

**TOWN OF PAYSON  
TOWN COUNCIL MEETING  
MINUTES OF THE SPECIAL MEETING  
August 11, 2008**

**CALL TO ORDER**

**PRESENT:** Mayor Kenny Evans, Vice-Mayor Su Connell, Council Member Ed Blair, Council Member Rick Croy, Council Member Michael Hughes, Council Member John Wilson, and Council Member Mike Vogel.

**STAFF PRESENT:** Sam Striechman - Town Attorney, Debra Galbraith - Town Manager, and Silvia Smith - Town Clerk.

**OTHERS PRESENT:** Gaye Stidham - Deputy Town Clerk, and Debi Dawson - Executive Assistant

**PURPOSE OF MEETING**

1. Consideration of a motion to recess to executive session for:
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.)

**Motion:** to Approve to recess to executive session for 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 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). Moved by Council Member John Wilson, seconded by Council Member Michael Hughes.

**Vote:** Motion carried 7 - 0

Yes: Mayor Kenny Evans, Vice-Mayor Su Connell, Council Member Ed Blair, Council Member Rick Croy, Council Member Michael Hughes, Council Member John Wilson, and Council Member Mike Vogel.

The special meeting recessed to executive session at approximately 11:09

a.m.

Mayor Evans reconvened the special meeting at approximately 12:10 p.m.

**Motion:** to Approve directing the Town Legal Department in coordination with the Attorney appointed by the Arizona Municipal Risk Retention Pool to defend the lawsuit entitled Siervers v. Payson (Gila County Case CV2008-272) up to and including any appeals to assure that the citizens of Payson have an opportunity to vote on the referendum.

Moved by Council Member John Wilson, seconded by Council Member Michael Hughes.

**Vote:** Motion carried 7 - 0

Yes: Mayor Kenny Evans, Vice-Mayor Su Connell, Council Member Ed Blair, Council Member Rick Croy, Council Member Michael Hughes, Council Member John Wilson, and Council Member Mike Vogel.

Clmn. Blair stated that this decision was to reaffirm the Council vote to have an election on the referendum, reassuring the citizen's right to vote.

Adjourned

Mayor Evans adjourned the special meeting at approximately 12:15 p.m.

APPROVED:

\_\_\_\_\_ Date: \_\_\_\_\_

Kenny J. Evans, Mayor

ATTEST:

\_\_\_\_\_

**Certification**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the Town Council of the Town of Payson held on this day the 11 of August, 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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Gaye Stidham, City Clerk

Clmn. Wilson moved, seconded by Clmn. Hughes to direct the Town Legal Department in coordination with the Attorney appointed by the Arizona Municipal Risk Retention Pool to defend the lawsuit entitled Sievers v. Payson (Gila County Case CV2008-272) up to and including any appeals to assure that the citizens of Payson have an opportunity to vote on the referendum.