

COMMON COUNCIL OF THE TOWN OF PAYSON
AGENDA OF THE REGULAR MEETING
JANUARY 04, ~~2006~~ 2007 *Corrected 12/29/06*

CALL TO ORDER: 5:30 p.m. in the Town Hall Council Chambers, 303 North Beeline Highway, Payson, Arizona.

INVOCATION (Participation Voluntary) Charles Wilcox
Tonto Village Chapel

PLEDGE OF ALLEGIANCE

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

STAFF PRESENT: FC__ SIS__ GS__ MD__ CPW__ GHG__ SS__ JO__ LG__ TM__
RM__ 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. **Presentation.** Introduction of new Town of Payson employees.
3. **Presentation** of the [Update](#) on the Trails Master Plan and Community Trails Network Plan Development by Mary McMullen, Recreation Coordinator.

E. MINUTES

- 1.* **Council Meeting Minutes:**
 - . [11-16-06](#) Regular Meeting Pages 1-13
 - . [12-07-06](#) Special Meeting Pages 1-4

***CONSENT* APPROVAL**

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.* **Building Advisory Board Minutes:**
 - . [11-08-06](#) Regular Meeting Pages 390-391

CONSENT

- 3.* **Planning and Zoning Commission Minutes:**
 - . [11-13-06](#) Regular Meeting Pages 1-5

CONSENT

F. HEARINGS AND APPEALS

1. **This is a Public Hearing** concerning the FY 2007 application for Community Development Block Grant ([CDBG](#)) Funds (Heather Patel, CDBG Director CAAG). **This is a Public Hearing.**

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 a potential Intergovernmental Agreement with Star Valley regarding the development and use of water resources and/or **Resolution No. 2231**, captioned as follows: A~~

~~RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF PAYSON AND THE TOWN OF STAR VALLEY REGARDING THE DEVELOPMENT AND USE OF WATER RESOURCES. (NOTE: to be green sheeted.)~~

****Removed from agenda 12/27/06**

3. Consideration of a motion to remove from the table of the December 14, 2006, regular Council meeting **Resolution No. 2239**, for discussion/possible action.
4. Discussion/possible action concerning **Resolution No. 2239**, 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 FALCON LOOKOUT PHASE 1 SUBDIVISION.
- 5.* Discussion/possible action concerning **Resolution No. 2240**, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE APPOINTMENT OF DR. AL POSKANZER AS A TEMPORARY MEMBER OF THE TOWN OF PAYSON PERSONNEL BOARD.

***CONSENT* APPROVAL**

- 6.* Discussion/possible action concerning **Resolution No. 2241**, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA, DEPARTMENT OF BUILDING AND FIRE SAFETY, OFFICE OF MANUFACTURED HOUSING, RELATIVE TO THE ENFORCEMENT OF INSTALLATION STANDARDS FOR MANUFACTURED HOMES AND FACTORY-BUILT BUILDINGS.

***CONSENT* APPROVAL**

H. UNFINISHED BUSINESS

There are no items in this section.

I. NEW BUSINESS

- 1.* Council Decision Request filed by Jerry Owen, Community Development Director, to approve the **amendment** to Section 4.1, Meetings of the Planning & Zoning Commission Manual as recommended by the Planning and Zoning Commission.

***CONSENT* APPROVAL**

2. Council Decision Request filed by LaRon G. Garrett, Town Engineer, to approve the Town of Payson **Speed Hump Policy** and direct staff to implement said policy.

3. Council Decision Request filed by Jerry Owen, Community Development Director, to approve the Preliminary Plat for the [Boulder Ridge Subdivision](#) as submitted subject to the twelve (12) conditions recommended by the Planning and Zoning Commission.
4. Council Decision Request filed by Fred Carpenter, Town Manager, to allocate \$2,800 from contingency to support the annual [Hashknife](#) Pony Express ride from Holbrook through Payson to Scottsdale as part of the Parada del Sol.
5. Council Decision Request filed by Jerry Owen, Community Development Director, to approve the Preliminary Plat for the [McLane Park Subdivision](#) as submitted subject to the fourteen (14) conditions recommended by the Planning and Zoning Commission.
- **6. Discussion/possible action concerning [Holiday et. al., vs., Town of Payson](#), Gila County Superior Court Case CV2006-299.
****Added to agenda 1/3/07 8:55 a.m.**

J. CLAIMS

- 1.* List of Checks paid from 12/01/06 through 12/14/06, Check Nos. 39877 through 40063, and authorization to file the checks for audit.

K. MISCELLANEOUS

NOTE: Applications and letters of the following are on file in the Town Clerk's office.

- 1.* Reappointment of Gary Spragins to the Airport Advisory Committee, term to expire 12/31/09.
***CONSENT* APPROVAL**
- 2.* Reappointment of Clyde (Dick) Walker to the Airport Advisory Committee, term to expire 12/31/09.
***CONSENT* APPROVAL**
- 3.* Appointment of Dennis Satterfield to the Airport Advisory Committee, term to expire 12/31/09.
***CONSENT* APPROVAL**
- 4.* Reappointment of Roger Schwartz to the Board of Adjustments, term to expire 12/31/09.
***CONSENT* APPROVAL**

- 5.* Reappointment of Robert Sumegi to the Board of Adjustments, term to expire 12/31/09.
***CONSENT* APPROVAL**

- 6.* Acceptance of resignation of Peter Pingel from the Historic Preservation and Conservation Commission.
***CONSENT* APPROVAL**

- 7.* Appointment of Peter Pingel to the Board of Adjustments, term to expire 12/31/09.
***CONSENT* APPROVAL**

- 8.* Reappointment of Ralph Bossert to the Building Advisory Board, term to expire 12/31/09.
***CONSENT* APPROVAL**

- 9.* Reappointment of Herman Holz to the Building Advisory Board, term to expire 12/31/09.
***CONSENT* APPROVAL**

- 10.* Appointment of Ken Volz to the Green Valley Redevelopment Area Committee, replacing Judy Buettner, term to expire 12/31/08.
***CONSENT* APPROVAL**

- 11.* Reappointment of Robert Ingram to the Parks and Recreation Advisory Board, term to expire 12/31/09.
***CONSENT* APPROVAL**

- 12.* Reappointment of Bill Sahnö to the Parks and Recreation Advisory Board, term to expire 12-31-09.
***CONSENT* APPROVAL**

- 13.* Appointment of Dave Rutter to the Parks and Recreation Advisory Board, replacing John Clark, term to expire 12/31/08.
***CONSENT* APPROVAL**

- 14.* Reappointment of Kenneth McKeone to the Personnel Board, term to expire 12/31/09.
***CONSENT* APPROVAL**

- 15.* Appointment of Joel Mona to the Planning and Zoning Commission, term to expire 12/31/09.

***CONSENT* APPROVAL**

- 16.* Appointment of Gary Bedsworth to the Planning and Zoning Commission, term to expire 12/31/09.

***CONSENT* APPROVAL**

- 17.* Reappointment of Walter Gregory to the Public Safety Personnel Retirement Board (Fire), term to expire 12/31/09.

***CONSENT* APPROVAL**

- 18.* Reappointment of Guy Austin to the Public Safety Personnel Retirement Board (Fire), term to expire 12/31/09.

***CONSENT* APPROVAL**

- 19.* Reappointment of Walter Gregory to the Public Safety Personnel Retirement Board (Police), term to expire 12/31/09.

***CONSENT* APPROVAL**

- 20.* Appointment of Matt Van Camp to the Public Safety Personnel Retirement Board (Police), term to expire 12/31/09.

- 21.* Appointment of Jack Jasper to the Surface Transportation Advisory Committee, term to expire 12/31/09.

***CONSENT* APPROVAL**

- 22.* Appointment of Tom Loeffler to the Surface Transportation Advisory Committee, term to expire 12/31/09.

***CONSENT* APPROVAL**

- 23.* Reappointment of Ernie Schmidt to the Surface Transportation Advisory Committee, term to expire 12/31/09.

***CONSENT* APPROVAL**

- 24.* Appointment of Diana Sexton to the Surface Transportation Advisory Committee, replacing Al Lyons, term to expire 12/31/08.

***CONSENT* APPROVAL**

- 25.* 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.

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.

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.