# TOWN OF PAYSON
# TOWN COUNCIL MEETING
# MINUTES OF THE REGULAR MEETING
# August 20, 2009

## CALL TO ORDER

Mayor Evans called the meeting to order at approximately 5:30 p.m. in the Town Hall Council Chambers, 303 North Beeline Highway, Payson, Arizona.

## INVOCATION

Pastor Gordon Hauptman, Crossroads Church.

## PLEDGE OF ALLEGIANCE

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

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

**OTHERS PRESENT:** Gaye Stidham-Deputy Town Clerk, Tim Wright-Deputy Town Attorney, and Sheila DeSchaaf-Planning Specialist.

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

Chuck Jackman stated he has been a member of the Payson Pro-Rodeo Committee for 21 years. Mr. Jackman believed the Payson Pro-Rodeo Alliance put on a topnotch rodeo and saw a bright future for the World's Oldest Continuous Rodeo. Mr. Jackman thanked all the volunteers. Mayor Evans thanked Mr. Jackman for undertaking the difficult task of change of leadership.

Jim Garner asked the Council to help resolve the FEMA flood insurance issues for 89 homeowners in Trailwood. Mayor Evans stated the Town has spent $44,000 to accomplish this, but the challenge was that FEMA asked questions that were answered, but they were open ended and continued with more questions. The Mayor was meeting with Senator McCain and State congress people and would bring it to their attention again.

Jim Estess believed holiday weekends generated a lot of garbage. Mr. Estess was trying to get a garbage dumpster on weekends at Town Hall for campers to dump their garbage at no charge. Waste Management was working with his group to give them a special price. Mayor Evans stated staff could put this on the agenda in the future. Council Member Blair asked if there was any way it could be on the west side of the highway since the Town Hall parking lot requires a left turn.

## 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 all Items listed on the Consent Agenda.
Moved by Council Member John Wilson, seconded by Vice-Mayor Mike Vogel.

**Vote:** Motion carried 7 - 0

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

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

Cameron Davis, Parks, Recreation and Tourism Director, thanked Chuck Jackman for his dedication to the rodeo and for his hard work in making the rodeo successful. Mr. Davis announced September events: Northern Gila County Fair, Demolition Derby, the Heritage Festival and the Old Time Fiddlers Arizona State Championship.

Council Member Blair noted the Superior meeting to hear Resolution Copper's proposal and invited others to ride with him.

Vice-Mayor Vogel thanked Community Development Staff who came in on their day off to lay new tile in the lobby of their building; Sean Tanner, Sheila DeSchaaf, Bernie Gilson, and Chris Floyd.

Mayor Evans stated a letter from Grant Hamill was in Council boxes where he capsulized the preliminary economic analysis and the net investment benefit to the Town of Payson would be $9.7 million. Mayor Evans complimented those who worked so diligently with loan documents and the enormous amount of information required.

## D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS

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

## E. MINUTES

1. *** Council Meeting Minutes**:
   07.30.09 Minutes Special Council Meeting Pages 1-3
   08.06.09 Minutes Special Council Meeting Pages 1-2
   08.06.09 Minutes Regular Council Meeting Pages 1-6
   ***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**:
05.07.09 Regular Meeting Minutes Pages 634-635
05.13.09 Special Meeting Minutes Page 636
05.19.09 Regular Meeting Minutes Page 637
06.04.09 Regular Meeting Minutes Pages 638-640
06.23.09 Special Meeting Minutes Pages 641-643
06.25.09 Special Meeting Minutes Pages 644-645
***CONSENT* INFORMATION ONLY**

3. *** Planning and Zoning Commission**:
07.13.09 Regular Meeting Minutes Pages 1-9
***CONSENT* INFORMATION ONLY**

4. *** Surface Transportation Advisory Board**:
02.04.09 Regular Meeting Minutes Pages 188-191
***CONSENT* INFORMATION ONLY**

5. *** Design Review Board**:
06.09.09 Regular Meeting Minutes Pages 106-107
06.23.09 Regular Meeting Minutes Pages 108-109
***CONSENT* INFORMATION ONLY**

## F. HEARINGS AND APPEALS

There were 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. *** Resolution No. 2505**. Council approved, on the Consent Agenda, Resolution No. 2505 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, TO APPROVE, PURSUANT TO A.R.S. SECTION 48-262(f), AN ANNEXATION OF ADDITIONAL TERRITORY INTO THE NORTHERN GILA COUNTY SANITARY DISTRICT OF THOSE CERTAIN PARCELS OF REAL PROPERTY AS DENOMINATED ON THE ATTACHED EXHIBIT "A" (509 EAST PARK DRIVE, PAYSON, ARIZONA, 2.31 ACRES, RCI, INC. OWNER, ASSESSORS PARCEL NO. 304-07-015). (PARK TRAIL SUBDIVISION).
***CONSENT* APPROVED**

3. *** Resolution No. 2507**. Council approved, on the Consent Agenda, Resolution No. 2507 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A LIBRARY SERVICE AGREEMENT WITH THE GILA COUNTY LIBRARY DISTRICT FOR FISCAL YEAR 2009-2010.
***CONSENT* APPROVED**

4. * **Resolution No. 2508**. Council approved, on the Consent Agenda, Resolution No. 2508 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AUTHORIZING APPLICATION FOR AND ACCEPTANCE OF THE WATER INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA PROJECT TECHNICAL ASSISTANCE GRANT IN THE AMOUNT OF $35,000.00 FOR THE GREEN VALLEY PARK BANK STABILIZATION AND STORMWATER STUDY PROJECT.
***CONSENT* APPROVED**

5. **Resolution No. 2509**. Mayor Evans opened discussion/possible action concerning Resolution No. 2509 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AUTHORIZING THE MAYOR AND/OR THE TOWN MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH APPROPRIATE PARTIES REGARDING THE TONTO NATURAL BRIDGE STATE PARK.

   **Motion:** to Approve Resolution No. 2509 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AUTHORIZING THE MAYOR AND/OR THE TOWN MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH APPROPRIATE PARTIES REGARDING THE TONTO NATURAL BRIDGE STATE PARK. Moved by Council Member John Wilson, seconded by Vice-Mayor Mike Vogel.

   **Vote:** Motion carried 7 - 0

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

6. **Resolution No. 2510**. Mayor Evans opened discussion/possible action concerning Resolution No. 2510 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF PAYSON AND THE TONTO APACHE TRIBE FOR MUTUAL AID IN THE EVENT OF EMERGENCY OR DISASTER.

   Sam Streichman, Town Attorney, explained Resolution No. 2510 was for emergency mutual aide in case of a disaster in the area. The five-year term agreement could be extended five years. Both parties must maintain at least $1 million in liability insurance. The agreement could be terminated on 30 days notice. Vice-Mayor Vogel believed it was unusual to request reimbursement of expenses with a mutual aide agreement. Mr. Streichman responded it was up to the party who might want to request it. It was not a requirement to ask for reimbursement, but optional.

   **Motion:** to Approve Resolution No. 2510 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF

PAYSON AND THE TONTO APACHE TRIBE FOR MUTUAL AID IN THE EVENT OF EMERGENCY OR DISASTER.
Moved by Council Member John Wilson, seconded by Council Member Richard Croy.

**Vote:** Motion carried 7 - 0

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

7. **Resolution No. 2511**. Mayor Evans opened discussion/possible action concerning Resolution No. 2511 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A LAW ENFORCEMENT MUTUAL AID AGREEMENT BETWEEN THE TOWN OF PAYSON AND THE TONTO APACHE TRIBE.

Sam Streichman, Town Attorney, stated this was a three year term and would automatically renew for a one year term after that. Tribal Officers would be in charge for reservation incidents and Town Officers for Town incidents.

**Motion:** to Approve Resolution No. 2511 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A LAW ENFORCEMENT MUTUAL AID AGREEMENT BETWEEN THE TOWN OF PAYSON AND THE TONTO APACHE TRIBE.
Moved by Council Member John Wilson, seconded by Council Member Su Connell.

**Vote:** Motion carried 7 - 0

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

8. **Ordinance No. 767**. Mayor Evans opened the Second Reading and Public Hearing concerning Ordinance No. 767 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, ORDINANCE NO. 466 AND THE ZONING CODE FOR THE TOWN OF PAYSON BY REZONING CERTAIN REAL PROPERTY GENERALLY LOCATED AT 900 AND 901 S. WESTERLY ROAD, BEING GILA COUNTY ASSESSOR'S PARCEL NUMBERS 304-16-222E AND 304-16-222F, AS MORE PARTICULARLY DESCRIBED ON EXHIBITS A AND B ATTACHED HERETO, FROM R-3 TO C-3. (MESSINGER PAYSON FUNERAL HOME).

There were no public comments. Mayor Evans closed the public hearing.

**Motion:** to Approve Ordinance No. 767 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, ORDINANCE NO. 466 AND THE ZONING CODE FOR THE TOWN OF PAYSON BY REZONING CERTAIN REAL PROPERTY GENERALLY LOCATED AT 900 AND 901 S. WESTERLY ROAD, BEING GILA COUNTY ASSESSOR'S PARCEL NUMBERS 304-16-222E AND 304-16-222F, AS MORE PARTICULARLY DESCRIBED ON EXHIBITS A AND B ATTACHED HERETO, FROM R-3 TO C-3. (MESSINGER PAYSON FUNERAL HOME). Moved by Council Member Ed Blair, seconded by Council Member Richard Croy.

**Vote:** Motion carried 7 - 0

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

9. Mayor Evans opened discussion/possible action regarding Resolution No. 2501 and the Second Reading and Public Hearing regarding Ordinance No. 768.

   A. **Resolution No. 2501** captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADDING A PROVISION ADDRESSING MOBILE STORAGE UNITS TO THE TOWN'S UNIFIED DEVELOPMENT CODE, AND DECLARING SUCH AMENDMENTS TO BE A PUBLIC RECORD.

   B. **Ordinance No. 768**. Second Reading and Public Hearing concerning Ordinance No. 768 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE PROVISIONS OF THE TOWN'S UNIFIED DEVELOPMENT CODE ADDRESSING MOBILE STORAGE UNITS. (MOBILE STORAGE UNITS). Second Reading and Public Hearing.

Ray Erlandsen, Acting Community Development Director, explained Council had directed staff to prepare documents for mobile storage units in commercial areas. Normally these were only allowed in industrial districts.

Council Member Blair asked to look at section 15.02-003 of the General Development Standards and if section A.1.E was the new section. Mr. Erlandsen responded number nine was inserted which deleted existing "E" under "A" General Development Standards and would include the modified language. Council Member Blair suggested "industrial districts" should indicate M-1 and M-2 to describe the zoning and also asked to add "railroad cars, tractor trailers and shipping containers" to be allowed if placed before 1996 in industrail areas. Mr. Erlandsen replied the code prior to 1996 did not restrict them. Council Member Blair asked for language to explain why some were still allowed. Tim Wright, Deputy Town Attorney, stated there were other provisions in the Code that covered legal non-conformance to the Code. Industrial districts indicated M-1, but commercial uses were different than commercial zoning. Legal non-conforming commercial property in residential areas are in Town. Council Member Blair believed the current language was that a permitted storage unit would need to be removed after three years. Mr. Erlandsen explained mobile storage units were generally considered temporary and not permanent structures.

Council Member Croy asked if the Town had a screening provision after a period of time similar to trash dumpsters. Mr. Wright responded the current draft required screening.

Vice-Mayor Vogel agreed with Council Member Blair that if storage units became unsafe they needed to go. The original request to review mobile storage classification was for the delivery system type. Sheila DeSchaaf, Planning Specialist, explained this change did not address the delivery system because that could be handled without a permit.

Council Member Blair asked if the storage units could be stacked. Mr. Erlandsen replied maybe in situations where stacking them was advantageous. Access was usually by foot or forklift and stacking could limit access. Storage units would still have to be screened.

Jim Garner was concerned that if the units were stacked it would be hard to screen them if fencing and screening could not exceed eight feet. Mr. Erlandsen explained screening could take place at any level, but anytime it was exceeded it would need a permit. Mr. Garner was concerned that units were not under Design Review but the screening was under Design Review.

Mayor Evans closed the Second Reading and Public Hearing.

**Motion:** to Approve Resolution No. 2501 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADDING A PROVISION ADDRESSING MOBILE STORAGE UNITS TO THE TOWN'S UNIFIED DEVELOPMENT CODE, AND DECLARING SUCH AMENDMENTS TO BE A PUBLIC RECORD.
and
Ordinance No. 768 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE PROVISIONS OF THE TOWN'S UNIFIED DEVELOPMENT CODE ADDRESSING MOBILE STORAGE UNITS. (MOBILE STORAGE UNITS).
Moved by Vice-Mayor Mike Vogel, seconded by Council Member John Wilson.

**Vote:** Motion carried 7 - 0

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

10. Mayor Evans opened discussion/possible action regarding Resolution No. 2502 and the Second Reading and Public Hearing regarding Ordinance No. 769.

    A. **Resolution No. 2502** captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE TOWN'S DESIGN REVIEW GUIDELINES BY REPEALING THE GREEN VALLEY REDEVELOPMENT AREA GUIDELINES AND ADOPTING HISTORIC MAIN STREET DESIGN REVIEW GUIDELINES, AND DECLARING SUCH AMENDMENTS TO

BE A PUBLIC RECORD.

B. **Ordinance No. 769**. Second Reading and Public Hearing concerning Ordinance No. 769 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON ARIZONA, AMENDING THE TOWN'S DESIGN REVIEW GUIDELINES BY REPEALING THE GREEN VALLEY REDEVELOPMENT AREA GUIDELINES AND ADOPTING HISTORIC MAIN STREET DESIGN REVIEW GUIDELINES. (MAIN STREET DESIGN REVIEW). Second Reading and Public Hearing.

Ray Erlandsen, Acting Community Development Director, stateded the Design Review Board was charged with reviewing guidelines for the Green Valley Redevelopment Area Commission design review and suggested the scope be narrowed significantly to property that fronts on Main Street. The guidelines had not changed significantly except for the size and name. The guidelines had been reviewed by the Green Valley Redevelopment Area Commission and the Design Review Board for their support.

Council Member Blair asked if Part 4, Historic Main Street, had some lots so long they go into Frontier Street. Mr. Erlandsen replied the properties have to front on Main Street, but can go to another street. The lot cannot front on another street.

Vice-Mayor Vogel asked if synthetic rough sawn wood and stone materials would be used. Sheila DeSchaaf, Planning Specialist, replied faux materials would be considered. Council Member Vogel opposed requiring a builder use real wood if faux would be okay. Mr. Erlandsen believed the key was that the Design Review Board would make the decision whether the faux material looked like real wood or stone.

**Motion:** to Approve Resolution No. 2502 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE TOWN'S DESIGN REVIEW GUIDELINES BY REPEALING THE GREEN VALLEY REDEVELOPMENT AREA GUIDELINES AND ADOPTING HISTORIC MAIN STREET DESIGN REVIEW GUIDELINES, AND DECLARING SUCH AMENDMENTS TO BE A PUBLIC RECORD.
And
Ordinance No. 769 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON ARIZONA, AMENDING THE TOWN'S DESIGN REVIEW GUIDELINES BY REPEALING THE GREEN VALLEY REDEVELOPMENT AREA GUIDELINES AND ADOPTING HISTORIC MAIN STREET DESIGN REVIEW GUIDELINES. (MAIN STREET DESIGN REVIEW).

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

**Vote:** Motion carried 7 - 0

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

11. Mayor Evans opened discussion/possible action regarding Resolution No. 2506 and the First Reading and Public Hearing regarding Ordinance No. 771.

    A. **Resolution No. 2506** captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE TOWN CLERK AND ENTITLED, "THE 2009 AMENDMENTS TO THE TAX CODE OF THE TOWN OF PAYSON."

    B. **Ordinance No. 771**. First Reading and Public Hearing concerning Ordinance No. 771 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, RELATING TO THE PRIVILEGE LICENSE TAX; ADOPTING "THE 2009 AMENDMENTS TO THE TAX CODE OF THE TOWN OF PAYSON" BY REFERENCE; ESTABLISHING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY AND PROVIDING PENALTIES FOR VIOLATIONS, AND DECLARING AN EMERGENCY.

    **Motion:** to Approve Resolution No. 2506 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE TOWN CLERK AND ENTITLED, "THE 2009 AMENDMENTS TO THE TAX CODE OF THE TOWN OF PAYSON."
    and
    Ordinance No. 771 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, RELATING TO THE PRIVILEGE LICENSE TAX; ADOPTING "THE 2009 AMENDMENTS TO THE TAX CODE OF THE TOWN OF PAYSON" BY REFERENCE; ESTABLISHING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY AND PROVIDING PENALTIES FOR VIOLATIONS, AND DECLARING AN EMERGENCY.
    Moved by Council Member Ed Blair, seconded by Council Member John Wilson.

    **Vote:** Motion carried 7 - 0

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

12. **Resolution No. 2513**. Mayor Evans opened discussion/possible action concerning Resolution No. 2513 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE NORTHERN GILA COUNTY HISTORICAL SOCIETY, INC., FOR DISBURSEMENT OF PUBLIC PURPOSE FUNDS DURING FISCAL YEAR **2007-2008 AND 2008-2009.

    **Motion:** to Approve Resolution No. 2513 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON,

ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE NORTHERN GILA COUNTY HISTORICAL SOCIETY, INC., FOR DISBURSEMENT OF PUBLIC PURPOSE FUNDS DURING FISCAL YEAR 2007-2008 AND 2008-2009.
Moved by Council Member John Wilson, seconded by Vice-Mayor Mike Vogel.

Council Member Blair believed the dates looked like the budget for 09/10 had to pay for something hoped for in 07/08. Debra Galbraith, Town Manager, explained a representative from the Historical Society visited her last week. Due to change in the organization the Historical Society had not received funding in 07/08 and in 08/09. They have received funding as a non-profit since 03. The money could come from the 08/09 budget.

Council Member Croy asked where the money for the year before would come from. Ms. Galbraith stated the money for both can come out of last year's budget. Council Member Croy asked if the Historical Society conformed to standards since the reports were not submitted and staff was not calling them for reports at that time. Council Member Croy was concerned about going back so far because money was an issue for the Town's operation. Ms. Galbraith stated the Town could require reports from previous years before disbursing the funding.

Mayor Evans stated this was not the same Council that started the process some years ago. In 2006 there was a significant change in how the Town did business. The Mayor understood that there was a significant and lengthy discussion concerning the Council looking at the function of the entity and whether they provided a service to the Town that was necessary because the Town government did not provide it. Ms. Galbraith believed they provided a service to the Town. Mayor Evans stated the new Historical Society has put a lot of work into a new facility. The Mayor's perception was that the Town has a better image generated by the Historical Society doing what the Town had contracted to them to do. Cameron Davis, Parks, Recreation and Tourism Director, had been getting reports from them on attendance and every single month the numbers are going up.

Council Member Connell stated she had been a part of this discussion on an earlier Council. The last four years the reporting functions have been well know. Council Member Connell felt a contract for this last year was enough and that both the Town and the Historical Society had dropped the ball. The fees should be paralell to the decreasing scale of ten percent each year. Ms. Galbraith stated staff would call the Historical Society now if the reports are not recieved. Mayor Evans noted the language in the contract said reports as requested by the Town. Sam Streichman, Town Attorney, stated the 07/09 requirements are quarterly reports and any other records the Town requested.

Council Member Wilson stated his wife reports attendance at the museum and it is enhancing the goal of getting people to come here as a destination.

Vice-Mayor Vogel stated he had gone through the Museum and Ranger Station and believed the Historical Society has been doing a tremendous amount of work. If a contract was not extended there needed to be notification. Mr. Streichman stated the 07 contract provision was that the funding shall not be extended without the non-profit coming in and asking for it. They were all specific one year contracts.

Council Member Vogel believed the Historical Society had done more than enough.

Council Member Blair amended the motion to delete section 3 (07/08 year). Council Member Connell seconded the amendment.

Council Member Vogel believed the Town was also at fault and that the Historical Society should not be penalized unduly. Mayor Evans believed they had worked, but did not comply with a paperwork requirement regardless of who was at fault.

Mayor Evans called for the vote on the amendment to delete the 07/08 year payment.

Council Member Wilson - no, Council Member Croy - yes, Vice-Mayor Vogel - no, Council Member Blair - yes, Council Member Connell - yes, Council Member Hughes - no, Mayor Evans - no.
Amendment failed, 3-4.

Council Member Blair stated he would have liked to see an amendment to disburse the funding in the 09/10 year and account for it in the 08/09 year.

Mayor Evans called for the vote on the original motion.

**Vote:** Motion carried 6 - 1

Yes: Mayor Kenny J. Evans, Vice-Mayor Mike Vogel, Council Member Su Connell, Council Member John Wilson, Council Member Richard Croy, and Council Member Michael Hughes.
No: Council Member Ed Blair.

## H. UNFINISHED BUSINESS

1. There were no items in this section.

## I. NEW BUSINESS

1. **Council Decision Request** filed by Debra A. Galbraith, Town Manager, to ratify the Town Manager's appointment of Cindy Smith as the Chief Fiscal Officer effective September 21, 2009.

   Debra Galbraith, Town Manager, stated the Interview Committee had selected Cindy Smith to fill the position of Chief Fiscal Officer beginning September 1, 2009. Ms. Smith had a lot of accounting and Special project experience as Deputy Chief Fiscal Office in Texas.

   **Motion:** to ratify the Town Manager's appointment of Cindy Smith as the Chief Fiscal Officer effective September 21, 2009.
   Moved by Council Member John Wilson, seconded by Council Member Su Connell.

   **Vote:** Motion carried 7 - 0

   Yes: Mayor Kenny J. Evans, Vice-Mayor Mike Vogel, Council Member Ed Blair,

Council Member Su Connell, Council Member John Wilson, Council Member Richard Croy, and Council Member Michael Hughes.

2. * **Council Decision Request.** Council approved, on the Consent Agenda, a Council Decision Request filed by LaRon Garrett, Public Works Director, to approve the bid received by the Northern Gila County Sanitary District and recommend the NGCSD award the project (McKamey Street sewer and water line replacement) to the apparent low bidder, Pierson Construction.
***CONSENT* APPROVED**

Debra Galbraith, Town Manager, stated the only change to this was for clarification.

3. * **Council Decision Request.** Council approved, on the Consent Agenda, a Council Decision Request filed by LaRon Garrett, Public Works Director, to authorize the Public Works Director to sign the four petitions for the Northern Gila County Sanitary District supporting the proposed annexation of the Town owned property in the Airline Drive Potential Annexation Area.
***CONSENT* APPROVED**

4. **Council Decision Request** filed by LaRon Garrett, Public Works Director, to approve the installation of two additional stop signs at the intersection of N. Easy Street and N. Matterhorn creating a 4-Way Stop at that intersection.

LaRon Garrett, Public Works Director, explained he had received requests for traffic calming and traffic control in this area. Four-way stops at William Tell and Easy Street and Matterhorn and Easy Street and speed humps in that area had been requested. Staff had decided to go with the Matterhorn and Easy four-way stop only because of a safety issue with curves.

**Motion:** to approve the installation of two additional stop signs at the intersection of N. Easy Street and N. Matterhorn creating a 4-Way Stop at that intersection.
Moved by Council Member John Wilson, seconded by Council Member Richard Croy.

**Vote:** Motion carried 7 - 0

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

## J. CLAIMS

1. * **List of checks.** Council approved, on the Consent Agenda, a list of checks paid from 07/29/09 through 08/10/09, Check Nos. 006640 through 006801 and authorization to file the checks for audit.
***CONSENT* APPROVED**

## K. MISCELLANEOUS

1. * Council approved, on the Consent Agenda, the **appointment of Charlie Smith** to the Green Valley Redevelopment Area Commission to replace the unexpired term of

Jean Ogawa. Term to expire December 31, 2011. (Application on file in the Town Clerk's office).
***CONSENT* APPROVED**

## L. PUBLIC COMMENTS

Vice-Mayor Vogel requested an accounting of contract deadlines and expiration dates.

Mayor Evans believed the new Chief Fiscal Officer would have a signficant influence. Ms. Galbraith was working on a list of current contracts that needed renewals and would put the book in the Council room for their review.

## ADJOURNMENT

Mayor Evans adjourned the meeting at approximately 6:59 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 20 of August, 2009. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this ____day of _____, 2009.

_____

Tracie Bailey, Deputy Town Clerk