

**COMMON COUNCIL OF THE TOWN OF PAYSON  
AGENDA OF THE REGULAR MEETING  
JANUARY 10, 2008**

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

**INVOCATION (Participation Voluntary)**      Lynn Richie  
Chaplain, RTA Hospice

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** BE\_\_ TF \_\_ EB \_\_ SC \_\_ AR\_\_ MV\_\_ JW\_\_

**STAFF PRESENT:** DG\_\_ SIS\_\_ MD\_\_ CPW\_\_ DPE\_\_ SS\_\_ JO\_\_ LG\_\_ TM\_\_ RM\_\_  
CD\_\_

**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. **Status Report** regarding PATS given by Mary McMullen, Trails and Outdoor Recreation Coordinator.
3. **Status Report** regarding the [YMCA](#) given by Rick Manchester, Parks and Recreation Director.
4. **Presentation** of the Office of Tourism and Economic Vitality (OTEV) Website by Cameron Davis, Tourism/Economic Vitality Director.

**E. MINUTES**

**1.\* Council Meeting Minutes:**

. [12-13-07](#) Regular Meeting Pages 1-13

**\*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:**

. [09-10-07](#) Regular Meeting Pages 1-11

. [10-08-07](#) Regular Meeting Pages 1-8

**\*CONSENT\***

**3.\* Parks and Recreation Advisory Board Minutes:**

. [11-14-07](#) Regular Meeting Pages 1-2

**\*CONSENT\***

**4.\* PSPRS Fire Department Local Board Minutes:**

. [12-13-07](#) Annual Meeting Page 1

**\*CONSENT\***

**5.\* PSPRS Police Department Local Board Minutes:**

. [12-13-07](#) Annual Meeting Page 1

**\*CONSENT\***

**F. HEARINGS AND APPEALS**

1. **Appeal** by Leonie Dobbins from decision of the Building Advisory Board. Should the Council wish to approve this appeal, the owner has agreed to follow the provisions of EXHIBIT B of the Council Decision Request filed by Ray LaHaye, Chief Building Official.

## **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 **Resolution No. 2352**, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING THE ROAD ALIGNMENT FOR THE PAYSON EVENT CENTER AND THE PAYSON EVENT CENTER HOTEL RESTAURANT AND CONFERENCE CENTER LAND AND IMPROVEMENTS LEASE AS AMENDED.
- 3.\* Discussion/possible action concerning **Resolution No. 2353**, 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 MEMORANDUM OF UNDERSTANDING WITH THE ARIZONA OFFICE OF STATE FIRE MARSHAL PROVIDING FOR REVIEW OF PLANS FOR CONSTRUCTION, REMODELING, ALTERATIONS AND ADDITIONS TO STATE, COUNTY AND PUBLIC SCHOOL BUILDINGS BY THE PAYSON FIRE DEPARTMENT ON BEHALF OF THE ARIZONA OFFICE OF STATE FIRE MARSHAL.

### **\*CONSENT\* APPROVAL**

## **H. UNFINISHED BUSINESS**

## **I. NEW BUSINESS**

1. Council Decision Request filed by Council Member Su Connell, to change the status of Debra Galbraith from Interim Town Manager to **Town Manager**, ~~to approve the attached contract and to establish a starting salary of \$125,000.~~ **\*\* Amended 01/08/08, 4:45 p.m. to approve a temporary contract for her that mirrors the one used by the prior town manager and to direct the legal department to develop a permanent contract for review by the Town Council. \*\*\* Amended 01/09/08, 11:20 a.m.**
2. Council Decision Request filed by LaRon Garrett, Town Engineer, to approve the contract with Roundabouts & Traffic Engineering for the design of a modern Roundabout at the intersection of Highway 260 and **Mud Springs Road** for a fee of \$42,025.00 and authorize the Mayor to sign the necessary contract documents.

OR

To approve the contract with Roundabouts & Traffic Engineering for the

design of a modern Roundabout at the intersection of Highway 260 and Mud Springs Road for a fee of \$42,025.00; to authorize the Mayor to sign the necessary contract documents; to direct staff to investigate traffic calming measures that could be implemented along Mud Springs Road-Phoenix Street route between Highway 260 and Highway 87; and for staff to report back to the Town Council concerning proposed traffic calming measures to discourage through traffic along Phoenix Street and Mud Springs Road corridor prior to beginning construction on Mud Springs Road Phase 2.

3. Council Decision Request filed by Mary McMullen, Trails & Outdoor Recreation Coordinator, to adopt the PATS Construction Segments and Sections Narratives and Specifications Manual as the guiding document for PATS implementation, which includes recent revisions from the manual originally distributed to Council members in September 2007.
4. Council Decision Request filed by Debra A. Galbraith, Interim Town Manager, to direct staff to set up a [work-study](#) meeting with the Northern Gila County Sanitary District and the Town Council.
- ~~5. Council Decision Request filed by Rick Manchester, Parks & Recreation Director, to approve a \$10,000 transfer from contingency to the Event Center account for the purpose of hosting the 2008 Arizona High School Redco State Finals.~~ **\*\* Removed from agenda 01/07/08.**
6. Council Decision Request filed by LaRon Garrett, Town Engineer, to direct Staff to remove the existing Stop signs on [Phoenix Street](#) at the intersection of Phoenix Street and Ash Street allowing the Phoenix Street Traffic to flow unimpeded and to investigate the installation of any traffic calming devices that may be warranted after the Stop signs are removed.
7. Council Decision Request filed by LaRon Garrett, Town Engineer, to direct Staff to remove the existing Stop signs on [Mud Springs Road](#) at the intersection of Mud Springs Road and Cedar Lane allowing the Mud Springs Road Traffic to flow unimpeded.
8. Council Decision Request filed by Buzz Walker, Water Superintendent, to purchase 97 remaining Terra-Payson 40, L.L.C. [water credits](#) in the amount of \$4,000.00 each or \$380,000.00 total to be paid as follows: Terra-Payson 40, L.L.C. will receive \$3,570.00 per Equivalent Residential Unit water development fee collected by the Town of Payson until the amount of \$380,000.00 has been paid to Terra-Payson 40, L.L.C., or until August 1, 2008, whichever comes first, with any remaining balance owed to be paid before August 21, 2008.
9. Council Decision Request filed by LaRon Garrett, Town Engineer, to approve the [Excess Material Disposal Policy](#) as submitted and to direct Staff to implement said policy.

## J. CLAIMS

- 1.\* List of checks paid from 12/03/07 through 12/31/07, Check Nos. 44636 through 44989, **except Check Nos. 44814 and 44981**, and authorization to

file the checks for audit.

**\*CONSENT\* APPROVAL**

- 2.\* Check Nos. 44814, paid 12/13/07, and 44981, paid 12/31/07, and authorization to file the checks for audit. (**Note: due to a perceived and/or conflict of interest, Clmn. Vogel will be considered to have abstained on this item.**)

**K. MISCELLANEOUS**

*The following applications/letters are on file in the Town Clerk's office.*

- 1.\* Appointment of Ted Moffitt to the **Board of Adjustments**, term to expire 12/31/10.

**\*CONSENT\* APPROVAL**

- 2.\* Reappointment of Don Monteath to the **Building Advisory Board**, term to expire 12/31/10.

**\*CONSENT\* APPROVAL**

- 3.\* Appointment of Susan McIntyre to the **Design Review Board**, replacing Levi Amon, term to expire 12/31/09.

**\*CONSENT\* APPROVAL**

- 4.\* Reappointment of Daniel Malloy and Jere Strizek to the **Fire Department Alternate Pension/Benefit Plan Committee**, terms to expire 12/31/11.

Appointment of William (Bill) Gilham to the **Fire Department Alternate Pension/Benefit Plan Committee**, term to expire 12/31/11.

**\*CONSENT\* APPROVAL**

- 5.\* Reappointment of Chad Richey to the **PSPRS Fire Department Board**, term to expire 12/31/11.

**\*CONSENT\* APPROVAL**

- 6.\* Reappointment of Dean Faust to the **PSPRS Police Department Board**, term to expire 12/31/11.

**\*CONSENT\* APPROVAL**

- 7.\* Reappointment of Mike Stuart to the **Green Valley Redevelopment Area Committee**, filling the vacancy left by John Landino, term to expire 12/31/08.

Appointment of Kenneth D. Mooney to the **Green Valley Redevelopment Area Committee**, term to expire 12/31/10.

Reappointment of Rev. Charles W. Proudfoot to the **Green Valley Redevelopment Area Committee**, term to expire 12/31/10.

**\*CONSENT\* APPROVAL**

- 8.\* Reappointment of Dave Coombes to the **Housing Advisory Commission**, term to expire 12/31/10.

*Appointment of Nancy Mullikin to the **Housing Advisory Commission**,  
\*\* term to expire 12/31/10. \*\*Added 01/07/08.*

**\*CONSENT\* APPROVAL**

- 9.\* Reappointment of Melvin Sorensen to the **Parks and Recreation Board**, term to expire 12/31/10.

Appointment of Carrie Dick to the **Parks and Recreation Board**, term to expire 12/31/10.

Acceptance, with regrets, of Bill Sahn's resignation from the **Parks and Recreation Board**, with thanks for a job well done.

Appointment of Gerri Levine to the **Parks and Recreation Board** to fill the vacancy left by Bill Sahn, term to expire 12/31/09.

**\*CONSENT\* APPROVAL**

- 10.\* Appointment of Al Poskanzer to the **Personnel Board**, term to expire 12/31/10.

**\*CONSENT\* APPROVAL**

- 11.\* Reappointment of James Scheidt to the **Planning and Zoning Commission**, term to expire 12/31/10.

Appointment of Lori L. Meyers to the **Planning and Zoning Commission**, term to expire 12/31/10.

**\*CONSENT\* APPROVAL**

- 12.\* Reappointment of Roy R. Kindrick, Sr., to the **Surface Transportation Advisory Committee**, term to expire 12/31/10.

Appointment of Jim Hippel to the **Surface Transportation Advisory Committee**, term to expire 12/31/10.

**\*CONSENT\* APPROVAL**

13. 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.

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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.**

**CERTIFICATION OF POSTING**

The undersigned hereby certifies that a copy of the attached notice was duly posted at the following location: Payson Town Hall bulletin board, 303 N. Beeline Highway, Payson, Arizona, on the 4th day of January, 2008, at 11:15 a.m., in accordance with the statement filed by the Town of Payson with the Payson Town Clerk.

By: \_\_\_\_\_  
Silvia Smith, Town Clerk