

**COMMON COUNCIL OF THE TOWN OF PAYSON
AGENDA OF THE REGULAR MEETING
MAY 15, 2008**

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

INVOCATION (Participation Voluntary) Pastor Ken Curl
Payson Christian Church

PLEDGE OF ALLEGIANCE

ROLL CALL: BE__ TF __ EB __ SC __ AR__ MV__ JW__

STAFF PRESENT: DG__ SIS__ DH__ MD__ CPW__ DBE__ 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

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. **Proclamation** declaring Sunday, May 25th, and Monday, May 26th, 2008, Memorial Day as "**Days to Remember and Honor Our Veterans.**" Sherman Alston, executive member of the Payson Patriotic Events Committee and Commander of Payson's American Legion Post, will be present to accept the proclamation.

E. MINUTES

- 1.* **Council Meeting Minutes:**
 - . 04-17-08 Special Meeting Pages 1-3
 - . 05-01-08 Regular Meeting Pages 1-9

***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.* **Green Valley Redevelopment Area Committee Minutes:**
 - . 04-03-08 Regular Meeting Pages 589-591
 - . 04-17-08 Special Meeting Pages 592-594

***CONSENT* APPROVAL FOR INFORMATION**

- 3.* **Surface Transportation Advisory Committee Minutes:**
 - . 04-02-08 Regular Meeting Pages 161-164

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 concerning **Resolution No. 2372**, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADDING SECTION 15-03-006 AND AMENDING SECTION 15-11-002 OF CHAPTER 154 (THE UNIFIED DEVELOPMENT CODE) OF THE CODE OF THE TOWN OF PAYSON, AND DECLARING SUCH AMENDMENTS TO BE A PUBLIC RECORD. (REGULATING FENCES)

3. **Second Reading and Public Hearing** concerning **Ordinance No. 737**, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADDING SECTION 15-03-006 AND AMENDING SECTIONS 15-03-002 AND 15-11-002 OF CHAPTER 154 (THE UNIFIED DEVELOPMENT CODE) OF THE CODE OF THE TOWN OF PAYSON. (REGULATING FENCES) **Second Reading and Public Hearing.**

- 4.* Discussion/possible action concerning **Resolution No. 2375**, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA ACCEPTING THE DRAINAGE EASEMENT DESCRIBED IN THE DOCUMENT ATTACHED HERETO AS EXHIBIT "1". (PEDERSEN)
***CONSENT* APPROVAL**

- 5.* Discussion/possible action concerning **Resolution No. 2376**, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING THE DRAINAGE EASEMENT DESCRIBED IN THE DOCUMENT ATTACHED HERETO AS EXHIBIT "1". (MALONEY)
***CONSENT* APPROVAL**

- 6.* Discussion/possible action concerning **Resolution No. 2377**, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING THE DRAINAGE EASEMENT DESCRIBED IN THE DOCUMENT ATTACHED HERETO AS EXHIBIT "1". (ELLIS)
***CONSENT* APPROVAL**

- 7.* Discussion/possible action concerning **Resolution No. 2378**, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF

THE TOWN OF PAYSON, ARIZONA, ACCEPTING THE DRAINAGE EASEMENT DESCRIBED IN THE DOCUMENT ATTACHED HERETO AS EXHIBIT "1". (NEVAREZ)

***CONSENT* APPROVAL**

- 8.* Discussion/possible action concerning **Resolution No. 2379**, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING THE DRAINAGE EASEMENT DESCRIBED IN THE DOCUMENT ATTACHED HERETO AS EXHIBIT "1". (SPARKMAN)

***CONSENT* APPROVAL**

- 9.* Discussion/possible action concerning **Resolution No. 2380**, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING THE DRAINAGE EASEMENT DESCRIBED IN THE DOCUMENT ATTACHED HERETO AS EXHIBIT "1". (SIEBERT)

***CONSENT* APPROVAL**

H. UNFINISHED BUSINESS

There are no items in this section.

I. NEW BUSINESS

1. Council Decision Request filed by Debra A. Galbraith, Town Manager, to allocate \$7,000.00 from the Contingency fund to pay the life **insurance claim** of a former Town employee.
2. Council Decision Request filed by LaRon Garrett, Town Engineer, to direct staff to include \$40,000 in the 2008-2009 budget to reimburse the Payson Regional Airport Authority up to the \$40,000 for actual expenses incurred for a "**Vehicular Access and Driver Training**" program.
3. Council Decision Request filed by LaRon Garrett, Town Engineer, to direct staff to install a **stop sign** for both north and south bound traffic on Whitehouse Drive at the intersection of Nicklaus Drive and Whitehouse Drive, making this intersection an "All Way" stop.
4. *Council Decision Request filed by Debra A. Galbraith, Town Manager, to direct staff to budget **salaries** for the Town Council members at*
*** \$1,000/month, and for the Mayor at \$1,250/month beginning in June 2010.*

****Added 5/13/08.**

5. *Council Decision Request filed by LaRon Garrett, Town Engineer, to direct Staff to continue investigating the cost to have Tetra Tech, Inc., compile the*
*** required data and finalize the application with FEMA for a Letter of Map Revision (LOMR) covering those lots within the Woodland Meadows and Trailwood Subdivision areas that are currently shown on the FEMA Maps as being within the Zone "A" Flood Plain and to provide the estimated cost to the Town Council at the June 19, 2008, meeting. **Added 5/13/08.*

J. CLAIMS

- 1.* List of checks paid from 04/16/08 through 05/07/08, Check Nos. 001111 through 001457, **except Check No. 001456**, and authorization to file the checks for audit.

***CONSENT* APPROVAL**

- 2.* Check No. 001456 paid 05/07/08, and authorization to file the check for audit. (**Note: due to a perceived and/or conflict of interest, Clmn. Vogel will be considered to have abstained from voting on this item.**)

***CONSENT* APPROVAL**

K. MISCELLANEOUS

- 1.* Appointment of Deborah Burzynski to the Housing Advisory Commission to fill the vacancy left by Michael Hughes, term to expire 12/31/09. (**Note:** application on file in Town Clerk's office.)

***CONSENT* APPROVAL**

- 2.* Appointment of John Wakelin to the Housing Advisory Commission to fill the vacancy left by Richard Croy, term to expire 12/31/09. (**Note:** application on file in Town Clerk's office.)

***CONSENT* APPROVAL**

3. 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.

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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 8th day of May, 2008, at 3:30 p.m., in accordance with the statement filed by the Town of Payson with the Payson Town Clerk.

By: _____
Silvia Smith, Town Clerk