

**COMMON COUNCIL OF THE TOWN OF PAYSON  
AGENDA OF THE SPECIAL MEETING  
AUGUST 11, 2008**

**CALL TO ORDER:** 11:00 a.m. in the Town Council Chambers, 303 N Beeline Highway, Payson, Arizona.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** KE \_\_ SC \_\_ EB \_\_ RC \_\_ MH \_\_ MV \_\_ JW \_\_

**STAFF PRESENT:** DG \_\_ SIS \_\_ DH \_\_ MD \_\_ CPW \_\_ DBE \_\_ SS \_\_ 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. Also, any matter may be considered earlier or later than scheduled, depending on the length of discussion on the prior item.*

**PURPOSE OF MEETING:**

1. Consideration of a motion to recess to executive session for:
  - A. Discussion or consultation for legal advice with the attorneys for the Town of Payson regarding Gila County Cause No. CV 2088-272, Gile E. Sievers vs. Town of Payson, et al, pursuant to A.R.S. § 38-431.03(A)(3) and
  - B. Discussion or consultation with the attorneys for the Town of Payson in order to consider its position and instruct its attorneys regarding the Town's position regarding pending litigation, to wit: Gila County Cause No. C 2008-272, Gile E. Sievers vs. Town of Payson, et al, pursuant to A.R.S. § 38-431.03 (A)(4).
2. Discussion/possible action re: Gila County Cause No. CV 2008-272, Gile E. Sievers vs. Town of Payson, et al., an action to disqualify the signatures on Referendum Petition No. 08R-001;
3. Discussion/possible action re: November 4, 2008 general election.

(There will be no discussion at this meeting regarding lease negotiations with the YMCA.)

**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.

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.

## **ADJOURNMENT**

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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.

## **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 7th day of August, 2008, at 2:15 p.m., in accordance with the statement filed by the Town of Payson with the Payson Town Clerk.

By: \_\_\_\_\_  
Silvia Smith, Town Clerk