

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
April 17, 2008**

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

Bishop Rodney Ross, Mogollon Ward of the Church of Jesus Christ of Latter Day Saints

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: Sam Streichman, Town Attorney, Jerry Owen, Community Development Director, Rick Manchester, Parks & Recreation Director, Debra Galbraith, Town Manager, Colin P. Walker, Water Superintendent, LaRon Garrett, Town Engineer, Cameron Davis, Tourism/Economic Vitality Director, and Martin deMasi, Fire Chief.

OTHERS PRESENT: Marcia F. Huffman, Chief Deputy Town Clerk, Tracie Bailey, Deputy Town Clerk, Tim Wright, Deputy Town Attorney, Toni Balestrere, Paralegal, and Margaret Jesus, Assistant Library Manager.

A. PUBLIC COMMENTS

1. 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 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.

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

MAY 01 2008 E.I.

1. Debra Galbraith, Town Manager, did not have a report.

D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS

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

Council Member Blair emphasized the Business Showcase this Saturday, April 19, 2008 from 9:00 a.m. to 3:00 p.m.

Vice-Mayor Fruth announced the Payson High School Drama Class would be performing Little Shop of Horrors.

Council Member Vogel thanked the people at Catholic College in Australia and technician Sean Murray for helping him get his computer working in Australia.

2. **Proclamation.** Council Member Connell read into the record a Proclamation declaring April 27-May 3, 2008 as National Volunteer Week. Various community volunteers were present to accept the proclamation.
3. **Proclamation.** Council Member Blair read into the record a Proclamation declaring May 1, 2008, as National Day of Prayer. Charles Proudfoot, Senior Pastor, Community Presbyterian Church, was present to accept the proclamation.

E. MINUTES

1. * Council Meeting Minutes:
01-24-08 Regular Meeting Pages 1-6
03-27-08 Regular Meeting Pages 1-9
***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. * Surface Transportation Advisory Committee Minutes:
03-05-08 Regular Meeting Pages 156-160
***CONSENT* INFORMATION ONLY**

F. HEARINGS AND APPEALS

1. **Public Hearing.** Mayor Edwards opened the Public Hearing concerning an application for a Special Event Liquor License filed by Ann Marie Stoner, agent, Payson Pro Rodeo Committee, Inc. for the May (Spring) Gary Hardt Memorial Rodeo event to be held on Friday, 5/16/08, 5:00 p.m. to 11:00 p.m., and Saturday, 5/17/08, 5:00 to 11:00 p.m., at the Payson Event Center (1400 S. Beeline Highway), Payson, Arizona.

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

Motion: to Approve a Special Event Liquor License filed by Ann Marie Stoner,

agent, Payson Pro Rodeo Committee, Inc. for the May (Spring) Gary Hardt Memorial Rodeo event to be held on Friday, 5/16/08, 5:00 p.m. to 11:00 p.m., and Saturday, 5/17/08, 5:00 to 11:00 p.m., at the Payson Event Center (1400 S. Beeline Highway), Payson, Arizona.

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. **Resolution No. 2361.** Mayor Edwards opened discussion/possible action concerning Resolution No. 2361, 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 CONTRACT OF EMPLOYMENT WITH TOWN MANAGER DEBRA A. GALBRAITH.

Motion: to Approve Resolution No. 2361, 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 CONTRACT OF EMPLOYMENT WITH TOWN MANAGER DEBRA A. GALBRAITH.

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

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. **Resolution No. 2368.** Mayor Edwards opened discussion/possible action concerning Resolution No. 2368, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE FEE SCHEDULE FOR THE PROVIDING OF EMERGENCY FIRE AND MEDICAL SERVICES OUTSIDE THE CORPORATE LIMITS OF THE TOWN OF PAYSON.

Motion: to Approve Resolution No. 2368, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE FEE SCHEDULE FOR THE PROVIDING OF EMERGENCY FIRE AND MEDICAL SERVICES OUTSIDE THE CORPORATE LIMITS OF THE TOWN OF PAYSON.

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.

4. * **Resolution No. 2369.** Council approved, on the Consent Agenda, Resolution No. 2369, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, TO APPROVE, PURSUANT TO A.R.S. SECTION 48-262(f), AN ANNEXATION OF ADDITIONAL TERRITORY INTO THE NORTHERN GILA COUNTY SANITARY DISTRICT OF THOSE CERTAIN PARCELS OF REAL PROPERTY AS DENOMINATED ON THE ATTACHED EXHIBIT "A" (311 E. TYLER PARKWAY, PAYSON, ARIZONA, 4.23 ACRES, RAUL R.C. TORRES OWNER, ASSESSORS PARCEL NO. 302-35-228B).

***CONSENT* APPROVED**

5. **Resolution No. 2370.** Mayor Edwards opened discussion/possible action concerning Resolution No. 2370, 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 PUBLIC PURPOSE FUNDING AGREEMENT WITH PAYSON MULTIPURPOSE SENIOR CENTER DEVELOPMENT ASSOCIATION, INC.

Deborah Barber thanked the Council. Because of the Town making a commitment to partner with the Senior Center they have been able to expand and do great things. Ms. Barber answered questions from the Council.

Motion: to Approve Resolution No. 2370, 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 PUBLIC PURPOSE FUNDING AGREEMENT WITH PAYSON MULTIPURPOSE SENIOR CENTER DEVELOPMENT ASSOCIATION, INC.

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

Barbara Underwood, Senior Center President, thanked Ray LaHaye for helping with the floor at the Senior Center. Ms. Underwood introduced the Senior Center Board.

Olivia Guerero, CEO Pinal-Gila Senior Services, addressed the Council. Ms. Guerero was pleased the Town was participating and thanked the Council.

Robert Miller stated he worked for the Senior Center as a driver. Mr. Miller stated that every day when he delivers meals the people are so happy to see him and get their hot meal. Mr. Miller believed that without this service many of them would not get a meal.

Penny Mayer stated she volunteered at the Senior Center and felt that it was fun. Ms. Mayer would like a new floor for the center.

Evelyn Wright expressed her concerns regarding the floor at the Senior Center.

Charlie Tawn stated she volunteered at the Senior Center and delivered meals on wheels. Ms. Tawn stated she always helped the seniors with little things when she delivered their meal and believed that made them very happy.

Mayor Edwards called for the vote.

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.

6. **Resolution No. 2371.** Mayor Edwards opened discussion/possible action concerning Resolution No. 2371, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING DEBRA A. GALBRAITH, TOWN MANAGER OF THE TOWN OF PAYSON, AND DOUGLAS HILL, CHIEF FISCAL OFFICER OF THE TOWN OF PAYSON, TO EXECUTE A CERTIFICATION OF BANKING RESOLUTIONS, AUTHORIZING BANKING SERVICES WITH JPMORGAN CHASE BANK, N.A., AND BANK SUBSIDIARIES THEREOF, AND DESIGNATING SIGNATORIES RELATING TO THE VARIOUS ACCOUNTS TO BE MAINTAINED AT JPMORGAN CHASE BANK, AND DECLARING AN EMERGENCY.

Motion: to Approve Resolution No. 2371, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING DEBRA A. GALBRAITH, TOWN MANAGER OF THE TOWN OF PAYSON, AND DOUGLAS HILL, CHIEF FISCAL OFFICER OF THE TOWN OF PAYSON, TO EXECUTE A CERTIFICATION OF BANKING RESOLUTIONS, AUTHORIZING BANKING SERVICES WITH JPMORGAN CHASE BANK, N.A., AND BANK SUBSIDIARIES THEREOF, AND DESIGNATING SIGNATORIES RELATING TO THE VARIOUS ACCOUNTS TO BE MAINTAINED AT JPMORGAN CHASE BANK, AND DECLARING AN EMERGENCY.

Moved by Council Member Ed Blair, 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.

7. **Ordinance No. 735.** Mayor Edwards opened the First Reading and Public Hearing concerning Ordinance No. 735, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING ARTICLE 2 OF CHAPTER 50 OF TITLE V OF THE CODE OF THE TOWN OF PAYSON BY REFERENCE, RELATING TO WATER CONSERVATION, AND AMENDING PREVIOUSLY ADOPTED REGULATIONS AND RESTRICTIONS FOR MANAGEMENT OF WATER

USE.

Gary Bedsworth stated he supported Buzz Walker, Water Superintendent, and the Water Department. Mr. Bedsworth supported continued water conservation.

Following some discussion Mayor Edwards closed the First Reading and Public Hearing.

8. **Ordinance No. 736.** Mayor Edwards opened the First Reading and Public Hearing concerning Ordinance No. 736, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADDING SECTION 93.14 AND AMENDING SECTION 73.04 OF THE CODE OF THE TOWN OF PAYSON, REQUIRING COMPLIANCE WITH SIGNAGE ON THE PAYSON AREA TRAILS SYSTEMS (PATS) AND PROHIBITING THE USE OF MOTORIZED PLAY VEHICLES ON PATS WITHIN THE TOWN PARKS.

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

H. UNFINISHED BUSINESS

- 1.a * **Contract with Roundabouts & Traffic Engineering.** Council approved, on the Consent Agenda, consideration of a motion to remove from the table the Council Decision Request filed by Debra A. Galbraith, Town Manager, to authorize the Vice-Mayor to sign the roundabout engineering contract with Roundabouts & Traffic Engineering in the amount of \$47,025.

***CONSENT* APPROVED**

- 1.b **Council Decision request** filed by Debra A. Galbraith, Town Manager, to authorize the Vice-Mayor to sign the roundabout engineering contract with Roundabouts & Traffic Engineering in the amount of \$47,025.

LaRon Garrett, Town Engineer, stated ADOT had finished their traffic study and found that the roundabout was not warranted at this time.

Motion: to Approve to rescind approval of the roundabout agreement.

Moved by Council Member Ed Blair, 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.

2. **Memorandum.** Mayor Edwards opened discussion/possible action concerning a memorandum from Vice-Mayor Fruth requesting discussion on the procedure for appointing members of the Town's Boards, Committees, and Commissions.

Vice-Mayor Fruth pulled this Item from the agenda because he wanted the next Council to decide.

3. * **Council Decision Request.** Council approved, on the Consent Agenda, a Council Decision Request filed by LaRon G. Garrett, Town Engineer, to grant a 6-month approval for the Second Amended Final Plat Approval for the Bison Cove Condominiums Phase 1 Subdivision and authorize the Mayor to sign said document and staff to record said document. If this amended final subdivision plat is not recorded with the Gila County Recorder's Office within six months, this approval is null and void.
***CONSENT* APPROVED**

I. NEW BUSINESS

1. **Council Decision Request** filed by Rick Manchester, Parks and Recreation Director, to approve the contract with Logan Simpson Design Inc. to complete a Parks and Recreation Master Plan for \$94,695, and authorize the Mayor to sign contract documents.

Following considerable discussion.

Motion: to Approve to send this Council Decision Request back to the Parks and Recreation Advisory Board to narrow the scope and the plan not to exceed \$75,000. Moved by Council Member Mike Vogel, seconded by Council Member Ed Blair.

Vote: Motion carried 6 - 1

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

No: Council Member John Wilson.

2. **Council Decision Request** filed by Jerry Owen, Community Development Director, to approve the Preliminary Plat for the Flowing Wells subdivision at 2009 N. McLane Road & 215 W. Houston Mesa Road subject to the conditions recommended by the Planning and Zoning Commission.

Motion: to Approve the Preliminary Plat for the Flowing Wells subdivision at 2009 N. McLane Road & 215 W. Houston Mesa Road subject to the conditions recommended by the Planning and Zoning Commission.

Moved by Vice-Mayor Tim Fruth, 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.

3. **Council Decision Request** filed by Cameron Davis, Office of Tourism/Economic Development Director, to approve the expenditure of \$3,900 from the Contingency fund for Media USA-Official Best of Designation to Payson as the 2008 "Best Small Town In Arizona."

Motion: to Approve the expenditure of \$3,900 from the Contingency fund for Media USA-Official Best of Designation to Payson as the 2008 "Best Small Town In Arizona."

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.

4. * **Council Decision Request.** Council approved, on the Consent Agenda, a Council Decision Request filed by Debra A. Galbraith, Town Manager, to ratify the Town Manager's appointment of Douglas Hill as the Chief Fiscal Officer effective April 21, 2008.
***CONSENT* APPROVED**
5. * **Council Decision Request.** Council approved, on the Consent Agenda, a Council Decision Request filed by Debra A. Galbraith, Town Manager, to allocate \$107,853.12 from the Contingency fund to pay the remaining 2006/2007 Payson Regional Justice Court invoice.
***CONSENT* APPROVED**
6. **Council Decision Request** filed by Jerry Owen, Community Development Director, to approve the attached scope of work and fee proposal from A Dye Design in the amount of \$42,205 and authorize the Mayor to execute all necessary contract documents.

Following considerable discussion.

Motion: to Approve the attached scope of work and fee proposal from A Dye Design in the amount of \$42,205 and design guidelines to coordinate land adjacent to highways as a depository to receive and care for intermittent transplants of semi-mature native trees from nearby development projects and to advance night time dark sky goals and consultant and subconsultants shall have active Town of Payson Business License, including Legal Worker Affidavit, on file at Town Hall and to include form based code end product and authorize the Mayor to execute all necessary contract documents.

Moved by Council Member Andy Romance, 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.

J. CLAIMS

There were no items in this section.

K. MISCELLANEOUS

1.a * **Remove from the table.** Council approved, on the Consent Agenda, consideration of a motion to remove from the table for discussion/possible action the appointment of Bob Dalby to fill the unexpired term of Diana Sexton to the Surface Transportation Advisory Committee.

***CONSENT* APPROVED**

1.b Mayor Edwards opened discussion/possible action concerning the **appointment of Bob Dalby** to fill the unexpired term of Diana Sexton to the Surface Transportation Committee, term to expire 12/31/08.

Motion: to Approve the appointment of Bob Dalby to fill the unexpired term of Diana Sexton to the Surface Transportation Committee, term to expire 12/31/08. Moved by Council Member John Wilson, seconded by Council Member Ed Blair.

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.

L. PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

Mayor Edwards adjourned the meeting at approximately 7:46 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 17 of April, 2008. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this ____ day of _____, 2008.

Tracie Bailey, Deputy Town Clerk