

**TOWN OF PAYSON  
TOWN COUNCIL MEETING  
MINUTES OF THE REGULAR MEETING  
May 17, 2007**

**CALL TO ORDER**

Mayor Edwards called the meeting to order at approximately 5:30 p.m. in the Town Hall Council Chambers, 303 North Beeline Highway, Payson, Arizona.

**INVOCATION**

Charles Proudfoot Community Presbyterian Church

**PLEDGE OF ALLEGIANCE**

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

**ABSENT:** Council Member Andy Romance, and Council Member Mike Vogel.

**STAFF PRESENT:** Fred Carpenter, Town Manager, Sam Streichman, Town Attorney, Glenn Smith, Chief Fiscal Officer, Colin Walker, Public Works Director, LaRon Garrett, Public Works Engineer, Jerry Owen, Community Development Director, and Martin deMasi, Fire Chief.

**OTHERS PRESENT:** Tessie Flores, Deputy Town Clerk, Tracie Bailey, Deputy Town Clerk, Tim Wright, Deputy Town Attorney, Commander Don Engler

**A. PUBLIC COMMENTS**

Lew Levenson asked the Council to issue a proclamation in support of House Resolution 808.

- 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.

**Motion:** to approve the Consent Agenda.

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

**Vote:** Motion carried 5 - 0

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

Absent: Council Member Andy Romance, and Council Member Mike Vogel.

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

JUN 21 2007 E.1\*

Fred Carpenter, Town Manager, announced that May 22nd is the first budget meeting. Applications are available for the Citizens Leadership Academy. The deadline to submit applications is July 31st. Classes start August 21st. Paving of Meadow Street from Frontier to Main Street is scheduled for the week of May 21st. Police Chief finalists have been chosen. May 31st from 6:00 p.m. to 9:00 p.m. roundtable sessions will be held at Frontier Elementary School.

Mayor Edwards announced the Gary Hardt Memorial parade on Saturday.

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

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

Vice-Mayor Fruth announced the High School graduation next Thursday.

2. **Proclamation.** Vice-Mayor Fruth read into the record a Proclamation declaring May 19, 2007 as Payson Aero Fair Day. Beth Myers and Nancy Ward, Aero Fair Committee Members, were present to accept the proclamation.
3. **Proclamation.** Council Member Wilson read into the record a Proclamation declaring May 24, 25, and 26, 2007 as Buddy Poppy Days. Members of the local VFW were present to accept the proclamation.
4. **Presentation** and discussion/possible action concerning the Street Inventory/Assessment Task Force, "A Rural Western Town--A Paradigm Shift."

Fran Hoffman, Task Force Leader, presented the slide show.

At approximately 5:50 p.m. the Incident Management Team gave an update on the Promontory Fire.

#### **E. MINUTES**

1. **\* Council Meeting Minutes:**  
04-05-07 Regular Meeting Pages 1-12  
04-19-07 Regular Meeting Pages 1-10  
05-01-07 Special Meeting Pages 1-2  
**\*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:**  
04-10-07 Regular Meeting Pages 406-407  
**\*CONSENT\***

Mayor Edwards moved Item I.7 up on the Agenda.

**I.7. Council Decision Request filed by LaRon Garrett, Town Engineer, to approve the Priority List for Street Construction/Reconstruction as recommended by the Surface Transportation Advisory Committee.**

**Motion:** to approve the Council Decision Request filed by LaRon Garrett, Town Engineer, to approve the Priority List for Street Construction/Reconstruction as recommended by the Surface Transportation Advisory Committee.

Moved by Council Member Ed Blair, seconded by Council Member John Wilson.

Bruce Van Camp supported the street priority list for street construction and believed the Council should also look at drainage.

**Vote:** Motion carried 5 - 0

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

Absent: Council Member, Andy Romance, and Council Member, Mike Vogel.

Mayor Edwards moved Item I.9 up on the Agenda.

**I.9. Discussion/possible action concerning the fence and tarp on the property on North McLane Road previously referred to as Mogollon Ridge.**

**Motion:** to approve directing the Town Attorney to create a resolution stating that the Council opposes the orange tarp fence on McLane Road.

Moved by Council Member Ed Blair, seconded by Council Member John Wilson.

Barbara Gooch spoke in opposition of the orange fence on North McLane Road.

Following further discussion Council Member Blair amended the motion to direct staff to investigate the ordinance regarding fencing and make a recommendation to Council.

Following some discussion Council Member Blair amended the motion to not create a resolution but to go on record stating the Council opposes the orange fence.

Following considerable discussion Council Member Blair withdrew his motion. Mayor Edwards made the following substitute motion.

**Motion:** to approve to direct staff to look at the current code and determine what can be done with fencing.

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

**Vote:** Motion carried 5 - 0

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

Absent: Council Member Andy Romance, and Council Member Mike Vogel.

**F. HEARINGS AND APPEALS**

1. **Public Hearing.** Mayor Edwards opened the Public Hearing concerning an

application for a Special Event Liquor License filed by Judy A. Baker, agent, Mogollon Health Alliance, for the Gracie Lee Haught Memorial Roping event on Saturday, August 11, 2007, 8:00 a.m. to 11:00 p.m. at 1400 South Beeline, Payson, Arizona. This is was Public Hearing.

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

**Motion:** to Approve an application for a Special Event Liquor License filed by Judy A. Baker, agent, Mogollon Health Alliance, for the Gracie Lee Haught Memorial Roping event on Saturday, August 11, 2007, 8:00 a.m. to 11:00 p.m. at 1400 South Beeline, Payson, Arizona.

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

**Vote:** Motion carried 5 - 0

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

Absent: Council Member Andy Romance, and Council Member Mike Vogel.

2. **Public Heaing.** Mayor Edwards opened the Public Hearing to adopt the attached Notice of Intention to Increase Water Development Fees and to direct Town staff to 1.) Cause the Notice of Intention to be published on March 9, 2007; 2.) Schedule the public hearing on the Notice of Intention for May 17, 2007; and 3.) Make the Economist.com report and the Notice of Intention available for public review at the Clerk's Office. This was a Public Hearing.

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

The Council took no action on this item.

## 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. **Resolution No. 2272.** Mayor Edwards opened discussion/possible action concerning Resolution No. 2272, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING PORTIONS OF CHAPTER 152 (GRADING AND DRAINAGE) OF THE CODE OF THE TOWN OF PAYSON, AND DECLARING SUCH AMENDMENT TO BE A PUBLIC RECORD (AMENDMENTS TO DRAINAGE REQUIREMENTS).

Mayor Edwards noted that Ordinance No. 714 would be discussed with Resolution No. 2272. The Mayor opened the Second Reading and Public Hearing for Ordinance No. 714.

3. Second Reading and Public Hearing concerning Ordinance No. 714, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING

PORTIONS OF SECTION 152 OF THE CODE OF THE TOWN OF PAYSON AND ADOPTING SUCH AMENDMENTS BY REFERENCE (AMENDMENTS TO DRAINAGE REQUIREMENTS). Second Reading and Public Hearing.

There were no public comments and the Mayor closed the Second Reading and Public Hearing.

**Motion:** to Approve Resolution No. 2272 and Ordinance No. 714 , captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING PORTIONS OF CHAPTER 152 (GRADING AND DRAINAGE) OF THE CODE OF THE TOWN OF PAYSON, AND DECLARING SUCH AMENDMENT TO BE A PUBLIC RECORD (AMENDMENTS TO DRAINAGE REQUIREMENTS) and Ordinance No. 717 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING PORTIONS OF SECTION 152 OF THE CODE OF THE TOWN OF PAYSON AND ADOPTING SUCH AMENDMENTS BY REFERENCE (AMENDMENTS TO DRAINAGE REQUIREMENTS).

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

**Vote:** Motion carried 5 - 0

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

Absent: Council Member Andy Romance, and Council Member Mike Vogel.

4. **Resolution No. 2275.** Mayor Edwards opened discussion/possible action concerning Resolution No. 2275, 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 E-GOV SOFTWARE AGREEMENT AND ADDENDUM NO. 1 THERETO WITH ELECTRONIC COMMERCE LINK, INC.

**Motion:** to Approve Resolution No. 2275, 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 E-GOV SOFTWARE AGREEMENT AND ADDENDUM NO. 1 THERETO WITH ELECTRONIC COMMERCE LINK, INC.

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

**Vote:** Motion carried 5 - 0

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

Absent: Council Member Andy Romance, and Council Member Mike Vogel.

5. \* **Resolution No. 2276.** Council approved, on the Consent Agenda, Resolution No. 2276, 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 AGREEMENT FOR LAW

ENFORCEMENT SERVICES BETWEEN THE TOWN OF PAYSON AND THE TOWN OF STAR VALLEY.

**\*CONSENT\* APPROVED**

6. **Ordinance No. 717.** Mayor Edwards opened the First Reading and Public Hearing concerning Ordinance No. 717, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTION 15-07-002.H OF CHAPTER 154 OF THE CODE OF THE TOWN OF PAYSON (THE UNIFIED DEVELOPMENT CODE) RELATING TO HILLSIDE GRADING REQUIREMENTS. First Reading and PublicHearing. (Note: Resolution Number 2278 is for information only.)

There were no public comments. Mayor Edwards closed the First Reading and Public Hearing.

## H. UNFINISHED BUSINESS

1. **Council Decision Request** filed by LaRon G. Garrett, Town Engineer, to award the contract for the rubberized chip seal on Longhorn Road from Highway 87 to McLane Road to International Surfacing Systems and authorize the Mayor to sign all necessary contract documents.

**Motion:** to Approve awarding the contract for the rubberized chip seal on Longhorn Road from Highway 87 to McLane Road to International Surfacing Systems and authorize the Mayor to sign all necessary contract documents.

Moved by Council Member Susan Connell, 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 John Wilson, Council Member Susan Connell, Council Member Andy Romance, and Council Member Mike Vogel.

## I. NEW BUSINESS

1. **Council Decision Request** filed by Commander Donald B. Engler to authorize the Payson Police Department to purchase (2) 2007 Ford Crown Victoria Police Package vehicles utilizing the GSA AutoChoice vehicle purchase program. The total purchase price per vehicle is \$21,010.02. I further move to authorize the purchasing and installation of the necessary specialty police equipment in an amount up to \$6,000.00 per vehicle. The total expense associated with this purchase is \$54,020.04.

**Motion:** to Approve authorizing the Payson Police Department to purchase (2) 2007 Ford Crown Victoria Police Package vehicles utilizing the GSA AutoChoice vehicle purchase program. The total purchase price per vehicle is \$21,010.02. I further move to authorize the purchasing and installation of the necessary specialty police equipment in an amount up to \$6,000.00 per vehicle. The total expense associated with this purchase is \$54,020.04.

Moved by Council Member Ed Blair, seconded by Council Member Susan Connell.

**Vote:** Motion carried 5 - 0

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

Absent: Council Member Andy Romance, and Council Member Mike Vogel.

2. **Council Decision Request** filed by LaRon G. Garrett, Town Engineer, to direct staff to install two Stop Signs at the intersection of Elk Ridge Drive and Phoenix Street to make the intersection a 4-Way Stop.

Roger Freeman, representing concerned citizens in the neighborhood, spoke in support of installing the stop signs.

**Motion:** to Approve directing staff to install two Stop Signs at the intersection of Elk Ridge Drive and Phoenix Street to make the intersection a 4-Way Stop.

Moved by Council Member John Wilson, seconded by Council Member Ed Blair.

**Vote:** Motion carried 5 - 0

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

Absent: Council Member Andy Romance, and Council Member Mike Vogel.

3. **Council Decision Request** filed by Buzz Walker, Water Superintendent, to authorize the purchase of a steel storage building material package from Bunger Steel in an amount not to exceed \$18,294.00, and to allocate the cost to the Water Enterprise Fund.

**Motion:** to Approve authorizing the purchase of a steel storage building material package from Bunger Steel in an amount not to exceed \$18,294.00, and to allocate the cost to the Water Enterprise Fund.

Moved by Council Member John Wilson, seconded by Council Member Ed Blair.

**Vote:** Motion carried 5 - 0

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

Absent: Council Member Andy Romance, and Council Member Mike Vogel.

4. **Council Decision Request** filed by Martin deMasi, Fire Chief, to approve the expenditure of \$36,214.00 for the installation of a vehicle exhaust system in Fire Station 11.

**Motion:** to Approve the expenditure of \$36,214.00 for the installation of a vehicle exhaust system in Fire Station 11.

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

**Vote:** Motion carried 5 - 0

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

5. **Council Decision Request** filed by Martin deMasi, Fire Chief, to approve the expenditure of \$48,100.00 for the installation of a fire sprinkler system in fire Station 11.

**Motion:** to Approve the expenditure of \$48,100.00 for the installation of a fire sprinkler system in fire Station 11.

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

**Vote:** Motion carried 5 - 0

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

6. **Council Decision Request** filed by Jerry Owen, Community Development Director, to approve the Chilson Ranch Preliminary Plat subject to the conditions recommended by Planning and Zoning Commission.

Robin Interpreter, representing the Tonto Apache Tribe, opposed a road being connected to Green Valley Parkway.

David Kurts expressed concerns about connecting a road to Green Valley Parkway.

**Motion:** to Approve the Chilson Ranch Preliminary Plat subject to the conditions recommended by Planning and Zoning Commission.

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

**Vote:** Motion carried 5 - 0

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

8. **Council Decision Request** filed by LaRon Garrett, Town Engineer, to direct staff to prepare a Resolution of Intention to create the American Gulch Improvement District.

**Motion:** to Approve directing staff to prepare a Resolution of Intention to create the American Gulch Improvement District.

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

Paul Messenger spoke in support of this project.

Ken and Brenda Mooney felt this project would be a burden to some businesses. They were willing to donate Bootleg alley to the Town.

Council Member Blair left the meeting at approximately 7:38 p.m.

Robin Interpreter, representing the Tonto Apache Tribe, opposed this project.

**Motion:** to Approve directing staff to prepare a Resolution of Intention to create the American Gulch Improvement District.

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

Steve Christiansen felt this was a good project, but was concerned about the cost/benefit ratio. Mr. Christiansen asked the Town to pay for properties that do not have the money.

Paul Messenger felt there was development value.

David Kurts believed it was premature to activate the resolution of intention.

Hallie Overman believed they had to get to the point where the entire cost can be figured.

Mayor Edwards directed staff to find the exact location of the flood plain, look at the cost to the people and look into finding a way to help the people with the costs.

**Vote:** Motion carried 4 - 0

Yes: Mayor Bob Edwards, Vice-Mayor Tim Fruth, Council Member John Wilson, and Council Member Susan Connell.

Absent: Council Member Ed Blair, Council Member Andy Romance, and Council Member Mike Vogel.

## **J. CLAIMS**

1. \* **List of checks.** Council approved, on the Consent Agenda, a list of checks paid from 04-09-07 through 04-30-07, Check Nos. 41348 through 41733, except Check No. 41719, and authorization to file the checks for audit.  
**\*CONSENT\* APPROVED**
2. \* **Check No. 41719.** Council approved, on the Consent Agenda, check no. 41719, paid 04-27-07, and authorization to file the check for audit. (Note: due to a perceived and/or conflict of interest, Clmn. Vogel will be considered to have abstained from voting on this item.)  
**\*CONSENT\* APPROVED**

## **K. MISCELLANEOUS**

1. There were no items for this section.

## **L. PUBLIC COMMENTS**

1. There were no public comments.

**ADJOURNMENT**

Mayor Edwards adjourned the meeting at approximately 8:17 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 regular meeting of the Town Council of the Town of Payson held on this day the 17 of May, 2007. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_

Tessie Flores, Deputy Town Clerk