

**TOWN OF PAYSON  
TOWN COUNCIL MEETING  
MINUTES OF THE REGULAR MEETING  
February 7, 2008**

**CALL TO ORDER**

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

**INVOCATION**

The invocation was given by Associate Pastor Dennis Bennett, Ponderosa Baptist Church.

**PLEDGE OF ALLEGIANCE**

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

**ABSENT:** Council Member Andy Romance.

**STAFF PRESENT:** Debra Galbraith, Town Manager, Sam Streichman, Town Attorney, Jerry Owen, Community Development Director, Rick Manchester, Parks & Recreation Director, LaRon Garrett, Town Engineer, Donald P. Engler, Police Chief, and Cameron Davis, Office of Tourism and Economic Vitality Director.

**OTHERS PRESENT:** Tim Wright, Deputy Town Attorney; Donna Meinerts, Deputy Chief Fiscal Officer; Gaye Stidham, Deputy Town Clerk; Marci Huffman, Chief Deputy Town Clerk.

**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.

Gary Bedsworth spoke in favor of the council's decision to send Mud Springs Road Phase 2 back to the STAC for more planning. He felt the driving force behind the need to go forward with this improvement was politically driven by a particular council member.

- 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,

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**in which event the item will be removed from the Consent Agenda and will be considered in its normal sequence on the main agenda.**

Clmn. Blair moved to approve the consent agenda, seconded by Clmn. Wilson. Motion carried, 6-0.

**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.

Town Manager Debra Galbraith gave primary election information. She gave recognition to Jon Cadd, Plans Review Specialist, who has been selected as an alternate for the National Electrical Panel.

Vice-Mayor Fruth announced the Boys' and Girls' Longhorn basketball game this evening and that the winners will go to the 3A East Tournament.

Mayor Edwards recognized the efforts of police volunteers Bill Broce and Marshall Cole. He noted that Main Street Grille has a new menu. Superior Wood Works is a new business in Town. Regarding the Semstream gas bill hikes, he found that the bill was not an increase, but covered 39 days instead of 31. He said the energy cost was 90 percent of the bill. He said Semstream had promised that if anyone had trouble paying their bill, that they would work with people. There is also a low income program through the County that can help.

Mayor Edwards commended the Water Department for their conservation measures and suggested maybe conservation is needed in other areas.

Clmn. Blair clarified that the telephone number for Semstream is on the bill, or under Energy West in the telephone book.

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

1. Comments, Commendations, and Presentations by Mayor, Council Members, and/or Town Staff.
2. Proclamation to honor Sharon Schamber for her great talent and urge all residents to congratulate Sharon on her accomplishments.

Clmn. Connell read the proclamation honoring the quilting artistry of Sharon Schamber. Sharon Schamber was present to receive the proclamation.

3. Proclamation recognizing the 50th Anniversary of the Beeline Highway.

John Wilson read the proclamation. Judy Buettner and another member of the Historical Society were present to accept the proclamation.

4. Presentation of the annual audit report by Dennis Osuch of Crontrom Osuch & Company.

Dennis Osuch explained the report including the HURF Compliance Report. All received an unqualified opinion which meant all things were done correctly. Town Engineer LaRon Garrett's office, Town Manager Debra Galbraith, and Deputy CFO Donna Meinerts were all thanked for their help with the reports.

5. Presentation by Jerry Owen, Community Development Director, of the Draft Town of Payson Capital Improvements Plan.

Jerry Owen explained the process. Curt Dunham, Partners for Strategic Action, answered questions from Council. The Plan is one piece of the budget planning process. It helps to prioritize for planning needs. More community input will be sought in future annual meetings.

**E. MINUTES There are no items in this section. 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.)**

1. \* Housing Advisory Commission Minutes:  
.11.29.07 Regular Meeting Pages 16 - 17  
.12.20.07 Regular Meeting Pages 18 - 19  
**\*CONSENT\***
2. \* Parks and Recreation Advisory Board Minutes  
.12.12.07 Regular Meeting Pages 1 - 2  
**\*CONSENT\***

**F. HEARINGS AND APPEALS  
There are no items in this section.**

**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 concerning Resolution No. 2354, captioned as follows:  
A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE SECOND AMENDMENT TO THE CHILSON RANCH DEVELOPMENT AGREEMENT.

Tim Wright, Deputy Town Attorney, explained that the original development agreement indicated that the developer needed to have a conditional letter of map revision from FEMA prior to submitting their final plat and getting approval of final development plans. He understood they would have this letter soon. LaRon Garrett, Town Engineer, said it had been submitted to his department and they would make sure everything was okay. The developers are asking the council to approve the

final plat without the areas that are included in the letter, allowing staff to approve everything outside the area. Once approval was given from FEMA (which could take 6 to 18 months), then staff would review everything that is in the floodway.

LaRon Garrett, Town Engineer, said that Clmn. Romance was concerned about the floodway discrepancies. The American Gulch part of the development would be the part council would not be approving at this time. He said Clmn. Romance had wanted it to be based upon the drainage Master Plan the Town has accepted for the floodway.

Halle Overman-Jackman answered questions from Council. There will be some redrawing.

In order not to hold up the entire project, Mayor Edwards moved, seconded by Clmn. Connell, to approve Resolution No. 2354, if this is a minor change (redrawing). Motion carried, 6-0.

3. Discussion/possible action concerning Resolution No. 2355, captioned as follows:  
A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, URGING THE ARIZONA STATE LEGISLATURE TO ADOPT THE SENATE JOINT RESOLUTION ESTABLISHING THE HISTORIC HASHKNIFE PONY EXPRESS POST ROUTE.

Mayor Edwards explained this must go through the State Legislature to designate this a historical route. Vice-Mayor Fruth moved, seconded by Clmn. Wilson, to approve Resolution 2355. Motion carried, 6-0.

**H. UNFINISHED BUSINESS**  
**There are no items in this section.**

**I. NEW BUSINESS**

1. Council Decision Request filed by Rick Manchester, Parks & Recreation Director, to approve the contract with Cleland Group Architects to conduct design development and master plan for the Payson Event Center for \$86,247 and authorize the Mayor to sign contract documents.

Rick Manchester, Parks & Recreation Director, explained that \$50,000 would come out of the 2007-08 council contingency, and \$20,487 would come out of the 2008-09 budget.

Clmn. Wilson moved, seconded by Clmn. Vogel, to approve the contract with Cleland Group Architects to conduct design development and master plan for the Payson Event Center for \$86,247 and authorize the Mayor to sign contract documents.

Vice-Mayor Fruth had questions regarding how much contingency was left. Debra Galbraith, Town Manager, said it was up to council how much they wanted to spend. Two-thirds of the fund had already been spent.

Motion carried, 6-0.

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.

Tom Loeffler, Chairman of the Surface Transportation Advisory Committee (STAC), said there would be a meeting on February 19 at Frontier Elementary School for residents affected by the Mud Springs Road extension. STAC will have posters of samples of traffic calming tools and will address both speed and volume of traffic. STAC will then put together a design and get more public input to bring back to the STAC and then to Council. Clmn. Vogel asked if letters would be sent to residents on St. Phillips also.

Bruce Van Camp, member of STAC, said that ADOT would have the most to say about the roundabout.

Mayor Edwards moved to postpone any action until the STAC completes this work. Motion seconded by Clmn. Blair.

Kenny Evans expressed his concern about the perception that this was being rushed back onto the agenda. He thought it imperative to receive all the input. ADOT needed to be asked to look at the totality of the project. He commented that the newspaper was incorrect in saying that he was in favor of the Mud Springs extension.

(Vice-Mayor Fruth interjected that the Longhorns did win and would be in both championships tomorrow.)

Shirley Dye expressed her concern about roundabouts in general. She opposed them and thought there should be more input into the STAC Plan, but not with subcommittees.

Ginger Henry urged passage, referring to the 1999 transportation study and a report in a 1986 study that showed Mud Springs Road going through to Highway 260. There had been extensive input.

Sue Yale, President of the Rim View Heights Property Owners Association, had been encouraged at the last meeting when the whole project was going back to the STAC. She felt there was a need for a multiple series of meetings.

Michelle Halenar, who lives on Frontier, was concerned about this area of town. She felt the Mud Springs extension would enable the children to get to school efficiently. Because of speeders going past the south side of 260, she said the left turn is very difficult and dangerous. She wanted the project to move forward.

Lori O'Brien, a parent of a child at Frontier Elementary, said she drives to the school every morning. The driving time has already been decreased by four minutes a day with the improvements to Mud Springs Rd. She felt that emergency access would be improved if the improvements went ahead. School safety was her main concern and she supported the roundabout. She said that when Frontier Elementary

School was built the State Fire Marshal gave approval because Mud Springs Road would go through to Highway 260.

Liz Monte, owner of a business on Highway 260, was concerned about the traffic through town.

Harold Owens felt everyone should bear the burden equally since there were already people using side streets to go through neighborhoods to reach 260. He wanted Mud Springs Road to go through.

Darlene Perman hoped all the changes would be considered with safety in mind.

In answer to Clmn. Vogel's question, LaRon Garrett, Town Engineer, said that the design would take about five months, then it would go to ADOT where it would take five weeks making it approximately seven to eight months to when the study would be done.

There was more discussion by Council regarding roundabouts and comments for and against postponement.

The Town Attorney could not render an opinion as to whether the Town would be liable if the school was built with the State fire inspection assumption that Mud Springs Road would go through to Highway 260.

Motion for postponement failed, 2-4. Clmn. Wilson, Vogel, Connell, and Vice-Mayor Fruth dissented.

Clmn. Wilson moved, seconded by Clmn. Connell 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.

Joanie King felt every person who spoke had a valid concern and since conditions had changed since the original studies, there needed to be current input. She asked if the scope of work allowed other than a roundabout.

Kathy Baas asked if the contract excluded the company coming to listen to citizen input. Mr. Garrett said it would probably cost an hourly rate plus travel time. Mrs. Baas said that the Capital Improvement Program listed this project fourth from the last.

Ginger Henry pointed out the Payson Area Transportation Study allowed for changes of roads, traffic and population increase through the year 2007.

Hal Baas noted that plans from 20 years ago also showed a bypass and that the routing had changed since then and changes had been made.

Shirley Dye made suggestions as to what changes could be made on the Beeline. She asked if the concern regarding the intersection at Safeway could move the Town up on the ADOT list for a bypass. She did not want to rush and waste money for a design.

When asked if he had talked to a local ADOT engineer, Mr. Garrett said he had talked with the Prescott office and they were all in favor of a roundabout. Roundabouts in Sedona and Prescott were mentioned.

Clmn. Vogel wanted to amend the motion to allow \$5,000 for the engineering company to visit the second or third meeting.

Clmn. Wilson moved to amend his motion 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, authorize the Mayor to sign the necessary contract documents, and direct staff that no bidding or construction is to proceed on the Mud Springs Road Phase 2 project until the Town Council has approved and funded appropriate traffic calming measures along the E. Phoenix Street-N. Mud Springs Road corridor per the recommendations of the Town's Surface Transportation Advisory Committee, to include allowing Roundabouts & Traffic Engineering to attend the 2nd or 3rd public meeting of STAC and citizens at Frontier Elementary School not to exceed \$5,000.00 in compensation. Motion carried, 4-2. Roll Call: Clmn. Wilson, yes; Clmn. Vogel, yes; Clmn. Connell, yes; Clmn. Blair, no; Vice-Mayor Fruth, yes; Mayor Edwards, no.

3. Council Decision Request filed by Jerry Owen, Community Development Director, to approve the extension of the Doll Baby Ranch Estates Preliminary Plat for six months through August 1, 2008.

Vice-Mayor Fruth moved, seconded by Clmn. Wilson to approve the extension of the Doll Baby Ranch Estates Preliminary Plat for six months through August 1, 2008. Motion carried, 6-0.

4. Council Decision Request filed by LaRon Garrett, Town Engineer, to approve changing the name of West Ashby Circle to West Cottage Creek Court contingent upon the developer installing the revised street name sign.

Clmn. Blair was concerned with the length of the name. Vice-Mayor Fruth moved, seconded by Clmn. Wilson to approve changing the name of West Ashby Circle to West Cottage Creek Court contingent upon the developer installing the revised street name sign. Motion carried 5-1. Clmn. Blair dissented.

## **J. CLAIMS**

**There are no items in this section.**

## **K. MISCELLANEOUS**

1. \* Approval of Bernie Lieder as Chair and Barbara Underwood as Vice-Chair of the Design Review Board.  
\*CONSENT\* APPROVED
2. \* Approval of Ken Volz as Chair and Minette Richardson as Vice-Chair of the Green Valley Redevelopment Area Committee.  
\*CONSENT\* APPROVED

3. \* Approval of Bruce Wilson as Chair and Mel Sorenson as Vice-Chair of the Parks and Recreation Advisory Board.  
\*CONSENT\* APPROVED
4. \* Approval of Hal Baas as Chair and Gary Bedsworth as Vice-Chair of the Planning and Zoning Commission.  
\*CONSENT\* APPROVED
5. \* Approval of Bill Ensign as Chair and Roy Bergold as Vice-Chair of the Payson Event Center Technical Advisory Committee. (PECTAC).  
\*CONSENT\* APPROVED
6. \* Approval of Tom Loeffler as Chair and Bruce VanCamp as Vice-Chair of the Surface Transportation Advisory Committee. (STAC).  
\*CONSENT\* APPROVED
7. \* Motion to remove from the table the appointment of Joanie King to the Surface Transportation Advisory Committee (STAC) to fill the unexpired term of Ernie Schmidt, term to expire 0112/31/09.  
\*\*\*CONSENT\* APPROVED \*\*Corrected 2/4/08.
8. Appointment of Joanie King to the Surface Transportation Committee (STAC) to fill the unexpired term of Ernie Schmidt, term to expire 12/31/09. (Application on file with the Town Clerk's office)

Mayor Edwards apologized for the newspaper article. He said he chose to not reappoint a person whose term was up. He wanted to appoint Joanie King. Vice-Mayor Fruth explained that although he felt she was an outstanding person, he would not be supporting the appointment and had spoken with Ms. King about this.

Suzanne Covert urged the appointment of Joanie King. LaRon Garrett, Town Engineer announced the resignation of Diane Sextion from the STAC. Bruce Van Camp said he wrote a letter asking to be reappointed to the STAC but had not heard back. Shirley McGeary urged appointment of Joanie King.

Mayor Edwards moved, seconded by Clmn. Blair, to appoint Joanie King to the Surface Transportation Committee (STAC) to fill the unexpired term of Ernie Schmidt, term to expire 12/31/09. Motion failed, 2-4. Roll Call: Clmn. Wilson, no; Clmn. Vogel, no; Clmn. Connell, no; Clmn. Blair, yes; Vice-Mayor Fruth, yes; Mayor Edwards, yes.

9. \* Approval of Bruce Hopkins as Chair and Michael Hughes as Vice-Chair of the Housing Advisory Committee.  
\*CONSENT\* APPROVED
10. 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.

Joanie King said she was asked to serve on the STAC the Tuesday before the agenda and took a day to decide. She said she has the motivation to do a good job. She also completed the Leadership Academy. She was depressed that an email from council said they had received calls that she does not like roundabouts and she denied this accusation.

Barbara Underwood said she had wanted to serve on the Planning and Zoning Commission and was denied because of a political situation despite her qualifications.

Al Poskanzer expressed his displeasure with Council regarding the appointment stating a decision should be based on qualifications and not politics.

Clmn. Connell explained her struggle with the appointment and that she felt it would be difficult for Ms. King to divorce herself from the current issue (re Mud Springs). She said that no one swayed her vote and she resented the accusation. Vice-Mayor Fruth echoed Clmn. Connell's comments on not being swayed.

**ADJOURNMENT**

The meeting adjourned at 8:06 p.m.

\_\_\_\_\_ Date: \_\_\_\_\_

Bob Edwards, Mayor

ATTEST:

\_\_\_\_\_  
 Marcia F. Huffman, Chief Deputy 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 7 of February,

2008. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2008.

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Marcia F. Huffman, Chief Deputy Town Clerk