

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
May 19, 2009**

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

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

STAFF PRESENT: Debra Galbraith - Town Manager, Sam Streichman - Town Attorney, Don Engler - Police Chief, Marti deMasi - Fire Chief, Silvia Smith - Town Clerk, LaRon Garrett - Public Works Director, Buzz Walker - Assistant Public Works Director, Ray Erlandsen - Acting Community Development Director, and Cameron Davis - Parks, Recreation and Tourism Director.

OTHERS PRESENT: Gaye Stidham - Deputy Town Clerk; Deb Rose - Aquatics/Special Events Coordinator, Tim Wright - Deputy Town Attorney, Cathy Boone - Project Manager and Ray LaHaye - Chief Building Official.

A. PUBLIC COMMENTS (SPEAKER'S REQUEST FORM SUBMITTED)

There were no comments from the public.

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.

Motion: to approve the CONSENT AGENDA.

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

Vote: Motion carried 7 - 0

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

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

Debra Galbraith, Town Manager, noted a recent *Gazette* article concerning volunteers needed for the "Adopt-A-Street" program. She clarified that the Town did not give the paper this information and there were some inaccuracies. Manager Galbraith said that

Michele Maupin was the contact person for the "Adopt-A'Street" program.

Cameron Davis, Parks, Recreation and Tourism Director, announced the upcoming Sawdust Festival, May 23 and 24. Over 20 semi-professional and local contestants are registered for the events. Mr. Davis also announced the opening of Taylor Pool Saturday, May 23, a from 1:00 p.m. to 4:00 p.m.

Mayor Evans announced that Senator McCain had introduced a companion bill in the Senate supporting the C.C. Cragin project.

Vice-Mayor Blair announced there were still openings on the HPCC and the Design Review Board. He asked citizens to contact him concerning filling these positions.

D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS

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

Mayor Evans announced the re-opening of the Natural Bridge this weekend. He reminded those present that the funds to support this limited opening of the Natural Bridge came from donations.

2. Proclamation declaring Sunday, May 24th and Monday, May 25th, 2009, Memorial Day, as "Days to Remember and Honor our Veterans".

Council Member Wilson read the proclamation declaring Sunday, May 24th and Monday, May 25th, 2009, as "Days to Remember and Honor our Veterans". Deb Rose accepted the proclamation in Mr. Sahnó's absence. She announced that the Memorial Day ceremonies would begin on Monday, May 25th at 10 a.m.

E. MINUTES

1. * Council Meeting Minutes:
04-28-09 Special Meeting Minutes (Budget) Pages 1 -6
04-29-09 Special Meeting Minutes (PARA) Pages 1 -2
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 Commission Minutes:
04-02-09 Regular Meeting Minutes Pages 631 -633
CONSENT INFORMATION ONLY
3. * Planning and Zoning Commission Minutes:
04-13-09 Regular Meeting Minutes Pages 1 -5
CONSENT INFORMATION ONLY
4. * Surface Transportation Advisory Board Minutes:
04-01-09 Regular Meeting Minutes Pages 192 -194

CONSENT INFORMATION ONLY

5. * Design Review Board Minutes:
04-14-09 Regular Meeting Minutes Pages 96 -97
CONSENT INFORMATION ONLY

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* APPROVED
2. * Discussion/possible action concerning Resolution No. 2492 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, MOVING THE HUMAN RESOURCES DIVISION TO THE TOWN MANAGER'S DEPARTMENT. *CONSENT* APPROVED
3. The following two items will be heard together: Resolution No. 2484 and Ordinance No. 762. Discussion/possible action concerning:
 - A. Resolution No. 2484 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADOPTING AMENDMENTS TO THE CODE OF THE TOWN OF PAYSON RELATING TO THE SETTING OF THE AMOUNT OF VARIOUS FEES AND CHARGES, AND DECLARING SUCH AMENDMENTS TO BE A PUBLIC RECORD.
 - B. Second Reading and Public Hearing concerning Ordinance No. 762 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE CODE OF THE TOWN OF PAYSON RELATING TO THE SETTING OF THE AMOUNT OF VARIOUS FEES AND CHARGES AND ADOPTING SUCH AMENDMENTS BY REFERENCE.

Motion: to Approve Ordinance No. 762 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE CODE OF THE TOWN OF PAYSON RELATING TO THE SETTING OF THE AMOUNT OF VARIOUS FEES AND CHARGES AND ADOPTING SUCH AMENDMENTS BY REFERENCE.

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

Manager Galbraith explained this was a new concept for the Town, to put all charges in one document and on the website so the public and staff could understand and use them more efficiently.

Mayor Evans asked for comments from the public. There were none.

Ray LaHaye, Chief Building Official, clarified the process and fees for renewal of building permits.

Chief Engler noted an error in the amount of rental and deposit for cat traps. The correction was a deposit of \$35 and rental fees of \$10 per day.

Vote: Motion carried 7 - 0

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

4. Discussion/possible action concerning Resolution No. 2491 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADOPTING THE TOWN OF PAYSON FEE AND CHARGES SCHEDULE.

Motion: to Approve Resolution No. 2491 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADOPTING THE TOWN OF PAYSON FEE AND CHARGES SCHEDULE.

Moved by Council Member John Wilson, seconded by Council Member Richard Croy.

Vote: Motion carried 7 - 0

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

5. Second Reading and Public Hearing concerning Ordinance No. 761, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING CHAPTER 110 OF THE CODE OF THE TOWN OF PAYSON BY REPLACING THE TERM CERTIFICATE OF OCCUPANCY WITH THE TERM BUSINESS OCCUPANCY PERMIT.

Mayor Evans opened the public hearing concerning Ordinance No. 761. There were no comments from the public and he closed the public hearing.

Motion: to Approve Ordinance No. 761, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING CHAPTER 110 OF THE CODE OF THE TOWN OF PAYSON BY REPLACING THE TERM CERTIFICATE OF OCCUPANCY WITH THE TERM BUSINESS OCCUPANCY PERMIT. (with the corrections in the body replacing "Building Occupancy Permit" with "Business Occupancy Permit.")

Moved by Council Member John Wilson, seconded by Council Member Richard Croy.

Vote: Motion carried 7 - 0

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

6. Second Reading and Public Hearing concerning Ordinance No. 763 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE OFFICIAL ZONING MAP FOR THE TOWN OF PAYSON, AMENDING ORDINANCE 466 AND AMENDING THE ZONING CODE OF THE TOWN OF PAYSON BY REZONING CERTAIN REAL PROPERTY GENERALLY LOCATED AT 807 NORTH WHITEHOUSE DRIVE, BEING GILA COUNTY ASSESSOR'S PARCEL NUMBER 302-38-56B, AS MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM R1-90MH TO R1-44.

Mayor Evans opened the public hearing concerning Ordinance No. 763. Nancy Edwards, the owner of the property, displayed a map of the proposed split into two lots. She said she had spoken to 37 neighbors within 300 feet of the property and had little opposition.

Motion: to Approve Ordinance No. 763 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE OFFICIAL ZONING MAP FOR THE TOWN OF PAYSON, AMENDING ORDINANCE 466 AND AMENDING THE ZONING CODE OF THE TOWN OF PAYSON BY REZONING CERTAIN REAL PROPERTY GENERALLY LOCATED AT 807 NORTH WHITEHOUSE DRIVE, BEING GILA COUNTY ASSESSOR'S PARCEL NUMBER 302-38-56B, AS MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM R1-90MH TO R1-44 **but to remove the staff recommendation for work force housing in Section 3.B.**

Moved by Council Member Mike Vogel, seconded by Council Member Michael Hughes.

Vote: Motion carried 7 - 0

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

7. Second Reading and Public Hearing concerning Ordinance No. 764 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE OFFICIAL ZONING MAP FOR THE TOWN OF PAYSON, AMENDING ORDINANCE NO. 466 AND AMENDING THE ZONING CODE FOR THE TOWN OF PAYSON BY REZONING CERTAIN REAL PROPERTY GENERALLY LOCATED AT 200 W. FRONTIER STREET, BEING GILA COUNTY ASSESSOR'S PARCEL NUMBER 304-08-064C, AS MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM R3-MH TO C-2. (NORTHERN PORTION OF BONANZA SQUARE)

Mayor Evans opened the public meeting concerning Ordinance No. 764. There

were no comments from the public and he closed the public hearing.

Motion: to Approve Ordinance No. 764 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE OFFICIAL ZONING MAP FOR THE TOWN OF PAYSON, AMENDING ORDINANCE NO. 466 AND AMENDING THE ZONING CODE FOR THE TOWN OF PAYSON BY REZONING CERTAIN REAL PROPERTY GENERALLY LOCATED AT 200 W. FRONTIER STREET, BEING GILA COUNTY ASSESSOR'S PARCEL NUMBER 304-08-064C, AS MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM R3-MH TO C-2. (NORTHERN PORTION OF BONANZA SQUARE)

Moved by Vice-Mayor Ed Blair, seconded by Council Member John Wilson.

Vote: Motion carried 7 - 0

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

H. UNFINISHED BUSINESS

1. * Remove from the table of May 7, 2009, a Council Decision Request filed by LaRon Garrett/Ray Erlandsen, Public Works Director, Acting Community Development Director, regarding the Main Street Enhancement Grant. *CONSENT* APPROVED
2. Council Decision Request filed by LaRon Garrett, Public Works Director, and Ray Erlandsen, Acting Community Development Director to submit a formal request to ADOT to temporarily delay the (Main Street Enhancement Grant Timeline) project for further evaluation and financial analysis. OR Submit a formal request to ADOT for permission to change the scope of the (Main Street Enhancement Grant Timeline) project to better reflect the current fiscal situation. OR Submit a formal request to ADOT to withdraw our application and resubmit in the future when fiscal abilities allow. (Modified) Submit a formal request to ADOT to withdraw our current application and direct staff to resubmit for a modified Transportation Enhancement Grant in the 2010 grant cycle focusing on those items that are grant eligible. OR Proceed with the (Main Street Enhancement Grant Timeline) project as originally planned.

Council Member Vogel queried again where the \$17,200 match money would come from. He did not want to commit the Town to funding the match money and then have to try and cut something else. He reminded everyone that the preliminary plans money was not grant eligible.

Vice-Mayor Blair said he did not believe we should give the grant back as it would be difficult to get it back. He believed the \$17,200 was worth the risk to receive \$300,000, not just for this one grant, but to encourage future grants.

Council Member Croy said the \$17,200 was not the only expense that we are likely to incur but only the minimum. Mr. Garrett agreed that the \$17,200 was the

minimum amount. He explained that as the project moved forward every individual expense from the work would be paid by ADOT (94.3% of cost) and the Town (5.7% of cost).

Council Member Hughes stated, again, that if this grant is accepted and we go forward trying to find the money, it will have to come from somewhere within the budget. He voiced his concern that it would come from bullet proof vests or turnouts for the Fire Department. That's how tight this budget is.

Manager Galbraith said to keep in mind that Tuesday night the budget will come to Council in a final draft. Suggestions of where these proposed funds would come from would need to be to her before then.

Council Member Vogel said that any revenue we have in the budget is just a guess with the situation with the State. He suggested putting off the project another year as he was not willing that someone's job be on the line for this.

Council Member Connell believed that the Main Street issues wa critical for the Town. She said we ought to look at this because it was part of our future. She said if we keep procrastinating we will never have Main Street as a showcase for our beautiful park. Council Member Connell stated she wanted it in our budget.

Vice Mayor Blair said he hated to turn this down just on a "guess" of what state shared revenues would be. He said the project means a lot to a lot of people and to tourism.

Mayor Evans restated the motion to budget for this project but not to expend any money until we have assurance of what the State's revenue to us will be. We would not move forward unless revenue projections come in high enough to move forward.

Manager Galbraith asked for clarification concerning including the 5% matching funds. Mayor Evans said that also would need to be included in revenue and expenditure. Manager Galbraith reminded the Council the project may cost more than the money outlined in the motion and if we do not have that money in the budget we are not able to spend it. The project may still not go forward because of that. Mr. Garrett didn't know if any costs from the project could be carried over until the next fiscal year. He would need to talk with ADOT about that. He said that once we decided to move forward on the project, final plans would be complete and we would have a better idea of any additional expenses. He said that new conduit for utilities would definitely be needed. It would cost \$3,000 to have plans done.

Council Member Hughes said that nothing they have heard from the State was encouraging. He did not believe we should spend any money other than operational or statutorially mandated.

Mayor Evans said that over the course of the last year we have faced significant challenges. Each time the citizens have stepped forward and carried the responsibility forward. He believed there were ways of doing this with the help from those on Main Street. He suggested leaving the door open but being able to put the brakes on if the money was not available. Mayor Evans recommended to budget the grant amount plus \$17,200 and when we get additional clarification on what our

revenues will be and we are not able to do our part, we would give notice to ADOT immediately.

Motion: to Approve directing staff to to move forward predicated on receiving the grant and prepare the budget for next year with grant money coming in and expense in that amount. The budget should include the 5.7% (grant matching requirement) but to not move forward unless we know that we have the funds and to include the Green Valley Redevelopment Area Committee on all negotiations.
Moved by Council Member John Wilson, seconded by Vice-Mayor Ed Blair.

Motion: substitute the previous motion to move forward predicated on receiving the grant and prepare the budget for next year with grant money coming in and expense in that amount. The budget should include the 5.7% (grant matching requirement) but to not move forward unless we know that we have the funds and to remove the requirement that the Green Valley Redevelopment Area Committee be included in negotiations.
Moved by Council Member John Wilson, seconded by Vice-Mayor Ed Blair.

Vote: Motion carried 5 - 2

Yes: Mayor Kenny J. Evans, Vice-Mayor Ed Blair, Council Member Su Connell, Council Member Richard Croy, and Council Member John Wilson.

No: Council Member Michael Hughes, and Council Member Mike Vogel.

I. NEW BUSINESS

1. Presentation/possible action regarding ADOPTION OF AIRPORT MASTER PLAN
 - A. Council Decision Request filed by LaRon Garrett, Public Works Director, to approve and adopt the Airport Master Plan Update as submitted (or include any proposed changes) and authorize staff to use this plan as a basis for future airport improvements.

LaRon Garrett, Public Works Director, introduced the Airport Master Plan Update. The current document is 10 years old. The draft of the updated Master Plan is available in draft final form. The rates and charges study was done by the consultant and was delivered to Council mailboxes. He introduced Jim Harris and Matt Quick from Coffman Associates. They presented the plan.

Council Member Hughes noted that the PRAA had already reviewed the updated Master Plan. He announced that John Barbar was the new Chair for the PRAA.

Motion: to Approve a Council Decision Request filed by LaRon Garrett, Public Works Director, to approve and adopt the Airport Master Plan Update as submitted and authorize staff to use this plan as a basis for future airport improvements.
Moved by Council Member Michael Hughes, seconded by Council Member Su Connell.

Vote: Motion carried 7 - 0

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

2. Council Decision Request filed by Debra Galbraith, Town Manager, to adopt Fiscal Policy 102 (re: procurement), with changes, if any, as recommended during this meeting.

Manager Galbraith explained this Fiscal Policy addresses procurement.

Motion: to Approve a Council Decision Request filed by Debra Galbraith, Town Manager, to adopt Fiscal Policy 102 (re: procurement).

Moved by Vice-Mayor Ed Blair, seconded by Council Member John Wilson.

Vote: Motion carried 7 - 0

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

3. Council Decision Request filed by LaRon G. Garrett, Public Works Director, to approve the request to form the Cedar Lane Improvement District and direct staff to work with Bond Counsel, Fred Rosenfeld, to formulate a Resolution of Intention to create the Cedar Lane Improvement using the proposed boundary submitted with the request to form the improvement district.

LaRon Garrett, Public Works Director, explained this was a request by residents of the improvement area boundary. The first step would be a resolution of intention for Council approval. Next there would be a protest period. Council would then review protests and decide. He estimated the total cost of the project as presented to be \$250,000. The request is for roadway only and not water lines or hydrants. These would increase the cost to about \$398,000 for 4 hydrants and pipeline.

Motion: to Approve a Council Decision Request filed by LaRon G. Garrett, Public Works Director, to approve the request to form the Cedar Lane Improvement District and direct staff to work with Bond Counsel, Fred Rosenfeld, to formulate a Resolution of Intention to create the Cedar Lane Improvement using the proposed boundary submitted with the request to form the improvement district.

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

Penny Navis-Schmidt a resident on Love Springs Way near Cedar opposed the proposed improvement district. She said that all they ever wanted for their road was to occasionally blade the road and remove snow if needed. She said she couldn't afford \$6,000 to \$7,000 for this project. Ms. Navis-Schmidt believed that the residents on Sutton should be included in the project and the 34 residents indicated by the improvement district proposed should not have to shoulder the entire burden.

Vivian Mattaliano, 903 Love Springs Way, voiced her opposition to the proposed

improvement district and said five other families on her street communicated to her that they were also opposed to the improvement district. Ms. Mattaliano thought that the people who wanted this live at the top of the hill on Cow Path Lane and she suggested stopping the improvement district there and not including those who did not want it.

Carrie Wright, 1506 Cedar Lane, opposed the proposed improvement district. She said that Joel Mona was spearheading this project and objected to his doing so when he is on the Planning and Zoning Commission. She said this was a corrupt and unfair use of his power and position since the project would pave the road to his property. Ms. Wright objected to the financial burden and the way it was distributed to individual lots. She asked to be removed from the proposed district.

Robin Morse, 1305 E Cedar Lane, was in favor of the improvement district.

Lew Levinson, 1308 E. Cedar Lane, said he was involved with the planning of improvements of Cedar and Sutton over the past eleven years and supported the improvement district. He stated that there were many years of previous Councils neglecting to improve these roads. He witnessed accidents and near accidents on Cedar. Mr. Levinson assured those present that he and the Mayor had not discussed the project previously.

Joel Mona, 1406 E. Cedar Lane, said he did not believe this was a perfect option but needed to be explored. He believed that perhaps, as they moved through the process, something better would come out of it. He voiced his respect for those property owners who opposed the project and explained that he personally would pay more than any other single resident in this project. Mr. Mona also assured those present that he and the Mayor had not discussed the proposed project before that meeting.

Vice-Mayor Blair stated that Mr. Mona did not have influence on the Council beyond his vote even though he serves on the Planning and Zoning Commission.

Council Member Croy asked who chose the boundaries for the improvement district. Mr. Garrett answered that properties excluded to the South were served by Phoenix Street and didn't access their property by Cedar Street. The exact boundary would be determined by the Council with the Resolution of Intention as it is initiated by the residents. Mr. Garrett believed the boundary proposed were correct for the repairs needed on Cedar Lane.

Penny Navis Schmidt asked why Sutton was not included and why Cedar was maintained previously if it is a private road. Mr. Garrett said that including Sutton would increase the cost of the project. Previous to 2001, private roads were maintained and dust paliatives were applied but, because of liability concerns, Council had stopped maintaining them. It was never intended to leave the single chip seal dust paliative when it was applied, but the change in policy left it there.

Vivian Mattaliano asked if the chip seal could be lifted and the road maintained as a dirt road. Mr. Garrett replied that because this was a private road, it would not be maintained and deteriorate even more. Mayor Evans interjected that the chip seal was originally applied because of a federally mandated dust abatement program. Mr. Garrett asked the residents of the area to call or email him with any questions.

Council Member Connell said it was the commitment of the staff and Council to keep people informed. She wanted to hear all voices in this matter.

Vice-Mayor Blair asked to amend the motion to include notification of all 34 homeowners, regardless of State Statute requirements, with all announcements of meetings. Council Member Connell agreed.

Motion: to Approve amending the existing motion to include notification of all 34 effected land owners in all announcements and meetings.

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

Vote: Motion carried 7 - 0

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

Motion: to Approve a Council Decision Request filed by LaRon G. Garrett, Public Works Director, to approve the request to form the Cedar Lane Improvement District and direct staff to work with Bond Counsel, Fred Rosenfeld, to formulate a Resolution of Intention to create the Cedar Lane Improvement using the proposed boundary submitted with the request to form the improvement district and to include notification of all 34 effected land owners in all announcements and meetings.

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

Vote: Motion carried 7 - 0

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

4. Council Decision Request filed by Ray Erlandsen, Acting Community Development Director, to approve the Preliminary Plat for the Residential Subdivision at 509 E. Park Drive subject to the conditions recommended by the Planning And Zoning Commission.

Ray Erlandsen, Acting Community Development Director, explained the zoning options for this property. Tim Wright, Deputy Town Attorney, explained that general plan amendments or rezonings were policy decisions. Preliminary Plats were presented to determine if they matched Town Code only. Mr. Erlandsen said that the tenth condition was added by the applicant and not a staff request. Vice-Mayor Blair said he was impressed with the powerfulness of the Town Code and urged citizens to know what they were voting for when voting on the General Plan.

Luke Ashby who submitted the Preliminary Plat, said he was trying to comply with all requirements.

Mary Flighter, 506 E. Park Drive, said every neighbor opposed the

development. She was concerned that this project would reduce already decreasing property values.

David Flighter was concerned about density and congestion. He didn't feel it was a good fit and believed the project would be an eyesore if not fully developed like the Bison Cove project on Malibu Drive.

Motion: to Approve a Council Decision Request filed by Ray Erlandsen, Acting Community Development Director, to approve the Preliminary Plat for the Residential Subdivision at 509 E. Park Drive subject to the conditions recommended by the Planning And Zoning Commission.

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

Vote: Motion carried 7 - 0

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

5. Council Decision Request filed by LaRon G. Garrett, Public Works Director, to eliminate the requirement on the Stone Creek Subdivision that all traffic exiting the Stone Creek Subdivision on Rim View turn south on Mesquite, direct staff to remove the center island at this intersection, and direct staff to install a Stop sign on each leg of this intersection during the 2009-2010 budget year as manpower is available.

Mr. Garrett explained the scope of the request.

Motion: to Approve a Council Decision Request filed by LaRon G. Garrett, Public Works Director, to eliminate the requirement on the Stone Creek Subdivision that all traffic exiting the Stone Creek Subdivision on Rim View turn south on Mesquite, direct staff to remove the center island at this intersection, and direct staff to install a Stop sign on each leg of this intersection during the 2009-2010 budget year as manpower is available.

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

Vote: Motion carried 7 - 0

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

6. Council Decision Request filed by Colin Walker, Assistant Public Works Director, to authorize the creation of a water systems operations supervisor and a water production supervisor position in the Water Department and to replace in number any number of field personnel that occur as a result of this action.

Mr. Walker explained that there would not be a lot of future water infrastructure because the Town is almost built out. The C.C. Cragin project would change

the staffing needs of his department.

Motion: to Approve a Council Decision Request filed by Colin Walker, Assistant Public Works Director, to authorize the creation of a water systems operations supervisor and a water production supervisor position in the Water Department and to replace in number any number of field personnel that occur as a result of this action.

Moved by Vice-Mayor Ed Blair, seconded by Council Member John Wilson.

Vote: Motion carried 7 - 0

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

J. CLAIMS

1. * List of checks paid from 04/28/09 through 05/12/09, Check Nos. 005649 through 005789, except Check No. 005742, and authorization to file the checks for audit. *CONSENT* APPROVED
2. * Check No. 005742 and authorization to file check for audit. (Note: due to a perceived and/or conflict of interest, Council Member Vogel will be considered to have abstained from voting on this item). *CONSENT* APPROVED

K. MISCELLANEOUS

1. 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 38431.03.
2. * Removal of Maricel Causer from the Design Review Board. (Note: Letter from Bernie Lieder, Chair, Design Review Board, on file in the Town Clerk's office.) *CONSENT* APPROVED

L. PUBLIC COMMENTS

There were no additional public comments. Council Member Vogel announced that he would be out of town and not be at the next meeting.

ADJOURNMENT

Mayor Evans adjourned the regular meeting at approximately 8:32 p.m.

APPROVED:

_____ Date: _____

Kenny J. Evans, Mayor

ATTEST:

Silvia Smith, 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 19 of May, 2009. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this ____ day of _____, 2009.

Gaye Stidham, Deputy Town Clerk