

**TOWN OF PAYSON  
TOWN COUNCIL MEETING  
MINUTES OF THE REGULAR MEETING  
September 7, 2006**

**CALL TO ORDER**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**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, Glenn Smith, Chief Fiscal Officer, LaRon Garrett, Public Works Engineer, Gordon Gartner, Police Chief, Jerry Owen, Community Development Director, Marty deMasi, Fire Chief, and William Schwind, Parks & Recreation Director.

**OTHERS PRESENT:** Gaye Stidham, Deputy Town Clerk; Carol McCauley, Main Street/Redevelopment Area Manager; Diane Stoyer, Legal Department Office Manager; Commander Don Engler; and Mary McMullen, Recreation Coordinator.

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

Bob McQueen cautioned the Council about putting the brakes on the economy of Payson concerning the 17 motions passed at the August 10, 2006 meeting. He noted that buildings in strip malls were vacant and some restaurants have closed. He disagreed that Payson was experiencing a water crisis but supported water conservation. He disputed the validity of the 20 eru limit asserting that it caused a hodgepodge of development and prevented masterplanned development. Mr. McQueen asked the Council to guide the growth and not derail it.

Penny Pew, former Apache County Elections Director, replacing Judy Cooley as representative to Payson from Congressman Rick Renzi's office said she was looking forward to serving Payson.

Shirley Colin thanked Clmn. Vogel for helping get a quick response to her request to clean up weeds at Woodland Drive. She complimented LaRon Garrett, Town Engineer, on the work done and asked that weeds on Airline Drive also be removed.

**B. CONSENT AGENDA**

**Motion:** to approve the CONSENT AGENDA except for Items G.3 and G.5.

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

**Vote:** Motion carried 7 - 0

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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**

Fred Carpenter, Town Manager, reported that the North McLane Road project should be complete by the end of the month and the annual slurry seal project was complete except for some restriping and cleanup. He reported that Parks & Recreation Director, Bill Schwind, was leaving after 12 years with Payson. He will be deputy parks and recreation director for Glendale. Manager Carpenter reported the installation of artificial turf at the ball fields would be complete very soon.

Mayor Edwards reported on the the meeting of August 29, 2006. The Town of Star Valley was represented at that meeting, but Gila County representatives did not attend. Mayor Edwards spoke of his committment to working with Gila County to resolve issues. He said task force information was available at Paysonfuture.com. Mayor Edwards announced that a ceremony to retire worn out flags will be held on September 11, 2006 at Mt. Cross Lutheran Church.

Clmn. Vogel expressed his concern over statements made by the water task force chairman. He believed the statements to be out of line. Clmn. Vogel asked that the task force members' names and addresses be made public and sited a possible conflict with the open meeting law. Mayor Edwards said the members were talented and knowledgable. He encouraged the chairman to invite the press to the meetings, but said publicizing members names and addresses was up to the chairman.

**D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS**

1. Comments, Commendations, and Presentations by Mayor, Council Members, and/or Town Staff. There were no further comments from the Council.
2. Proclamation declaring September 17 - 23, 2006 as Constitution Week.

Clmn. Blair read the proclamation and made the presentation to attending members of the Daughters of the American Revolution. They invited the public to a constitution signing at the library on September 16, 2006.

**E. MINUTES**

1. Council Meeting Minutes:  
.08-10-06 Regular Meeting Pages 1-9  
.08-28-06 Special Meeting Pages 1-3  
.08-29-06 Special Joint Meeting Pages 1-5  
\*CONSENT\* APPROVED

**F. HEARINGS AND APPEALS**

1. A Public Hearing concerning an application for a Special Event Liquor License filed by John R. Wilson, agent, Library Friends of Payson, for the fundraiser for the new

addition to the Payson Public Library events to take place as follows: Saturday, 2/17/07, 3:00 p.m. - 8:00 p.m. Clmn. Wilson was present to answer questions for the Library fundraiser.

**Motion:** to approve an application for a Special Event Liquor License filed by John R. Wilson, agent, Library Friends of Payson, for the fundraiser for the new addition to the Payson Public Library events to take place as follows: Saturday, 2/17/07, 3:00 p.m. - 8:00 p.m.  
Moved by Vice-Mayor Tim Fruth, 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.

## 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\* APPROVED
2. Discussion/possible action concerning Resolution No. 2206 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, CONSENTING TO THE SALE, ASSIGNMENT AND TRANSFER OF THE FRANCHISE AGREEMENT BETWEEN ENERGY WEST ARIZONA, A DIVISION OF ENERGY WEST, INC., AND THE TOWN OF PAYSON AND APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AGREEMENTS WITH SEMSTREAM ARIZONA PROPANE, L.L.C., FOR A FRANCHISE FOR GAS SERVICE IN THE TOWN OF PAYSON. \*CONSENT\* APPROVED
3. Discussion/possible action concerning Resolution No. 2207 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH PAYSON HUMANE SOCIETY, INC., FOR FISCAL YEAR 2006-2007. Removed from the consent agenda.

Clmn. Vogel asked for a date certain for the completion of the new building. Manager Carpenter said he would get that information.

**Motion:** to approve Resolution No. 2207 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH PAYSON HUMANE SOCIETY, INC., FOR FISCAL YEAR 2006-2007.  
Moved by Vice-Mayor Tim Fruth, 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.

4. Discussion/possible action concerning Resolution No. 2209 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" (MANZANITA HILLS SIX, L.L.C., PAYSON, ARIZONA, BRUCE T. GRIFFIN, OWNER, ASSESSOR'S PARCEL NOS. 304-09-113J, 304-09-114C, 304-09-114B, 304-09-112A, 304-09-112B, 302-43-002C). \*CONSENT\* APPROVED
5. Discussion/possible action concerning Resolution No. 2211 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AGREEMENTS WITH NON-PROFIT ORGANIZATIONS FOR DISBURSEMENT OF PUBLIC PURPOSE FUNDS.

Clmn. Connell recommended that St. Vincent de Paul be allocated \$4,000 this year. She believed the increase was in line with the 20% cut in all non-profit allocation.

**Motion:** to amend the Resolution to allocate \$4,000 per year to St. Vincent de Paul. Moved by Council Member, Mike Vogel, 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.

Clmn. Vogel asked there be an accounting for required quarterly reports. Glenn Smith, CFO, said he would require the reports before checks would be issued and would assign a person for that responsibility. Mr. Streichman said the agreements would need to be changed to reflect cancellation if the agency was not compliant with quarterly reports.

Clmn. Wilson announced the dedication of the new St. Vincent de Paul facility.

**Motion:** to approve Resolution No. 2211 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AGREEMENTS WITH NON-PROFIT ORGANIZATIONS FOR DISBURSEMENT OF PUBLIC PURPOSE FUNDS. as amended to \$4,000.00 for St. Vincent de Paul and subject to the Town Attorney amending the contracts to include cancellation if agency not compliant with quarterly reporting and to include quarterly disbursements. Moved by Vice-Mayor Tim Fruth, 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.

6. Discussion/possible action concerning Resolution No. 2213 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING RIGHT OF WAY ON SOUTH MCLANE ROAD DESCRIBED IN THE DOCUMENT ATTACHED HERETO AS EXHIBIT "1". \*CONSENT\* APPROVED
7. Westerly Drive Improvement District:
  - a. This was a Public Hearing re: Hold a hearing on the assessment for Westerly Drive Improvement District; receive a report from the Clerk concerning objections against the assessment, if any are received.
  - b. Act on a resolution approving the assessment for such district.
  - c. Discussion/possible action concerning Resolution No. 2215, captioned as follows: RESOLUTION APPROVING THE ASSESSMENT FOR TOWN OF PAYSON, ARIZONA, WESTERLY DRIVE IMPROVEMENT DISTRICT; DETERMINING THAT THE CONSTRUCTION WORK FOR SUCH IMPROVEMENT IS COMPLETED; AND MAKING TECHNICAL CORRECTIONS. There were no comments.

**Motion:** to approve Resolution No. 2215, captioned as follows: RESOLUTION APPROVING THE ASSESSMENT FOR TOWN OF PAYSON, ARIZONA, WESTERLY DRIVE IMPROVEMENT DISTRICT; DETERMINING THAT THE CONSTRUCTION WORK FOR SUCH IMPROVEMENT IS COMPLETED; AND MAKING TECHNICAL CORRECTIONS.

Moved by Council Member, Mike Vogel, 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.

#### **H. UNFINISHED BUSINESS**

1. Council Decision Request filed by LaRon Garrett, Assistant Public Works Director/Town Engineer, to approve the Mud Springs Road Phase 1 redesign contract with Tetra Tech, Inc. for \$34,300 and authorize the Mayor to sign all necessary Contract Documents.

Bob Coar, Twin Pines Mobile Home Park, asked that there be a barrier constructed to protect the mobile home park from Mud Springs Road. He complimented Mr. Garrett and his staff for their work so far on the project.

**Motion:** to approve a Council Decision Request filed by LaRon Garrett, Assistant Public Works Director/Town Engineer, to approve the Mud Springs Road Phase 1 redesign contract with Tetra Tech, Inc. for \$34,300 and authorize the Mayor to sign all necessary Contract Documents.

Moved by Vice-Mayor Tim Fruth, 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.

2. Council Decision Request filed by LaRon Garrett, Assistant Public Works Director/Town Engineer, to grant a six month approval for the Final Subdivision Plat for the East Gateway Phase 2 Subdivision and Authorize the Mayor to sign said document and authorize staff to record said document.

**Motion:** to approve a Council Decision Request filed by LaRon Garrett, Assistant Public Works Director/Town Engineer, to grant a six month approval for the Final Subdivision Plat for the East Gateway Phase 2 Subdivision and Authorize the Mayor to sign said document and authorize staff to record said document.

Moved by Council Member, Mike Vogel, 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.

## I. NEW BUSINESS

1. Council Decision Request filed by LaRon Garrett, Assistant Public Works Director/Town Engineer, to approve the purchase of a 20' x 40' metal building to be used as the Street Department Sign Shop from ATY Building Systems, Inc. for \$15,000.

**Motion:** to approve a Council Decision Request filed by LaRon Garrett, Assistant Public Works Director/Town Engineer, to approve the purchase of a 20' x 40' metal building to be used as the Street Department Sign Shop from ATY Building Systems, Inc. for \$15,000.

Moved by Council Member Ed Blair, 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.

2. \*\* Council Decision Request filed by Colin Walker, Public Works Director, to

authorize the purchase of one two wheel drive compact pickup and one four wheel drive compact pickup from Courtesy Chevrolet in the amount of \$41,354.13 and to allocate the cost to the Water Enterprise Fund. \*\*Pulled from agenda 9/6/06, 3:30 p.m.

3. Council Decision Request filed by Colin Walker, Public Works Director, to implement the FY 2006-2007 water fixture retrofit program and to allocate all costs to the Water Enterprise Fund. \*CONSENT\* APPROVED
4. Council Decision Request filed by Carol McCauley, Main Street/Redevelopment Area Manager, to approve the street closure on South Green Valley Parkway from the Town Yard to the north side of the driveway into the Museum and Main Street Office parking lot from 6:30 a.m. on Saturday, September 30, 2006 to 9:00 p.m. on Sunday, October 1, 2006 to hold the Payson "All American Soapbox Derby Rally" race.

**Motion:** to approve a Council Decision Request filed by Carol McCauley, Main Street/Redevelopment Area Manager, to approve the street closure on South Green Valley parkway from the Town yard to the north side of the driveway into the Museum and Main Street Office parking lot from 6:30 a.m. on Saturday, September 30, 2006 to 9:00 p.m. on Sunday, October 1, 2006 to hol the Payson "All American Soapbox Derby Rally" race.

Moved by Vice-Mayor Tim Fruth, 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.

5. Council Decision Request filed by Carol McCauley, Main Street/Redevelopment Area Manager, to approve the Main Street closure for the purpose of presenting the Sixth Annual Main Street APS Electric Light Parade on Saturday, December 2, 2006 from Highway 87 on the east to Green Valley Parkway on the west from 4:30 p.m. to 10:00 p.m.

**Motion:** to approve a Council Decision Request filed by Carol McCauley, Main Street/Redevelopment Area Manager, to approve the Main Street closure for the purpose of presenting the Sixth Annual Main Street APS Electric Light Parade on Saturday, December 2, 2006 from Highway 87 on the east to Green Valley Parkway on the west from 4:30 p.m. to 10:00 p.m.

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.

6. Council Decision Request filed by Donald Engler, Commander, to authorize the Payson Police Department to upgrade the current part-time 911/communications

dispatch position to a full-time 911/communications dispatch position.

**Motion:** to approve a Council Decision Request filed by Donald Engler, Commander, to authorize the Payson Police Department to upgrade the current part-time 911/communications dispatch position to a full-time 911/communications dispatch position.

Moved by Vice-Mayor Tim Fruth, 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.

7. Council Decision Request filed by Silvia Smith, Town Clerk, to approve the transfer of Contingency Funds of \$6,000.00 to purchase the upgrade for the Mobile Encoder software from Granicus.

**Motion:** to approve a Council Decision Request filed by Silvia Smith, Town Clerk, to approve the transfer of Contingency funds of \$6,000.00 to purchase the upgrade for the Mobile Encoder software from Granicus.

Moved by Vice-Mayor Tim Fruth, 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.

8. Council Decision Request filed by Jerry Owen, Community Development Director, to adopt a policy restricting the installation of any new gates on local streets, public or private.

Mr. Owen answered questions from the Council. Mr. Streichman suggested the Council direct staff to create a policy and come back to Council as part of a new subdivision policy. He distributed a possible motion.

**Motion:** to direct staff to develop a policy to restrict the use of and installation of new gates for new subdivisions and to incorporate the policy into the draft revision of the Town's subdivision regulations.

Moved by Mayor Bob Edwards, seconded by Council Member John Wilson.

James Garner spoke in opposition to the restriction of gated communities.

Jon Barber defended the right of the property owner to develop his property in the way he wanted and to gate a development. He believed there was an economic benefit to the Town in that gated communities maintain their own streets, take care of their own weeds and the entire property would be on the tax rolls. He stood in favor of private property rights.

Leon Kennington agreed with the previous speakers. He suggested a decision on a

case by case basis and not a blanket policy.

Robert Henley supported private property rights saying this was a solution without a problem. He suggested the Planning & Zoning Commission could make any changes to gated communities through the preliminary and final plat processes.

Dave Daily asked if crime was less in a gated community. Commander Engler answered that he could not assess whether the gated communities were safer and what factors could be the cause. Mr. Daily recommended taking the subdivisions on a case by case basis and not making a policy to cover all new subdivisions.

**Motion:** to direct staff to develop a policy to define the use of gates in new subdivisions and make a proposal to the Council asking what we ought to do with the Town's draft subdivision regulations.

Moved by Mayor Bob Edwards, seconded by Council Member Ed Blair.

Kevin Sokol agreed with the other speakers concerning gated communities. He lived in a gated community because of safety for his children.

Lew Levinson spoke to the amendment suggesting that a policy was not needed as he had not heard what the problem was that required a policy. Mayor Edwards pointed to the Bison property and the decisions that needed to be made concerning gated communities with that project. Mr. Levinson felt it wise to review the whole range of problems and agree upon a list rather than developing specific policies for just one.

Jon Barber suggested if access was the issue, then deal with that in the Planning & Zoning Commission review rather than making a specific policy for gates.

Annette Bashaw said the issue was traffic safety and as long as the gates had time to open and close properly, there wasn't a problem. She did not agree with a socialistic attitude of connectivity in communities.

Bruce Van Camp spoke saying the S.T.A.C. (he is a member) reviews streets and their access and connectivity.

Jim Garner believed the Council needed to rethink the issue and suggested they let it die.

**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 John Wilson.

No: Council Member, Mike Vogel.

The Council recessed at approximately 7:17 p.m. and reconvened at approximately 7:28 p.m.

Bill Schwind introduced Mary McMullen. She will be the interim director for Parks & Recreation.

10. Council Decision Request filed by William Schwind, Parks and Recreation Director, to authorize the expenditure of \$11,180.00 from the Town of Payson's contingency fund for the installation of upgraded ball field lighting assemblies for the Rumsey I and II ball fields. (Taken out of order)

John Zilich commented that the old lights are bright enough to light up the hillside and the insides of houses adjacent to Rumsey Park.

**Motion:** to approve a Council Decision Request filed by William Schwind, Parks and Recreation Director, to authorize the expenditure of \$11,180.00 from the Town of Payson's contingency fund for the installation of upgraded ball field lighting assemblies for the Rumsey I and II ball fields.

Moved by Vice-Mayor Tim Fruth, 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.

Clmn. Vogel expressed his admiration for Mr. Schwind's efforts for Parks & Recreation in Payson. He said Glendale was getting a very fine employee.

- K.1. Discussion/possible action concerning Off-Track Wagering on behalf of American Greyhound Racing, Inc., at Phoenix Greyhound Park, at the Ox Bow Saloon, 607 W. Main Street, Payson, Arizona. (Taken out of order)

**Motion:** to approve Off-Track Wagering on behalf of American Greyhound Racing, Inc., at Phoenix Greyhound Park, at the Ox Bow Saloon, 607 W. Main Street, Payson, Arizona.

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

Maggie Macary explained her opposition to dog racing. She stated that dog racing was illegal in 36 states and banned in 8 states. She asked the Council to consider this carefully.

Curtis Swanburg, Phoenix Greyhound Park, explained the industry and the need for off-track betting. He said that 970 non-racing greyhounds had been adopted through their programs and that they give money to several charities. They plan to run dog racing four nights a week at the Oxbow.

Maggie Macary read a letter from close residents opposing gambling at the Oxbow.

Clmn. Fruth asked Barbara Underwood, former owner of Marios, how dog racing affected their business and the community. Ms. Underwood said that Phoenix Greyhound Park gave back to the community through charities. She said it was very quiet and saw no problems.

**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.

9. Council Decision Request filed by Jerry Owen, Community Development Director, to adopt the catalog of all new developments in the pipeline.

Barbara Underwood was concerned that someone who had owned property for a number of years, who planned to subdivide in the future but was not notified would, therefore, not be able to be in the pipeline. She felt that anyone with land that would be affected should be notified. She felt that people were skating around the subdivision rules by doing minor land divisions. Proper infrastructure was not in place like it would be in a subdivision. She wanted to make sure the Council was thinking it through.

Mark Perry with Payson Development Group asked to consider basic fairness. They had been working hard on affordable housing with the Mogollon Ridge project. He believed that the way this was set up they couldn't present their plan. Mr. Owen said that affordable housing was part of the 250 cap but not the pipeline. He believed that affordable housing may be allowed.

Clmn. Vogel said he understood that the pipeline was to determine what projects were out there right now but did not believe it should limit new projects. Mayor Edwards explained that new ideas could be brought forward but would not be approved until after the water study was complete in about 1 to 1 1/2 years.

Clmn. Vogel asked this be referred to as a reference list with new projects added. He didn't want anyone being stopped from coming in with new projects. Mayor Edwards said the decisions would be made as to who would go first and felt the list was needed.

Clmn. Connell said this was presented as a fluid plan and should be used as a reference list with new projects coming on.

Robert Henley felt the list was restrictive and should include everyone. He stated that the free market should determine what we do in the community. He was also concerned after listening to the discussion from the Council, that the 250 building permit limitation was a done deal and had not been voted on. He urged the Council to do as Clmns. Vogel and Connell had suggested and keep this as a reference list to add to and subtract from it. He urged them not to use it as a limit to new projects or try to control growth. Mayor Edwards said that the Council had already voted on it with the 17 motion vote and had given a promise to the public that this was the way they were going to go.

Doug Pelton believed the economic impact of the list was huge. He said if affordable housing was not on the list it would upset the balance of growth. Affordable housing would be the majority of housing built within the 250 limit. He urged the Council to consider the impact to the second largest employer in the Payson area, construction. He asked them to look to the general plan, Planning and Zoning Commission. He was okay with the 250 cap but not with any additional restriction.

**Motion:** to approve a Council Decision Request filed by Jerry Owen, Community Development Director, to adopt the attached catalog of all new developments in the pipeline as a dynamic reference list.

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

Len Little questioned the dollar figure in the definition of affordable housing. Jerry Owen said the general frame of reference was 60% of area median income which is about \$25,200 a year for a family of four.

**Vote:** Motion carried 6 - 1

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

No: Council Member, Andy Romance.

#### **J. CLAIMS**

1. \* List of checks paid from 6/20/06 through 8/31/06, Check Nos. 37664 through 38709, except Checks Nos. 37954, 38004 and 38685, and authorization to file the check for audit. \*CONSENT\* APPROVED
2. \* Check No. 37954, paid 7/20/06, authorization to file the check for audit. (Note: due to perceived and/or conflict of interest, Councilmember Blair will be considered to have abstained from voting on this item.) \*CONSENT\* APPROVED
3. \* Check No. 38004, paid 7/20/06, and Check No. 38685, paid 8/30/06, authorization to file the checks for audit. (Note: due to perceived and/or conflict of interest, Councilmember Vogel will be considered to have abstained from voting on this item.) \*CONSENT\* APPROVED

#### **K. MISCELLANEOUS**

2. Acceptance with regrets, of Hilda Crawford's resignation from the Airport Advisory Committee, with thanks for a job well done. \*CONSENT\* APPROVED
3. Appointment of Charles W. Day to the Airport Advisory Committee, to fill the vacancy left by Hilda Crawford, term to expire 12/31/07. \*CONSENT\* APPROVED
4. Appointment of Paul H. Rasmussen to the Industrial Development Authority, to fill the vacancy left by Ann Stavenass, term to expire 12/11/09. \*CONSENT\* APPROVED

#### **L. PUBLIC COMMENTS**

There were no comments from the public.

Adjourned 8:26 pm.

\_\_\_\_\_ 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 7 of September, 2006. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_

Gaye Stidham, Deputy Town Clerk