

**TOWN OF PAYSON  
TOWN COUNCIL MEETING  
MINUTES OF THE REGULAR MEETING  
February 21, 2008**

**CALL TO ORDER**

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

**INVOCATION**

**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:** Debra Galbraith, Town Manager, Sam Streichman, Town Attorney, Silvia Smith, Town Clerk, Jerry Owen, Community Development Director, Rick Manchester, Parks & Recreation Director, Colin P. Walker, Water Superintendent, LaRon Garrett, Town Engineer, and Cameron Davis, Office of Tourism and Economic Development Director.

**OTHERS PRESENT:** Tim Wright, Deputy Town Attorney; Mary McMullen, Parks and Recreation Trails Coordinator; Marci Huffman, Chief Deputy Town Clerk.

**PLEDGE OF ALLEGIANCE**

**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.

Shirley Colin asked that Vice-Mayor Fruth and Clnms. Connell, Vogel and Wilson explain to everyone why they did not vote to appoint Joanie King to the STAC Committee.

Don Evans went over the history of the Mogollon Ridge development and questioned the fence suddenly going down during the middle of an election. He felt there were discrepancies in the entire matter.

Lew Levenson commented that the practice of council needed to be looked at. All citizens should be involved and it should become a deliberative body.

- 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.

Clmn. Vogel moved, seconded by Clmn. Wilson, to approve all items on the Consent Agenda. Motion carried 7-0.

**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. Time to vote.

Town Manager Debra Galbraith gave a brief update.

Clmn. Vogel responded to accusations made by Gary Bedsworth concerning Mike Amon and Clmn. Vogel, stating that Mr. Bedsworth should have checked his information first.

Clmn. Wilson reminded all that rebates from IRS would be starting in May. He wanted people who do not normally file a return to file a special return (1040A-Stimulus Payment) so they could receive a return. The newspaper has a copy of his report. He will not charge for this kind of service.

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

1. Introduction: Sadie Tomberlin-Dalton, newly appointed County Recorder would like to introduce herself to the Council and Staff.

Mayor Edwards introduced the newly-appointed County Recorder, Sadie Tomerlin-Dalton. Ms. Tomerlin-Dalton expressed her desire to get more involved in Payson to help the community in any way she could. She introduced her Chief Deputy Dawn Caldera. They are updating recording of documents and there will be a training set up in Payson for anyone who would like to attend. Currently there are 8930 registered voters in Payson and 2668 inactive voters.

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

Vice-Mayor Fruth reported that Payson won today and will go to State. He congratulated Coach Hayes and the team. KMOG will videostream the game. They will be playing Estrella Foothills.

Mayor Edwards received a call from Jack Bennet's daughter informing him that Mr. Bennet had passed away. Mr. Bennet was a former mayor of Payson.

**E. MINUTES**

1. \* Council Meeting Minutes:
  - . 01-10-08 Regular Meeting Pages 1-5
  - . 01-22-08 Special Meeting Pages 1-2\*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. \* Planning and Zoning Commission Minutes:
  - . 01-14-08 Regular Meeting Pages 1-4\*CONSENT\*
3. \* Surface Transportation Advisory Committee Minutes:
  - . 01-09-08 Regular Meeting Pages 148-151\*CONSENT\*
4. \* PECTAC Minutes:
  - . 01-02-08 Meeting Pages 1-2\*CONSENT\*
5. \* Design Review Board Minutes:
  - . 01-08-08 Meeting Pages 34-36
  - . 01-15-08 Meeting Pages 37-40
  - . 01-22-08 Meeting Pages 39-40\*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\* APPROVAL
2. Discussion/possible action regarding Resolution No. 2356, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE PARKS AND RECREATION DIRECTOR, OR HIS DESIGNEE, TO EXECUTE AN APPLICATION FOR A TRAILS HERITAGE FUND GRANT, AND CERTIFYING THE TOWN'S MATCHING FUNDS.

Mary McMullen, Parks and Recreation Trails Coordinator said Gila County Community College received approval last Friday. It will allow to build trailheads in two different areas, one being Gila County Community College and the other Goat Camp Ruins, and also an interpretive trail.

It was council consensus to vote on Resolutions 2356 and 2357 together.

Vice-Mayor Fruth moved, seconded by Clmn. Wilson to approve Resolutions 2356 and 2357. Motion carried, 7-0.

3. Discussion/possible action regarding Resolution No. 2357, 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 INTERGOVERNMENTAL AGREEMENT WITH THE GILA COMMUNITY COLLEGE DISTRICT RELATING TO THE PAYSON AREA TRAILS SYSTEM.
4. First Reading and Public Hearing regarding Ordinance No. 731, 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 2008 9 NORTH MCLANE AND 215 WEST \*\* HOUSTON MESA ROAD, BEING GILA COUNTY ASSESSOR'S PARCEL NUMBERS 302-35-007A AND 302-35-252, AS MORE PARTICULARLY DESCRIBED ON EXHIBITS "A" AND "B" ATTACHED HERETO, FROM R1-175 TO R1-6 AND R3 RESPECTIVELY (MOGOLLON RIDGE). First Reading and Public Hearing \*\*Corrected 2/19/08.

Jerry Owen, Community Development Director, explained the project using slides.

Ralph Bossert, Tetra Tech, commented that the drainage problems had nothing to do with this project but that the contributions from the developer to improve down stream problems has helped. There had been favorable recommendations from the Planning and Zoning Commission.

Kerry Whaley's, Payson Ranchos, concern was that the severe flooding be fixed.

Rick Croy considered it a good project. He asked questions regarding the \$200,000 in lieu of affordable housing and why this did not come before the Housing Commission. The houses were to receive approved grading. Approximately 10 to 15 homes downstream would be positively affected. Mayor Edwards gave Mr. Garrett's team his appreciation.

Clmn. Connell noted people were against the project because of concerns about drainage. There were also concerns about the traffic on McLane and Houston Mesa Roads and if those things had been addressed.

The Mayor gave the background on what brought the neighborhood and developer together with a good compromise.

Regarding pedestrian traffic, Mike Horton said they are improving parts of McLane. The big issue was drainage and traffic became a less important issue.

There was other discussion regarding collector roads, quality of life issues, and the considerable public input into this matter.

Mr. Horton said they did 15 renditions of the site plan and worked hard to consider

everyone's concerns.

Affordable Housing issues were discussed. Clmn. Connell thought the various commission and committees should be included in the process and the importance of all those involved being on the same page.

Mr. Horton described some of the financing structure they were developing for first-time homeowners.

Concerns were expressed that there should be a report from the Housing Commission before preliminary plat approval. Mr. Horton had met with Bethany Beck and Jerry Owen regarding financing.

Ralph Bossert say they would have an obligation to improve McLane Road adjacent to the property with curb, gutter and sidewalk.

There was considerable discussion concerning workforce housing contributions and contribution for the PATS system. Direction was given that the developer meet with the Housing Advisory Commission and come up with creative financing solutions and bring these solutions back for the second reading of the ordinance. When asked if March 27th would be a good date to bring this back, Mr. Horton agreed.

#### **H. UNFINISHED BUSINESS**

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

#### **I. NEW BUSINESS**

1. Council Decision Request filed by Cameron Davis, Office of Tourism and Vitality Director, to allocate \$9,000 to support bringing The Vietnam War Memorial Exhibit, The Wall, to Payson on June 6, 7 & 8, 2008.

Clmn. Blair moved, seconded by Vice-Mayor Fruth to approve allocating \$9,000 to support bringing the Vietnam War Memorial Exhibit, The Wall, to Payson on June 6, 7 and 8, 2008, coming from the public relations account. Clmn. Wilson said The Wall was sponsored by the local Rotary Clubs. The Vietnam Motorcycle Club will escort The Wall to Payson. Motion carried, 7-0.

2. Council Decision Request filed by Silvia Smith, Town Clerk, to approve the Information Systems Department staff to get a quote and purchase hardware and software needed for a new internet firewall/anti-virus server from the Contingency Fund, not to exceed \$10,000.00.

Clmn. Wilson moved, seconded by Clmn. Blair to approve the Information Systems Department staff to get a quote and purchase hardware and software needed for a new internet firewall/anti-virus server from the Contingency Fund, not to exceed \$10,000.00. Motion carried, 7-0.

#### **J. CLAIMS**

1. \* List of checks paid from 01/18/08 through 02/08/08, Check Nos. 45205 through 45404, and authorization to file the checks for audit.

\*CONSENT\*

**K. MISCELLANEOUS**

1. \* Acceptance, with regrets, of the resignation of Diana Sexton from the Surface Transportation Advisory Committee, with thanks for a job well done. (Note: letter on file in Town Clerk's office.) \*CONSENT\*
2. 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**

Lew Levenson expressed his admiration of the Rotary Clubs to bring The Wall to Payson, along with the various motorcycle groups. He asked if the veterans here were involved as well. He was told that they were involved through the effort of Bill Sahn.

Tom Loeffler, following up on Clmn. Connell's comments re pedestrian and car traffic, challenged council regarding the collector roads. Larger future subdivisions might benefit by letting the STAC look at the situation before approval of final plats.

**ADJOURNMENT**

The meeting adjourned at 7:30 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 21 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