

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
July 18, 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

Simone Lake, Church on Randall Place

PLEDGE OF ALLEGIANCE

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

ABSENT: Council Member, Andy Romance.

STAFF PRESENT: Fred Carpenter, Town Manager, Sam Streichman, Town Attorney, LaRon Garrett, Public Works Engineer, Jerry Owen, Community Development Director, Rick Manchester, Parks & Recreation Director, Debra Galbraith, Chief Fiscal Officer, Don Engler, Police Chief, and Robert Smith, Human Resources Director.

OTHERS PRESENT: Tracie Bailey, Deputy Town Clerk; Chris Floyd, Administrative Secretary; Tim Wright, Deputy Town Attorney; and Ted Anderson, Airport Manager.

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 Susan Connell.

Vote: Motion carried 6 - 0

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

Absent: Council Member, Andy Romance.

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

AUG 02 2007 E.L.*

1. Mayor Edwards read a letter thanking Town employees for exceptional work on a drainage problem.

Mayor Edwards moved Item I.4 up on the agenda.

I.4. Council Decision Request filed by Jerry Owen, Community Development Director, to approve the Payson Image Statement as presented.

Roy Burkhold, Chairman of the Image Statement Task Force, presented the Payson Image Statement to the Council.

Shirley McGearly commented as to why she moved to Town.

Motion: to approve the Payson Image Statement as presented.

Moved by Council Member Ed Blair, seconded by Vice-Mayor Tim Fruth.

Vote: Motion carried 6 - 0

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

Absent: Council Member, Andy Romance.

D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS

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

Fred Carpenter, Town Manager, announced that there was still time to sign up for this year's Payson Citizens Leadership Academy. The academy is a series of classes to help citizens learn about town government.

Mr. Carpenter stated that on tonight's Council agenda there are bid awards for two of this year's street projects, Mud Springs Road and the annual slurry seal program. Bids will be received for the chip seal project on Airport and Vista Roads next week. Bidding will start for St. Phillips Street from Bentley (which covers a portion of Bonita) to Frontier, and Frontier from St. Phillips to Mud Springs Road, by August 1, 2007.

The updated Payson Goal Plan is now on the Town's website. Last week the Town began another new website innovation to help the public keep in touch with their local government. It is a new service the Council recently approved called E-Gov Link.

E. MINUTES

1. * Council Meeting Minutes:
06-05-07 Special Meeting Pages 1-4
06-07-07 Regular Meeting Pages 1-10
06-21-07 Special Meeting Pages 1-7
***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. * Planning and Zoning Commission Minutes:
06-11-07 Regular Meeting Pages 1-8
CONSENT
3. * Building Advisory Board Minutes:
06-26-07 Regular Meeting Pages 416-417
CONSENT
4. * Housing Advisory Commission Minutes:
06-07-07 Regular Meeting Pages 003-004
CONSENT

F. HEARINGS AND APPEALS

Public Hearing. Mayor Edwards opened the Public Hearing concerning an application for a Special Event Liquor License, filed by Christina R. Bruess, Rim Country Regional Chamber of Commerce, for the 123rd Annual Worlds' Oldest Continuous Rodeo Annual Rodeo/Special Event/Fund Raiser events to take place at 1400 S. Beeline Highway (Multi-Event Center), Payson Arizona, as follows:
Thursday, August 16, 2007, 5:00 p.m. - 9:00 p.m.
Friday, August 17, 2007, 5:00 p.m. - 10:00 p.m.
Saturday, August 18, 2007, 11:00 a.m. - 10:00 p.m.
Sunday, August 19, 2007, 11:00 a.m. - 4:00 p.m.

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

Motion: to Approve the application for a Special Event Liquor License, filed by Christina R. Bruess, Rim Country Regional Chamber of Commerce, for the 123rd Annual Worlds' Oldest Continuous Rodeo Annual Rodeo/Special Event/Fund Raiser events to take place at 1400 S. Beeline Highway (Multi-Event Center), Payson Arizona, as follows:

Thursday, August 16, 2007, 5:00 p.m. - 9:00 p.m.
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Saturday, August 18, 2007, 11:00 a.m. - 10:00 p.m.
Sunday, August 19, 2007, 11:00 a.m. - 4:00 p.m.

Moved by Vice-Mayor Tim Fruth, seconded by Council Member Ed Blair.

Vote: Motion carried 6 - 0

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

Absent: Council Member, Andy Romance.

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. 2293.** Mayor Edwards opened discussion/possible action concerning Resolution No. 2293, 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 AIRPORT DEVELOPMENT REIMBURSABLE GRANT AGREEMENT WITH THE STATE OF ARIZONA, DEPARTMENT OF TRANSPORTATION, AERONAUTICS DIVISION, FOR GRANT NUMBER E7F84, FOR A PROJECT OF DESIGN ONLY.

Motion: to Approve Resolution No. 2293, 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 AIRPORT DEVELOPMENT REIMBURSABLE GRANT AGREEMENT WITH THE STATE OF ARIZONA, DEPARTMENT OF TRANSPORTATION, AERONAUTICS DIVISION, FOR GRANT NUMBER E7F84, FOR A PROJECT OF DESIGN ONLY.

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

Vote: Motion carried 6 - 0

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

Absent: Council Member, Andy Romance.

3. * **Resolution No. 2295.** Discussion/possible action concerning Resolution No. 2295, 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 COOPERATIVE PURCHASING AGREEMENT WITH MOHAVE EDUCATIONAL SERVICES COOPERATIVE, INC.

***CONSENT* APPROVED**

4. * **Resolution No. 2294.** Discussion/possible action concerning Resolution No. 2294, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AUTHORIZING THE ESTABLISHMENT OF A SPONSORSHIP PROGRAM FOR THE PAYSON AREA TRAILS SYSTEM.

***CONSENT* APPROVED**

5. **Resolution No. 2296.** Mayor Edwards opened discussion/possible action concerning Resolution No. 2296, 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 FRONTIER COVE CONDOMINIUM SUBDIVISION.

Motion: to Approve Resolution No. 2296, 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 FRONTIER COVE CONDOMINIUM SUBDIVISION.

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

Vote: Motion carried 6 - 0

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

Absent: Council Member, Andy Romance.

6. **Resolution No. 2297.** Mayor Edwards opened discussion/possible action concerning Resolution No. 2297, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADOPTING ETHICAL STANDARDS FOR TOWN EMPLOYEES AND TOWN OFFICIALS.

Al Poskanzer went over some employee comments regarding the ethical standards.

Motion: to Approve to table to the August 2, 2007 regular Council meeting Resolution No. 2297, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADOPTING ETHICAL STANDARDS FOR TOWN EMPLOYEES AND TOWN OFFICIALS.

Moved by Vice-Mayor Tim Fruth, seconded by Council Member Ed Blair.

Vote: Motion carried 6 - 0

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

Absent: Council Member, Andy Romance.

7. **Ordinance No. 719 .** Mayor Edwards opened the Second Reading and Public Hearing concerning Ordinance No. 719 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTIONS 15-05-003(A), 15-05-004(4), AND 15-05-005(C) OF CHAPTER 154 (THE UNIFIED DEVELOPMENT CODE) OF THE CODE OF THE TOWN OF PAYSON. (REGULATING TEMPORARY SIGNS).

Motion: to Approve to postpone until changes are made to Ordinance No. 719 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTIONS 15-05-003(A), 15-05-004(4), AND 15-05-005(C) OF CHAPTER 154 (THE UNIFIED DEVELOPMENT CODE) OF THE CODE OF THE TOWN OF PAYSON. (REGULATING TEMPORARY SIGNS) Second Reading and Public

Hearing.

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

Vote: Motion carried 6 - 0

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

Absent: Council Member, Andy Romance.

8. **Ordinance No. 720.** Mayor Edwards opened the First Reading and Public Hearing concerning Ordinance No. 720 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 1601 E. UNDERWOOD LANE, BEING GILA COUNTY ASSESSOR'S PARCEL NUMBER 302-84-023, AS MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM R1-90 TO R1-44 (TUSCANY ESTATES).

Jerry Owen, Community Development Director, gave a brief overview of the project.

Patrick Underwood thanked the Council for considering this request and explained how this request has gone through the Council for the past three years waiting for an adequate water supply.

Mayor Edwards read a letter from Carl Hacker supporting the subdivision.

Margie Oldencamp spoke for the nine home owners in Oak Ridge Hills who opposed one acre lots because the rest of the subdivision was two acre lots.

Mary Little explained her graph regarding who opposed the project and who was in support of the project.

Sue Mcghini spoke in opposition of the project.

Harold Corbin stated he had four lots across from the subject property and was opposed to the project. Mr. Corbin felt there was not enough water supply.

Mel Thorton felt Council had an obligation to the community. Mr. Thorton was opposed to this project.

Frank Benites spoke in opposition of the proposal and asked the Council not to support this proposal.

Mike Foil felt there would not be a loss in home value. Mr. Foil stated the General Plan said there had to be a demand to support a housing change and believed the Underwood's had met all of the requirements.

Scott Nossek felt the proposal would attract families and was in favor of it.

Ken Caldwell spoke in opposition of the proposal.

Matthew Domanie urged the Council to vote against this proposal.

Fred Mansoor spoke in opposition of the proposal.

Peter McGihini opposed the rezoning.

Lynn Hague expressed concerns regarding increased traffic in the area.

Jim Idoine felt there was a legitimate reason to approve this project.

Charlene Kirkpatrick asked the Council to leave the zoning the same.

Ralph Bossert, Tetra Tech, represented the Underwoods on this project. Mr. Bossert stated there is an emergency access and that traffic is not an issue. Mr. Bossert asked the Council to look at each zoning case on its own merit.

Al Poskanzer asked what were the circumstances at the time that gave the Underwoods the confidence they could get the zone change. Mr. Poskanzer asked where is the justification for the zoning change.

Council Member Wilson left the Council meeting at approximately 7:23 p.m.

Rich Ormand spoke in favor of this project. Mr. Ormand believed the Underwoods were good stewards of the land and that it is a good neighborhood.

Margie Oldencamp believed the Council should be fair and equitable.

Dawn Brunson spoke in favor of this project.

Mary Little felt that there was a responsibility to develop areas as they were planned. Ms. Little believed there was not sufficient demand to change the zoning.

Council Member Wilson returned to the meeting at approximately 7:33 p.m.

Stephen Lee spoke in favor of the proposal.

Barbara Underwood addressed Mr. Poskanzer's questions. Ms. Underwood stated they had purchased the land in 1991 and had a vision for the future.

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

9. **Ordinance No. 722.** Mayor Edwards opened the First Reading and Public Hearing concerning Ordinance No. 722 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, CREATING THE PAYSON YOUTH ADVISORY COUNCIL BY ADDING SECTIONS 33.95 THROUGH 33.99 TO CHAPTER 33 OF THE CODE OF THE

TOWN OF PAYSON.

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

10. **Ordinance No. 723.** Mayor Edwards opened the First Reading and Public Hearing concerning Ordinance No. 723 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE PLANNED AREA DEVELOPMENT ZONING DISTRICT. (PAD ZONING DISTRICT).

Jerry Owen, Community Development Director, summarized the proposed PAD Zoning District. An extensive application would have to be submitted. This zoning would allow mixed uses.

Leon Keddington stated that the people from the task force had reviewed this ordinance and were in favor of it.

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

11. **Ordinance No. 724.** Mayor Edwards opened the First Reading and Public Hearing concerning Ordinance No. 724 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTIONS 15-02-003(A)(1)(b) AND 15-02-013(F)(7)(4) OF CHAPTER 154 (THE UNIFIED DEVELOPMENT CODE) OF THE CODE OF THE TOWN OF PAYSON (ALLOWING 45 FOOT HEIGHT LIMIT IN CERTAIN ZONING DISTRICTS).

Jerry Owen, Community Development Director, stated the proposal has gone through Planning and Zoning. It will increase building heights in commercial districts to a forty five foot roof line.

Jim Garner felt this would work with design review.

Leon Keddington asked if there was something in this to make sure roof lines do not block views.

Gordon Whiting spoke in favor of changing the ordinance. Mr. Whiting announced plans to build a hotel south of Sawmill Crossing.

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

H. UNFINISHED BUSINESS

There were no items for this section.

I. NEW BUSINESS

1. **Council Decision Request** filed by LaRon G. Garrett, Town Engineer, to award the

contract for construction of Mud Springs Road Phase 1, Mud Springs Road from north of Frontier Elementary School to Granite Dells Road, to Empire Excavation Inc. and authorize the Mayor to sign all necessary contract documents.

Motion: to Approve to award the contract for construction of Mud Springs Road Phase 1, Mud Springs Road from north of Frontier Elementary School to Granite Dells Road, to Empire Excavation Inc. contingent on resolving the right-of-way issues and authorize the Mayor to sign all necessary contract documents.
Moved by Vice-Mayor Tim Fruth, seconded by Council Member Susan Connell.

Vote: Motion carried 6 - 0

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

2. **Council Decision Request** filed by LaRon G. Garrett, Town Engineer, to award the 2007 Pavement Maintenance Slurry Seal Project to Southwest Slurry Seal, Inc. and authorize the Mayor to sign all necessary contract documents.

Motion: to Approve to award the 2007 Pavement Maintenance Slurry Seal Project to Southwest Slurry Seal, Inc. and authorize the Mayor to sign all necessary contract documents.
Moved by Vice-Mayor Tim Fruth, seconded by Council Member Susan Connell.

Vote: Motion carried 6 - 0

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

3. **Council Decision Request** filed by Jerry Owen, Community Development Director, to approve extension of the Ponderosa Heights Preliminary Plat for six months through January 27, 2008.

Motion: to Approve the extension of the Ponderosa Heights Preliminary Plat for six months through January 27, 2008.
Moved by Mayor Bob Edwards, seconded by 0.

Vote: Motion carried 6 - 0

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

J. CLAIMS

1. * **List of checks** paid from 6/15/07 through 6/29/07, Check Nos. 42365 through

42563, and authorization to file the checks for audit.

***CONSENT* APPROVED**

K. MISCELLANEOUS

2. Mayor Edwards opened discussion/possible action concerning ratification of **Cliff Potts as Chairman of the Housing Advisory Board.**

Motion: to Approve ratification of Cliff Potts as Chairman of the Housing Advisory Board.

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

Vote: Motion carried 6 - 0

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

Absent: Council Member, Andy Romance.

3. Mayor Edwards opened discussion/possible action concerning ratification of **Michael Hughes as Vice-Chairman of the Housing Advisory Board.**

Motion: to Approve ratification of Michael Hughes as Vice-Chairman of the Housing Advisory Board.

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

Vote: Motion carried 6 - 0

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

Absent: Council Member, Andy Romance.

4. Mayor Edwards opened discussion/possible action concerning ratification of **Bernie Lieder as Chairman of the Design Review Board.**

Motion: to Approve ratification of Bernie Lieder as Chairman of the Design Review Board.

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

Vote: Motion carried 6 - 0

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

Absent: Council Member, Andy Romance.

5. Mayor Edwards opened discussion/possible action concerning ratification of **Barbara Underwood as Vice-Chairman of the Design Review Board.**

Motion: to Approve ratification of Barbara Underwood as Vice-Chairman of the Design Review Board.
Moved by Council Member John Wilson, seconded by Council Member Susan Connell.

Vote: Motion carried 6 - 0

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

Absent: Council Member, Andy Romance.

6. * **Appointment of Karen McClanahan to the Payson Industrial Development Authority**, term to expire 6-15-2013.
***CONSENT* APPROVED**
7. * Acceptance, with regrets, of the **resignation of Kenneth L. McKeone from the Personnel Board**, with thanks for a job well done.
***CONSENT* APPROVED**

L. PUBLIC COMMENTS

1. 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 regular meeting of the Town Council of the Town of Payson held on this day the 18 of July, 2007. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this ____ day of _____, 2007.

Tracie Bailey, Deputy Town Clerk