TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
August 10, 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.

INVOCATION

Nick Zakharov, First Church of the Nazarene

PLEDGE OF ALLEGIANCE

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

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

OTHERS PRESENT: Tracie Bailey, Deputy Town Clerk, Tessie Flores, Deputy Town Clerk, Commander Don Engler, and Diane Stoyer, Legal Department Office Manager

A. PUBLIC COMMENTS

Jon Barber, spoke about the Town's request for information form. Mr. Barber believed that the freedom for information act did not intend for staff to make citizens wait and fill out the request form. He felt that staff shuld just give the person the information requested. Sam Streichman, Town Attorney, explained why the Town uses the request form.

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 byCouncil Member Susan .

Vote: Motion carried 7 - 0

SEP 0 7 2006 E.1

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 recognized Donna Meinerts, Comptroller, for being granted the designation of Certified Government Financial Manager.

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

Fred Carpenter, Town Manager, announced that the annual slurry seal project is underway. The work should be completed by the end of next week.

Work is progressing on the McLane Road – Airport to Forest – project. The contractor began pouring curbs this week. This project could be completed by mid-September.

Beginning September 7, 2006 regular Council meetings will be held on the first and third Thursdays of the month rather than the second and fourth.

Progress continues on fuel breaks around Town. All of the areas originally in the plan have been completed. The Forest Service plans the treatments shown in red on the map. The Town has also asked for funding for the areas shown in yellow on the map.

D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS

Proclamation. Council Member Vogel read into the record a Proclamation declaring August 18-20, 2006 as Rodeo Days. Tina Bruess, Payson Regional Chamber of Commerce, and Rex Hinshaw, Rodeo Committee Chairman, were present to accept the proclamation.

E. MINUTES

Council Meeting Minutes:
07-06-06 Special Meeting Pages 1-5
07-20-06 Special Meeting Pages 1-6
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.

Surface Transportation Advisory Committee Minutes:
05-03-06 Regular Meeting Pages 88-91
06-07-06 Regular Meeting Pages 92-95
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 Cristina R. Bruess, agent, Rim Country

Regional Chamber of Commerce, for the 122nd Annual World's Oldest Continuous Rodeo events to take place as follows: Thursday, 8/17/06, 5:00 p.m. -9:00 p.m.Friday, 8/18/06, 5:00 p.m. -10:00 p.m. Saturday, 8/19/06, 11:00 a.m. -10:00 p.m., and Sunday, 8/20/06, 11:00 a.m. - 4:00 p.m. at 1400 S. Beeline Highway, Payson, Arizona (Payson Multi-Event Center).

Jim Garner asked for clarification of the dates.

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

Motion: to approve an application for a Special Event Liquor License filed by Cristina R. Bruess, agent, Rim Country Regional Chamber of Commerce, for the 122nd Annual World's Oldest Continuous Rodeo events to take place as follows: Thursday, 8/17/06, 5:00 p.m. -9:00 p.m.Friday, 8/18/06, 5:00 p.m. -10:00 p.m. Saturday, 8/19/06, 11:00 a.m. - 10:00 p.m., and Sunday, 8/20/06, 11:00 a.m. - 4:00 p.m. at 1400 S. Beeline Highway, Payson, Arizona (Payson Multi-Event Center).

Moved by Vice-Mayor Tim Fruth, seconded byCouncil 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

Council approved, on the Consent Agenda, **Westerly Drive Improvement District**:
CONSENT APPROVED

Council approved, on the Consent Agenda, to receive a report from the Public Works Engineer concerning the substantial completion of Phase 1 of the Westerly Drive Improvement District.

Resolution No. 2202. Council approved, on the Consent Agenda, Resolution No. 2202 captioned as follows: RESOLUTION SETTING THE DATE FOR THE HEARING ON THE ASSESSMENT REGARDING TOWN OF PAYSON, ARIZONA, WESTERLY DRIVE IMPROVEMENT DISTRICT AND ORDERING THE GIVING OF NOTICE OF SUCH HEARING.

Resolution No. 2203. Mayor Edwards opened discussion/possible action concerning Resolution No. 2203, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, GRANTING A PUBLIC UTILITY EASEMENT TO ARIZONA PUBLIC SERVICE COMPANY, AND

AUTHORIZING THE MAYOR TO EXECUTE THE APPROPRIATE INSTRUMENT TO CONVEY SAID EASEMENT.

Motion: to approve Resolution No. 2203, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, GRANTING A PUBLIC UTILITY EASEMENT TO ARIZONA PUBLIC SERVICE COMPANY, AND AUTHORIZING THE MAYOR TO EXECUTE THE APPROPRIATE INSTRUMENT TO CONVEY SAID EASEMENT.

Moved by Council Member, Mike Vogel, seconded byCouncil 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.

Resolution No. 2204. Mayor Edwards opened discussion/possible action concerning Resolution No. 2204, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF APACHE JUNCTION TO ESTABLISH A PARTNERING ARRANGEMENT FOR APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANTS AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME.

Motion: to approve Resolution No. 2204, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF APACHE JUNCTION TO ESTABLISH A PARTNERING ARRANGEMENT FOR APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANTS AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME.

Moved by Council Member John Wilson, seconded byCouncil Member Susan Connell.

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. 2205. Mayor Edwards opened discussion/possible action concerning Resolution No. 2205, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A GRANT APPLICATION AND GRANT DOCUMENTS FOR THE FY2007 STATE HOUSING FUND GRANT PROGRAM, AND COMMITTING LEVERAGED FUNDS IN THE FORM OF RESOURCES.

Motion: to approve Resolution No. 2205, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA,

APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A GRANT APPLICATION AND GRANT DOCUMENTS FOR THE FY2007 STATE HOUSING FUND GRANT PROGRAM, AND COMMITTING LEVERAGED FUNDS IN THE FORM OF RESOURCES.

Moved by Council Member John Wilson, seconded byCouncil 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.

Ordinance No. 691. Mayor Edwards opened the Public Hearing and Adoption concerning Ordinance No. 691, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF **Correction 8/7/06 PAYSON, ARIZONA, LEVYING UPON THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE TOWN OF 2:25 p.m. PAYSON, SUBJECT TO TAXATION, A CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS ($100.00) OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE REQUIRED IN THE ANNUAL BUDGET, LESS THE AMOUNT ESTIMATED TO BE RECEIVED FROM OTHER SOURCES OF REVENUE; PROVIDING FUNDS FOR VARIOUS BOND REDEMPTION FOR THE PURPOSE OF PAYING INTEREST UPON BONDED INDEBTEDNESS; AND PROVIDING FUNDS FOR GENERAL MUNICIPAL EXPENDITURES, ALL FOR THE FISCAL YEAR ENDING JUNE 30, 2007 AND PROVIDING FOR IMMEDIATE OPERATION AND EFFECT OF THIS ORDINANCE.

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

Motion: to approve Ordinance No. 691, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF **Correction 8/7/06 PAYSON, ARIZONA, LEVYING UPON THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE TOWN OF 2:25 p.m. PAYSON, SUBJECT TO TAXATION, A CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS ($100.00) OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE REQUIRED IN THE ANNUAL BUDGET, LESS THE AMOUNT ESTIMATED TO BE RECEIVED FROM OTHER SOURCES OF REVENUE; PROVIDING FUNDS FOR VARIOUS BOND REDEMPTION FOR THE PURPOSE OF PAYING INTEREST UPON BONDED INDEBTEDNESS; AND PROVIDING FUNDS FOR GENERAL MUNICIPAL EXPENDITURES, ALL FOR THE FISCAL YEAR ENDING JUNE 30, 2007 AND PROVIDING FOR IMMEDIATE OPERATION AND EFFECT OF THIS ORDINANCE.

Moved by Council Member John Wilson, seconded byCouncil 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.

Ordinance No. 692. Mayor Edwards opened the Second Reading and Public Hearing concerning Ordinance No. 692, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, **Correction 8/7/06 ARIZONA, ADDING SECTION 130.38 TO THE CODE OF THE TOWN OF PAYSON TO PROTECT THE TOWN'S ROADWAYS 2:25 p.m. DURING THE CONSTRUCTION OF SUBDIVISIONS AND BUILDINGS.

Jon Barber expressed his concerns about increased traffic and cost of housing. Mr. Barber felt this was putting the Town Engineer in the hot seat. He also felt this would be to hard to enforce.

There were no more public comments. Mayor Edwards closed the Public Hearing.

Motion: to approve Ordinance No. 692, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, **Correction 8/7/06 ARIZONA, ADDING SECTION 130.38 TO THE CODE OF THE TOWN OF PAYSON TO PROTECT THE TOWN'S ROADWAYS 2:25 p.m. DURING THE CONSTRUCTION OF SUBDIVISIONS AND BUILDINGS.

Moved by Council Member John Wilson, seconded byCouncil 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.

H. UNFINISHED BUSINESS

1. Consideration of a motion to remove Application P-317-05 (Forest Edge Rezoning) from the table.

2. 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 (Forest Edge Rezoning).

   Mark Perry asked the council to withdraw his application at this time. The Council agreed to withdraw the application.

I. NEW BUSINESS

Council Decision Request filed by Fred Carpenter, Town Manager, to discontinue publication of the Town newsletter, The Payson Insight, effective with the fall quarter.

Following some discussion.

Motion: to discontinue the Town newsletter and any money saved be moved into the budget for drains.

Moved by Vice-Mayor Tim Fruth, seconded byCouncil Member, Mike Vogel.

Joe Miller stated that he would like the newsletter to stay in order to advise the public of things going on in Town. Mr. Miller would like to see some continuatuion of the newsletter.

John Barber felt this would be a good challenge to the newspapers to get the information out.

Following more discussion Council Member Fruth amended his motion and Council Member Vogel amended his second.

Motion: to discontinue publication of the Town newsletter, The Payson Insight, effective with the fall quarter and to move any saved money into the rainy day fund.

Moved by Vice-Mayor Tim Fruth, seconded byCouncil Member, Mike Vogel.

Vote: Motion carried 6 - 1

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

Council Decision Request filed by Jerry Owen, Community Development Director, to approve the extension of the Preliminary Plat for the Payson Area Habitat for Humanity's project until 12-15-06, as requested.

Bruce Hopkins stated they had a plan and are hopeful to obtain a grant. This grant would cause a change in their plans so they need a delay.

Motion: to approve the Council Decision Request filed by Jerry Owen, Community Development Director, to approve the extension of the Preliminary Plat for the Payson Area Habitat for Humanity's project until 12-15-06, as requested.

Moved by Vice-Mayor Tim Fruth, seconded byCouncil 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.

J. CLAIMS

There were no items for this section.

K. MISCELLANEOUS

Mayor Edwards opened discussion/possible action concerning renewal of Turf Paradise Off-track Parimutuel Wagering permit for Famous Sam's, located at 307 S. Beeline Highway, Payson.

Motion: to approve renewal of Turf Paradise Off-track Parimutuel Wagering permit for Famous Sam's, located at 307 S. Beeline Highway, Payson.

Moved by Council Member John Wilson, seconded byCouncil 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.

Council approved, on the Consent Agenda, the **appointment of Harry W. Wilson** to the Public Safety Personnel Retirement System Board, term to expire 12/31/09.
CONSENT APPROVED

Council approved, on the Consent Agenda, the **appointment of Bob Edwards** as NAMWUA representative to replace Judy Buettner.
CONSENT APPROVED

Council approved, on the Consent Agenda, the **appointment of Robert Sumegi** to the Board of Adjustments, to fill the vacancy left by Sarah Nelson, term to expire 12/31/06.
CONSENT APPROVED

L. PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

Mayor Edwards adjourned the meeting at approximately 7:00 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 10 of August, 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