

**TOWN OF PAYSON  
TOWN COUNCIL MEETING  
MINUTES OF THE REGULAR MEETING  
September 2, 2010**

**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**

Council Member Blair,

**PLEDGE OF ALLEGIANCE**

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

**STAFF PRESENT:** Debra Galbraith - Town Manager, Tim Wright - Town Attorney, Don Engler - Police Chief, Marti deMasi - Fire Chief, LaRon Garrett - Public Works Director, and Cameron Davis - Parks, Recreation and Tourism Director.

**OTHERS PRESENT:** Tracie Bailey - Deputy Town Clerk, Gaye Stidham - Deputy Town Clerk, Collin Walker - Water Superintendent, and Ray Erlandsen - Community Development Director.

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

Mayor Evans clarified where the Town was at regarding the messy yard Shirley Collin was concerned about. Mayor Evans stated the notice of violation had been given to the property owner. That person had 15 days to correct the problem. If they did not correct the problem then they would have to go before the judge and prove they were making progress toward cleaning the property up.

Shirley Collin thanked the Mayor. Ms. Collin explained she had gone to the Police Department to report the messy yard. Officer Davies had called her back and was very polite and professional when he questioned her. Ms. Collin was concerned that there could be a health hazard or a fire hazard and thanked the Police and Fire Departments for their hard work. Ms. Collin was also concerned that the fire truck would not be able get through the new roundabout.

**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.

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

**Vote:** Motion carried 7 - 0

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

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

1. Brief presentation of current events by the Town Manager, Mayor, and/or Council Members. The Arizona Open Meeting Law specifies that the Town Council may not discuss or take action on any matter mentioned during this presentation or on the attached materials unless the specific matter is properly noticed for legal action.

Police Chief Don Engler announced the graffiti abatement program was successful and expressed his thanks to local businesses who supported the program. The Police Department had made multiple arrests of juveniles for graffiti.

Cameron Davis, Parks, Recreation and Tourism Director, thanked his staff and all of the departments that helped with events. Mr. Davis announced the Gila County Fair would be at the Event Center September 10th - 12th. The Demolition Derby would be on Sunday, September 12th. The Jordan Circus was coming to town in September. The High School Rodeo would be in Payson. FLW day on September 18th had over 30 vendors and Green Valley Park would have a free fishing day. The final weigh in for the FLW tournament would be at Chapman Auto Center. The Fiddler Championship also kicked off in September.

Council Member Carpenter asked what FLW stood for. Mr. Davis replied Forest L Woods.

Mayor Evans presented Council Member Croy and Debra Galbraith, Town Manager, each with a birthday card.

Council Member Connell announced that on September 10th there would be a shredding event that was a fundraiser for the Time Out Shelter. Council Member Connell asked that on September 11th everyone display an American Flag outside for the 9th anniversary of 9-11-01 and thanked people for their participation. Council Member Wilson announced tomorrow was First Friday. The Presbyterian Church would have a pancake breakfast for dinner.

Council Member Blair announced there would be brats, soda and chips at Boot Leg Alley Antiques for five dollars to benefit the Humane Society.

Mayor Evans noted First Friday was a very important business investment for Payson.

**D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS**

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

2. **Proclamation.** Council Member Connell read into the record a proclamation declaring September 17 -23, 2010 as Constitution Week. Renee Durfee, Regent of the Mogollon Chapter of the Daughters of the American Revolution, was present to accept the proclamation.

Ms. Durfree announced they would be handing out copies of the constitution in front of the library and thanked the Council.

3. **Proclamation.** Council Member Wilson read into the record a proclamation declaring September 25, 2010 as Friends of the Poor Walk Day. Ed Burgin and Lynn Canning of the Society of St. Vincent de Paul were present to accept the proclamation.

Mr. Burgin and Ms. Canning thanked the Mayor for his leadership and the Council for their support.

#### **E. MINUTES**

1. \* Council Meeting Minutes:  
08-19-10 Regular Meeting Minutes Pages 1 -7  
**\*CONSENT\* APPROVAL**

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. \* Transportation Advisory Board Minutes:  
06-02-10 Regular Meeting Minutes Pages 220 -222  
**\*CONSENT\* INFORMATION ONLY**
3. \* Design Review Board Minutes:  
07-27-10 Regular Meeting Minutes Pages 146 -147  
**\*CONSENT\* INFORMATION ONLY**

#### **F. HEARINGS AND APPEALS**

1. **Public Hearing** concerning an application for an Interim Liquor License Permit filed by Joseph Gibson Trayer, agent, Diversified Restaurant Services, L.L.C. (dba Cardo's Pizza Italian Restaurant) 205 East Highway 260, Suite A1, Payson, AZ 85541.

Mayor Evans opened the Public Hearing. There were no public comments. Mayor Evans closed the Public Hearing.

**Motion:** to Approve an application for an Interim Liquor License Permit filed by Joseph Gibson Trayer, agent, Diversified Restaurant Services, L.L.C. (dba Cardo's Pizza Italian Restaurant) 205 East Highway 260, Suite A1, Payson, AZ 85541.  
Moved by Council Member John Wilson, seconded by Council Member Su Connell.

Council Member Blair asked if an interim liquor license was common.

Gaye Stidham, Deputy Town Clerk, believed the Town had recieved one before.

Council Member Blair had heard from citizens asking why the new Mexican restaurant did not have their liquor license. Debra Galbraith, Town Manager, stated the restaurant had issues with the state, but was expected to be able to sell liquor this week. Ms. Galbraith read from the application. This allowed Cardo's to continue to sell liquor while it was being sold.

Mayor Evans called for the vote.

**Vote:** Motion carried 7 - 0

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

2. **Public Hearing** concerning an application for a Special Event Liquor License filed by Judy Baker, agent, Mogollon Health Alliance, for a fund raiser, Thunder Mountain Ride Motorcycle Rally, to be held Friday, October 8, 2010 from 12:00 p.m. to 10:00 p.m.; Saturday, October 9, 2010 from 10:00 a.m. to 10:00 p.m. and Sunday, October 10, 2010 from 12:00 p.m. to 3:00 p.m. at Green Valley Park, 1000 W. Country Club Drive, Payson, AZ 85541.

Mayor Evans opened the Public Hearing. There were no public comments. Mayor Evans closed the Public Hearing.

**Motion:** to Approve an application for a Special Event Liquor License filed by Judy Baker, agent, Mogollon Health Alliance, for a fund raiser, Thunder Mountain Ride Motorcycle Rally, to be held Friday, October 8, 2010 from 12:00 p.m. to 10:00 p.m.; Saturday, October 9, 2010 from 10:00 a.m. to 10:00 p.m. and Sunday, October 10, 2010 from 12:00 p.m. to 3:00 p.m. at Green Valley Park, 1000 W. Country Club Drive, Payson, AZ 85541.

Moved by Council Member Ed Blair, seconded by Council Member Fred Carpenter.

**Vote:** Motion carried 7 - 0

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

## **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. The following two items were heard together: Resolution No. 2572 and Ordinance No. 788.
  - a. **Resolution No. 2572.** Discussion/possible action concerning Resolution No. 2572, captioned as follows: A RESOLUTION OF THE MAYOR AND

COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADDING SECTION 130.39 TO THE CODE OF THE TOWN OF PAYSON AND DECLARING SUCH AMENDMENT TO THE CODE TO BE A PUBLIC RECORD. (FIREWORKS REGULATION).

- b. **Ordinance No. 788.** Second Reading and Public Hearing concerning Ordinance No. 788, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADDING SECTION 130.39 TO THE CODE OF THE TOWN OF PAYSON. (FIREWORKS REGULATION).

Mayor Evans opened discussion/possible action concerning Resolution No. 2572 and the Second Reading and Public Hearing concerning Ordinance No. 788.

**Motion:** to Approve Ordinance No. 788, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADDING SECTION 130.39 TO THE CODE OF THE TOWN OF PAYSON. (FIREWORKS REGULATION).

And

Resolution No. 2572, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADDING SECTION 130.39 TO THE CODE OF THE TOWN OF PAYSON AND DECLARING SUCH AMENDMENT TO THE CODE TO BE A PUBLIC RECORD. (FIREWORKS REGULATION).

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

Council Member Wilson asked if the Fire Chief's designee could sign off if the Chief was gone. Tim Wright, Town Attorney, replied yes.

Council Member Blair asked if the non-ignition language had been added. Mr. Wright responded yes.

Mayor Evans called for the vote.

**Vote:** Motion carried 7 - 0

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

Mr. Wright stated he had checked with the County about this and no formal action was started.

3. **Ordinance No. 789.** Second Reading and Public Hearing concerning Ordinance No. 789, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTION 50.59 OF THE CODE OF THE TOWN OF PAYSON. (WATER DEVELOPMENT FEE -TIME FOR PAYMENT).

Mayor Evans opened the Second Reading and Public Hearing. There were no public comments. Mayor Evans closed the Second Reading and Public Hearing.

**Motion:** to Approve Ordinance No. 789, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTION 50.59 OF THE CODE OF THE TOWN OF PAYSON. (WATER DEVELOPMENT FEE -TIME FOR PAYMENT).

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

**Vote:** Motion carried 7 - 0

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

#### **H. UNFINISHED BUSINESS**

There were no items in this section.

#### **I. NEW BUSINESS**

1. \* **Council Decision Request.** Council approved, on the Consent Agenda, a Council Decision Request filed by LaRon G. Garrett, Public Works Director, to approve construction on the Airport Road Roundabout 24 hours per day in order to expedite its completion and reduce the amount of time the public is inconvenienced by the construction.

**\*CONSENT\* APPROVED**

2. \* **Council Decision Request.** Council approved, on the Consent Agenda, a Council Decision Request filed by LaRon G. Garrett, Public Works Director, to add the name of Mike Wallace to the list of persons approved to be a member of the Payson Regional Airport Authority (PRAA) Board.

**\*CONSENT\* APPROVED**

#### **J. CLAIMS**

1. \* **List of checks.** Council approved, on the Consent Agenda, a list of checks paid from 08/12/10 through 08/20/10, Check Nos. 011071 through 011245, and authorization to file the checks for audit.

**\*CONSENT\* APPROVED**

#### **K. MISCELLANEOUS**

There were no items in this section.

#### **L. PUBLIC COMMENTS**

There were no public comments.

#### **ADJOURNMENT**

Mayor Evans adjourned the meeting at approximately 6:11 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 2 of September, 2010. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_

Tracie Bailey, Deputy Town Clerk