 filed by Terra-Payson 65, LLC, property owner, Mark Perry, authorized agent; a request for a zone change from R1-175 to R1-44-PAD for a 64.03 acre property in the 1200 to 1700 block of E. Cedar Lane to allow a 54 single family residential unit subdivision (Forest Edge Rezoning).

Moved by Council Member John Wilson, seconded by Vice-Mayor Tim Fruth.

Vote: Motion carried 4 - 3

Yes: Vice-Mayor Tim Fruth, Council Member Susan "Su" Connell, Council Member, Mike Vogel, and Council Member John Wilson.

No: Mayor Bob Edwards, Council Member Ed Blair, and Council Member, Andy Romance.

Council Decision Request. Council approved, on the Consent Agenda, a Council Decision Request filed by Ted Anderson, Airport Manager, to reject the bid proposal submitted by GE Modular Space for the Airport Portable Office Trailer.

CONSENT APPROVED

I. NEW BUSINESS

Council Member Fruth left the meeting at approximately 8:09 p.m.

Council Decision Request filed by Glenn W. Smith, Chief Fiscal Officer, to adopt the Tentative Budget for the Fiscal Year 2006/2007 for \$39,395,309.

Jim Garner asked if the items on this budget would come back to Council and if the public would be able to comment.

Following some discussion.

Motion: to approve the Council Decision Request filed by Glenn W. Smith, Chief Fiscal Officer, to adopt the Tentative Budget for the Fiscal Year 2006/2007 for \$39,395,309. Moved by Council Member John Wilson, seconded by Council Member, Mike Vogel.

Vote: Motion carried 6 - 0

Yes: Mayor Bob Edwards, Council Member Ed Blair, Council Member Susan "Su" Connell, Council Member, Andy Romance, Council Member, Mike Vogel, and Council Member John Wilson.

Absent: Vice-Mayor Tim Fruth.

Council Decision Request. Council approved, on the Consent Agenda, a Council Decision Request filed by William Schwind, Parks and Recreation Director, to authorize the Town of Payson to enter APPROVAL into an intergovernmental agreement (I.G.A.) with the Arizona Game and Fish Department for services provided within the State Urban Fishing Program and for the Mayor to sign all necessary documents.

CONSENT APPROVED

Council Decision Request. Council approved, on the Consent Agenda, a Council Decision Request filed by Buzz Walker, Public Works Director, to authorize the Mayor to sign a contract amendment APPROVAL with the Arizona Department of Environmental Quality for the Operation of the WQARF Treatment Plant located at 204 W. Aero Drive.

CONSENT APPROVED

J. CLAIMS

List of checks. Council approved, on the Consent Agenda, a list of checks paid from 6/20/06 through 6/29/06, Check Nos. 37664 through 37913, and authorization to file the checks for audit.

CONSENT APPROVED

K. MISCELLANEOUS

There were no items for this section.

L. PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

Mayor Edwards adjourned the meeting at approximately 8:15 p.m.

_____ Date: _____

Bob Edwards, 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 special meeting of the Town Council of the Town of Payson held on this day the 13 of July, 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