

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES 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

Pastor Ken Curl, Payson Christian 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: Jerry Owen, Community Development Director, Debra Galbraith, Town Manager, LaRon Garrett, Town Engineer, Donald Engler, Police Chief, and Cameron Davis, Tourism/Economic Vitality Manager.

OTHERS PRESENT: Marcia F. Huffman, Chief Deputy Town Clerk, Tracie Bailey, Deputy Town Clerk, Tim Wright, Deputy Town Attorney.

A. PUBLIC COMMENTS

Andy Sarcinella spoke regarding traffic calming devices. Mr. Sarcinella felt Longhorn Road was a tragedy waiting to happen because of speeders.

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 except Items G.4, 5, 6, 7, 8, and 9.

Moved by Council Member Ed Blair, seconded by Council Member Mike Vogel.

Vote: Motion carried 6 - 0

Yes: 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.

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

Debra Galbraith, Town Manager, announced that Frontier Street was paved now. The Water Department Conservation Staff had conducted a water education program for 201 4th graders. They were helped by 20 volunteers, the University of Arizona and the Bureau of Reclamation.

There will be a public input meeting for the Event Center on Wednesday, May 21, 2008 at 5:15 p.m. in the Council Chambers.

Sgt. Garvin was promoted to Police Lieutenant. Chaparral Pines received their official Firewise award plus special recognition from Congressman Renzi's office. Ms. Galbraith reminded everyone that there is no burning allowed due to fire restrictions. Fire hydrants were being checked so there may be water in the streets in certain areas at times.

The Community Development Department recently held a week long food drive to benefit the local St. Vincent DePaul Food Bank. The drive gathered over 1,100 pounds of non-perishable food. Ms. Galbraith thanked all the staff and local businesses that participated in the drive.

D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS

Council Member Blair noted that the next meeting of the Council starts at 4 p.m. on Tuesday, May 27, 2008. The outgoing Council will say goodbye and the new Council will be seated.

Council Member Connell announced there were several things happening this weekend in Payson. There was the Spring Rodeo, Aero Fair and the "roast" at Main Street Grille of Council Member Connell.

Council Member Wilson announced there will be vendors at the Presbyterian Church for a fundraiser starting at 7 a.m. this Saturday.

Mayor Edwards announced the Spring Rodeo and Elk's Craft Fair this weekend. May 26, 2008, is the Memorial Day Tribute for Veterans. Gaye Stidham's, Deputy Town Clerk, son, Russ, passed away this week. Mayor Edwards asked everyone to pray for the family. The Mayor presented a proclamation to Kit McGuire of "Kit's Corner" for "Alyse Black" day with a key to the Town. Alyse Black, Jazz singer, first performed locally in Payson on "Kit's Corner"/KRIM Radio.

2. **Proclamation.** Council Member Wilson read into the record a 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, and Richard Hall, Commander of the VFW, were 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* 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. * Green Valley Redevelopment Area Committee Minutes:
04-03-08 Regular Meeting Pages 589-591
.04-17-08 Special Meeting Pages 592-594
***CONSENT* APPROVED FOR INFORMATION**
3. * Surface Transportation Advisory Committee Minutes:
04-02-08 Regular Meeting Pages 161-164
***CONSENT* APPROVED FOR INFORMATION**

F. HEARINGS AND APPEALS

There were no items in this section.

Mayor Edwards moved Item I.3 up on the agenda.

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.

Jack Lerch expressed his concern for people almost being hit by cars. Mr. Lerch believed this corner was very dangerous and felt the stop signs would help slow speeders.

Motion: to approve 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.
Moved by Council Member Mike Vogel, seconded by Council Member Su Connell.

Vote: Motion carried 6 - 0

Yes: 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.

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**

Mayor Edwards opened discussion/possible action concerning Resolution No. 2372 and opened the Second Reading and Public Hearing concerning Ordinance No. 737.

2. **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. **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.

Following considerable discussion:

Motion: to Approve to adopt with the following changes: B2 eliminate the word scale, B4 should be eliminated and direct staff to come up with a horse exemption option.

Moved by Council Member Ed Blair, seconded by Mayor Bob Edwards.

Jim Garner asked Council Member Blair if he had ever applied for a permit. Mr. Garner questioned whether or not Council could pass an ordinance that requires existing fences to change. Mr. Garner believed there were different areas in town and felt this was a bad ordinance.

Mayor Edwards called for the vote.

Vote: Motion failed 1 - 5

Yes: Council Member Ed Blair.

No: Mayor Bob Edwards, Vice-Mayor Tim Fruth, Council Member Su Connell, Council Member Mike Vogel, and Council Member John Wilson.

Absent: Council Member Andy Romance.

Shirley McGeary believed she had good CC&R's in her area. Ms. McGeary felt the orange fence was blown out of sight and that there were too many ordinances on the books now.

Following more discussion:

Motion: to Approve to direct staff to take what they heard tonight and take it back and redo the ordinance with those changes and to have some public hearings and to have a 90-day time limit to bring this back to Council.

Moved by Mayor Bob Edwards, seconded by Council Member Mike Vogel.

Vote: Motion carried 6 - 0

Yes: 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.

Mayor Edwards opened discussion/possible action concerning Resolution No. 2375, Resolution No. 2376, Resolution No. 2377, Resolution No. 2378, Resolution No. 2379, and Resolution No. 2380.

Following a brief update on the project by LaRon Garrett, Town Engineer:

Motion: to approve Resolution No. 2375, Resolution No. 2376, Resolution No. 2377, Resolution No. 2378, Resolution No. 2379, and Resolution No. 2380.

Moved by Council Member Mike Vogel, seconded by Council Member John Wilson.

Vote: Motion carried 6 - 0

Yes: 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.

4. * **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)

Pulled from ***CONSENT*** **AGENDA**

5. * **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)

Pulled from ***CONSENT*** **AGENDA**

6. * **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)

Pulled from ***CONSENT*** **AGENDA**

7. * **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)

Pulled from ***CONSENT*** **AGENDA**

8. * **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)

Pulled from ***CONSENT*** **AGENDA**

9. * **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)

Pulled from ***CONSENT*** **AGENDA**

H. UNFINISHED BUSINESS

There were 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.

Motion: to Approve to allocate \$7,000.00 from the Contingency fund to pay the life insurance claim of a former Town employee.
Moved by Council Member John Wilson, seconded by Council Member Su Connell.

Vote: Motion carried 6 - 0

Yes: 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.

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.

Motion: to Approve 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.
Moved by Council Member John Wilson, seconded by Council Member Mike Vogel.

Dick Mumma, Payson Regional Airport Authority, explained they did not have the time to bid out for this project. As soon as they get the bid they will come back to Council then start the project.

Vote: Motion carried 6 - 0

Yes: 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.

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.

Following some discussion:

Motion to Approve 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.
Moved by Vice-Mayor Tim Fruth, motion dies due to the lack of a second

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.

Jim Garner stated his wife had brought this to the Council's attention. Mr. Garner felt the Town should look out for the citizens. He explained the background of this property. FEMA is demanding that the people on this property have flood insurance. Mr. Garner believed this needs to be passed up to state and federal representatives to explain how this is affecting people in rural areas.

Gary Schum lived in the area and stated there were 80 or 90 places in the area affected. Mr. Schum asked the Council to get this resolved.

Motion: to Approve 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.

Moved by Council Member Mike Vogel, seconded by Council Member John Wilson.

Vote: Motion carried 6 - 0

Yes: 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.

J. CLAIMS

1. * **List of checks.** Council approved, on the Consent Agenda, a 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* APPROVED**
2. * **Check No. 001456.** Council approved, on the Consent Agenda, 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* APPROVED**

K. MISCELLANEOUS

1. * Council approved, on the Consent Agenda, the **appointment of Deborah Burzynski** to the Housing Advisory Commission to fill the vacancy left by Michael Hughes, term to expire 12/31/09.
***CONSENT* APPROVED**

2. * Council approved, on the Consent Agenda, the **appointment of John Wakelin** to the Housing Advisory Commission to fill the vacancy left by Richard Croy, term to expire 12/31/09.
***CONSENT* APPROVED**

L. PUBLIC COMMENTS

1. There were no public comments.

ADJOURNMENT

Mayor Edwards adjourned the meeting at approximately 7:15 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 15 of May, 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