

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
July 5, 2007**

CALL TO ORDER

Mayor Edwards called the meeting to order at approximately 5:30 p.m. in the Town Hall Council Chambers.

INVOCATION

Pastor Gordon Hauptman, Foursquare Church, gave the invocation.

PLEDGE OF ALLEGIANCE

PRESENT: Mayor Bob Edwards, Vice-Mayor Tim Fruth, Council Member Ed Blair, Council Member 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, Jerry Owen, Community Development Director, Rick Manchester, Parks & Recreation Director, Debra Galbraith, Chief Fiscal Officer, Colin P. Walker, Water Superintendent, LaRon Garrett, Town Engineer, and Don P. Engler, Police Chief.

Vice-Mayor Fruth arrived at the meeting at approximately 5:37 p.m.

OTHERS PRESENT: Tim Wright, Deputy Town Attorney; Gaye Stidham, Deputy Town Clerk

B. CONSENT AGENDA

Motion: to approve the Consent Agenda.

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

Vote: Motion carried 6 - 0

Yes: Mayor Bob Edwards, Council Member Ed Blair, Council Member Su Connell, Council Member Andy Romance, Council Member Mike Vogel, and Council Member John Wilson.

Absent: Vice-Mayor Tim Fruth.

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

Mayor Edwards announced the Payson Care school supply drive.

Manager Carpenter announced that the low bidder for the Mud Springs Road project, that will connect Frontier Elementary School to Granit Dells Road, was about \$50,000 under engineer's estimate. Work should begin by August 1, 2007. He announced the upcoming

Leadership Academy starting August 21, 2007.

D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS

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

Mayor Edwards commended the Fire Department, Police Department and the Parks & Recreation Department for successful 4th of July activities and fireworks.

Council Member Blair announced that the next regular Council meeting would be Wednesday, July 18th.

Mayor Edwards announced plans for the 125th anniversary celebration beginning October 2, 2007. He distributed 125th Anniversary pins to the Council.

Council Member Romance was concerned that a traffic light at Airport Road and Highway 87 was still not in place to enhance the safety of children crossing the highway to school.

2. Presentation and discussion/possible action concerning the Payson Goal Plan Quarterly Report by Fred Carpenter, Town Manager.

Manager Carpenter updated the Council concerning the implementation of the Payson Goal Plan. He noted that the plan was on the Town of Payson website.

E. MINUTES

1. * **Council Meeting Minutes:**
.05-22.07 Special Meeting Pages 1-4
***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.)

2. * **Building Advisory Board Minutes:**
.05-08--07 Regular Meeting Pages 410-411
.05-22-07 Regular Meeting Pages 412-413
.06-12-07 Regular Meeting Pages 414-415
***CONSENT**
3. * **Parks & Recreation Advisory Board Minutes:**
.05-23-07 Regular Meeting Pages 1-3
***CONSENT**

F. HEARINGS AND APPEALS

1. This was a Public Hearing concerning a Council Decision Request filed by Debra A. Galbraith, CFO, to adopt the Tentative Budget for the Fiscal Year 20072008 for \$39,219,191.

Mayor Edwards opened the public hearing concerning the budget. Ms. Galbraith reviewed the budget materials and noted that the dates of publication had been changed to July 13 and 20, 2007.

Motion: to Approve a Council Decision Request filed by Debra A. Galbraith, CFO, to adopt the Tentative Budget for the Fiscal Year 20072008 for \$39,219,191. Moved by Council Member John Wilson, seconded by Council Member Mike Vogel.

Vote: Motion carried 7 - 0

Yes: Mayor Bob Edwards, Vice-Mayor Tim Fruth, Council Member Ed Blair, Council Member 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 regarding a motion to remove Ordinance No. 715 from the table (was tabled at the June 21, 2007, regular meeting).

Motion: to Approve to remove Ordinance No. 715 from the table. Moved by Council Member Mike Vogel, seconded by Council Member John Wilson.

3. Ordinance No. 715, 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 900, 1100, AND 1101 NORTH TYLER PARKWAY, BEING GILA COUNTY ASSESSOR'S PARCEL NUMBERS 302-23-0038C AND 302-23-039A, AS MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM R1-175 TO R1-35PAD (MOGOLLON VIEWS).

Jay Hopkins said he had gone to the neighborhood meeting and heard the developer's plans. Mr. Hopkins believed the plan was good until a path was cut up a hill near him and a barbed wire fence constructed. He did not believe the developer to be trustworthy in his statements and urged the Council to vote against Mogollon Views.

Rick Croy encouraged the Council to look beyond their own backyards to the economic benefits to the entire community.

Fred Manser pointed out comments Clmn. Blair made during the election that he would never approve high density development on Tyler Parkway and Highway 260. Mr. Manser thought approval of this development was a radical change from

election promises.

Motion: to Approve Ordinance No. 715, 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 900, 1100, AND 1101 NORTH TYLER PARKWAY, BEING GILA COUNTY ASSESSOR'S PARCEL NUMBERS 302-23-0038C AND 302-23-039A, AS MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM R1-175 TO R1-35PAD (MOGOLLON VIEWS).

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

Vote: Motion failed 3 - 4

Yes: Vice-Mayor Tim Fruth, Council Member Su Connell, and Council Member John Wilson.

No: Mayor Bob Edwards, Council Member Ed Blair, Council Member Andy Romance, and Council Member Mike Vogel.

4. Second Reading and Public Hearing concerning Ordinance No. 716, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA REMOVING THE SUNSET CLAUSES FROM ORDINANCE 695 AND ORDINANCE 696. Second Reading and Public Hearing.

Mayor Edwards opened public hearing. There were no comments from the public and he closed public hearing.

Motion: to Approve Ordinance No. 716, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA REMOVING THE SUNSET CLAUSES FROM ORDINANCE 695 AND ORDINANCE 696.

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

Vote: Motion carried 7 - 0

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

5. First 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). First Reading and Public Hearing.

Mayor Edwards said the Council would take comments tonight and then have a meeting inviting someone from audience with some council and staff and go

forward from there. He opened the public hearing.

Barb Krueger, a business owner, said businesses off the main highway struggle to get customers directed to them. She thought the code was not business friendly. Ms. Krueger believed signs on the Beeline were needed for the businesses on side streets. She offered to participate in any future meetings with Council and staff.

Carol Barr, a business owner, suggested the sign ordinance be friendly and firm. The Building Department might prepare a document/portfolio to let the new business owner know about sign regulations. She asked the Council to understand the plight of the business owners in town and their need to let people know where they are located.

Don Harmon displayed a sign that he uses to direct customers. He said he needed more than four signs to direct customers. He would like to place larger signs on Highway 260 and be able to have directional signs to get past the gates at Chaparral Pines.

Motion: to Approve to direct staff to include the alternative section, Exhibit C.6, A through C, changing D to read "four (4) days per calendar week", in Ordinance No. 719, Second Reading.

Moved by Council Member Mike Vogel, seconded by Council Member Su Connell.

Vote: Motion carried 5 - 2

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

H. UNFINISHED BUSINESS

There were no items in this section.

I. NEW BUSINESS

1. * Council Decision Request filed by Buzz Walker, Water Superintendent, to authorize the Mayor to sign a State of Arizona GSA contract amendment to receive \$100,000.00 from the State of Arizona for the operation of the West Aero Drive Groundwater Remediation water Treatment Plant.

***CONSENT* APPROVED**

2. Council Decision Request filed by Buzz Walker, Water Superintendent, to:

A. Authorize the Payment of \$8,100.00 to Richard and Cindy Croy, \$7,900.00 to David and Leslie Reisdorf, and \$7,900.00 to Calvin and Sue Willson pursuant to Resolution No. 2250,

OR

B. Waive water system connection fees in the amount of \$4,585.00 for Richard

and Cindy Croy, David and Leslie Reisdorf, and Calvin and Sue Willson for their current occupied properties located on West Bridle Path Lane,

OR

C. Defer the \$4,585.00 cost of water system connection to the first sale of property located on West Bridle Path Lane and owned by Richard and Cindy Croy, David and Leslie Reisdorf, and Calvin and Sue Willson for their current occupied properties located on West Bridle Path Lane.

Calvin Willson requested Council defer a decision to a later date to get together with property owners and discuss a more fair solution.

Motion: to Approve implementing Item B.- to refund any fees paid, hook them to the Town water system with no cash out-of-pocket including costs of a water meter. The Water Department would receive a security deposit to ensure payment of the water bill. The motion was amended with the second agreeing to include "to agree to abandon the wells according to Arizona State Statute at Town cost or the Town could choose to use them for monitoring purposes."

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 Su Connell, Council Member Andy Romance, Council Member Mike Vogel, and Council Member John Wilson.

3. Council Decision Request filed by Buzz Walker, Water Superintendent, to direct the Payson Water Department to implement a policy for the deferral or time payment of water system connection fees when a well owner wishes to abandon use of the well and receive water service from the public water system.

Motion: to Approve a Council Decision Request filed by Buzz Walker, Water Superintendent, to direct the Payson Water Department to implement a policy for the deferral or time payment of water system connection fees when a well owner wishes to abandon use of the well and receive water service from the public water system.

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

Vote: Motion carried 7 - 0

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

J. CLAIMS

1. *List of checks paid from 05/31/07 through 06/25/07, Check Nos. 42120 through 42394, and authorization to file the checks for audit.

***CONSENT* APPROVED**

K. MISCELLANEOUS

There were no items in this section.

L. PUBLIC COMMENTS

Council Member Wilson complimented the police department on a job well done.

ADJOURNMENT

The meeting adjourned at approximately 7:36 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 5 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.

Gaye Stidham, Deputy Town Clerk