TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
December 9, 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

Pastor Joe Hittle, Calvary Chapel of Payson.

PLEDGE OF ALLEGIANCE

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

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

OTHERS PRESENT: Tracie Bailey - Deputy Town Clerk and Hope Cribb - Finance Manager.

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

Roger Kreimeyer asked everyone to donate food for the food drive. All the food stayed in Payson and there were boxes all around town to put donations in. They also accepted financial donations. Mr. Kreimeyer thanked the Council.

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 Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, and Council Member John Wilson.

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

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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.

2. Documents, materials and information for Council review. (The Council will not discuss or take action on the attached; they are provided for information only)

   There were no documents for Council review. Debra Galbraith, Town Manager, stated there were no comments from anyone.

   Mayor Evans thanked Cameron Davis, Parks, Recreation and Tourism Director, for the great light parade.

D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS

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

   There were no comments from the Council.

2. **Presentation** introducing Brian Tapp, new Central Arizona Association of Governments (CAAG) Executive Director.

   Debra Galbraith, Town Manager, introduced Maxine Brown and Brian Tapp from the Central Arizona Association of Governments (CAAG). Ms. Brown stated it has been a pleasure working with the Council and Ms. Galbraith. Ms. Brown introduced the new Executive Director for CAAG, Brian Tapp. Mr. Tapp wanted to sit down with staff and go over some issues and see what CAAG could work on with Payson and looked forward to working with everyone. Mr. Tapp gave a brief background on himself.

E. MINUTES

1. *** Council Meeting Minutes**:
   11-18-10 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 Regular Meeting Minutes**:
   09-01-10 Regular Meeting Minutes Pages 227 -230
   INFORMATION ONLY

F. HEARINGS AND APPEALS

1. This was a **public hearing** concerning an application for a Series 12 liquor license filed by Charles Edmund Carrier, agent, Ayothaya Thai Cafe, L.L.C., 404 East Highway 260, Payson, Arizona.

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

Evans closed the public hearing.

Brett Stone, cafe manager, thanked the Council.

Motion: to Approve an application for a Series 12 liquor license filed by Charles Edmund Carrier, agent, Ayothaya Thai Cafe, L.L.C., 404 East Highway 260, Payson, Arizona.
Moved by Council Member Fred Carpenter, seconded by Council Member John Wilson.

Vote: Motion carried 7 - 0

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

2. This was a **public hearing** concerning an application for a Special Event Liquor License filed by John Wilson, agent, Library Friends of Payson, Inc. for a fundraising event to support the Payson Public Library, Saturday, March 5, 2011, 5:00 p.m. to 9:00 p.m.

   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 John Wilson, agent, Library Friends of Payson, Inc. for a fundraising event to support the Payson Public Library, Saturday, March 5, 2011, 5:00 p.m. to 9:00 p.m.
   Moved by Council Member Richard Croy, 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 Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, and Council Member John Wilson.

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. Mayor Evans opened discussion/possible action concerning Resolution No. 2583 and Resolution No. 2585.

   A. **Resolution No. 2583** captioned as follows: A RESOLUTION OT THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ORDERING A MODIFICATION IN A PORTION OF THE ASSESSMENT FOR THE TOWN OF PAYSON, ARIZONA, WESTERLY ROAD IMPROVEMENT DISTRICT, AND DIRECTING THE SUPERINTENDENT OF STREETS TO NOTE SUCH MODIFICATION

AND DATE THAT IT IS MADE ON HIS RECORD OF THE ASSESSMENT FOR SAID DISTRICT (WESTERLY ROAD IMPROVEMENT DISTRICT ASSESSMENT NO. 3).

B. **Resolution No. 2585** captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING FEE TITLE IN AND TO CERTAIN REAL PROPERTY LOCATED IN THE 900 BLOCK OF SOUTH WESTERLY ROAD, DESCRIBED ON EXHIBIT "1" ATTACHED HERETO, COMPRISING A PROPERTY ACQUISITION FOR DRAINAGE AND PEDESTRIAN PURPOSES.

LaRon Garrett, Public Works Director, explained the improvement district would give two pieces of property to the Town.

Motion: to Approve Resolution No. 2583 captioned as follows: A RESOLUTION OT THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ORDERING A MODIFICATION IN A PORTION OF THE ASSESSMENT FOR THE TOWN OF PAYSON, ARIZONA, WESTERLY ROAD IMPROVEMENT DISTRICT, AND DIRECTING THE SUPERINTENDENT OF STREETS TO NOTE SUCH MODIFICATION AND DATE THAT IT IS MADE ON HIS RECORD OF THE ASSESSMENT FOR SAID DISTRICT (WESTERLY ROAD IMPROVEMENT DISTRICT ASSESSMENT NO. 3).
And
Resolution No. 2585 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING FEE TITLE IN AND TO CERTAIN REAL PROPERTY LOCATED IN THE 900 BLOCK OF SOUTH WESTERLY ROAD, DESCRIBED ON EXHIBIT "1" ATTACHED HERETO, COMPRISING A PROPERTY ACQUISITION FOR DRAINAGE AND PEDESTRIAN PURPOSES.
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 Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, and Council Member John Wilson.

3. **Resolution No. 2587**. Mayor Evans opened discussion/possible action concerning Resolution No. 2587 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING THE TOWN OF PAYSON'S FISCAL YEAR 2011 LTAF II GRANT FUNDS TO THE PAYSON MULTIPURPOSE SENIOR CENTER DEVELOPMENT ASSOCIATION, INC., FOR ITS TRANSPORTATION SERVICE (FY 2011 LTAF II GRANT APPLICATION).

Debra Galbraith, Town Manager, explained the state had eliminated the LTAF fund. In the past this money had been given to the Senior Center. The State had continued to collect the money for an additional five months after the fund was eliminated. The Senior Center had been notified by the Central Arizona Association of Governments (CAAG) that the money was there and did the application. The money comes to the

Senior Center through the Town.

Motion: to Approve Resolution No. 2587 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING THE TOWN OF PAYSON'S FISCAL YEAR 2011 LTAF II GRANT FUNDS TO THE PAYSON MULTIPURPOSE SENIOR CENTER DEVELOPMENT ASSOCIATION, INC., FOR ITS TRANSPORTATION SERVICE (FY 2011 LTAF II GRANT APPLICATION). Moved by Council Member Su Connell, seconded by Council Member John Wilson.

Vote: Motion carried 7 - 0

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

H. UNFINISHED BUSINESS

There were no items in this section.

I. NEW BUSINESS

1. **Council Decision Request** filed by Donald B. Engler, Chief of Police, regarding the exotic animal portion of the animal control ordinances of the Town of Payson. (Chapter 90 of the Town Code)

Don Engler, Police Chief, explained he was asking the Town Attorney to prepare changes to include a wider definition of exotic animals and that those animals be treated humanely.

Council Member Blair asked what kind of exotic animals this was for. Chief Engler replied it was for large snakes.

Motion: to direct the Town Attorney's Office to prepare changes in Chapter 90 of the Town Code (Animals) (1) amending the definition of the term "Exotic Animal" and (2) requiring that the health and safety of the animal as well the public is demonstrated prior to the keeping of exotic animal.
Moved by Council Member John Wilson, seconded by Council Member Fred Carpenter.

Mayor Evans asked if there was any articulation with Game and Fish. Chief Engler replied yes, but these were not native animals. The Mayor did not want to cross that line with Game and Fish. Chief Engler would be sensitive to that and would bring the final product back to Council.

Vote: Motion carried 7 - 0

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

2. **Council Decision Request** filed by LaRon G. Garrett, Public Works Director, to authorize payment to Arizona Public Service $35,489.00 for the installation of the new street lights connected with the Highway 87 and Airport Road Roundabout project and authorize the Town Manager to sign the necessary documents.

   LaRon Garrett, Public Works Director, explained this was a continuation of the Highway 87 and Airport Road Roundabout. This portion of the contract had been broken out and the work was now finished and the bill was here.

   Motion: to authorize payment to Arizona Public Service $35,489.00 for the installation of the new street lights connected with the Highway 87 and Airport Road Roundabout project and authorize the Town Manager to sign the necessary documents.
   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 Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, and Council Member John Wilson.

J. CLAIMS

1. * **List of checks.** Council approved, on the Consent Agenda, a list of checks paid from 11/19/2010 through 11/24/2010 , Check Nos. 012257 through 012376, and authorization to file the checks for audit.
   ***CONSENT* APPROVED**

K. MISCELLANEOUS

1. * Council approved, on the Consent Agenda, the **reappointment of Ted Moffitt** to the Board of Adjustments, term to expire December 31, 2013.
   ***CONSENT* APPROVED**

2. * Council approved, on the Consent Agenda, the **reappointment of James Garner** to the Design Review Board, term to expire December 31, 2013.

   The **reappointment of Bernard Lieder** to the Design Review Board, term to expire December 31, 2013.

   And the **reappointment of Kenneth Woolcock** to the Design Review Board, term to expire December 31, 2013.
   ***CONSENT* APPROVED**

3. * Council approved, on the Consent Agenda, the **reappointment of Lori Meyers** to the Planning and Zoning Commission, term to expire December 31, 2013.

   And the **reappointment of James Scheidt** to the Planning and Zoning Commission, term to expire December 31, 2013.
   ***CONSENT* APPROVED**

4. * Council approved, on the Consent Agenda, the **reappointment of Roy Kindrick** to the Transportation Advisory Board, term to expire December 31, 2013.
***CONSENT* APPROVED**

5. * Council approved, on the Consent Agenda, the **appointment of Daniel Kealey** to the Transportation Advisory Board to fill the unexpired term of Bruce Van Camp, term to expire December 31, 2011.
***CONSENT* APPROVED**

L. PUBLIC COMMENTS

Bob Mueller stated he had a liver transplant and believed that medical marijuana worked. Mr. Mueller felt Arizona was doing something every state should do and wanted to start a cultivation facility on the outskirts of Payson. Mr. Mueller believed the Town would make $300,000 as their 10% cut each year.

ADJOURNMENT

Mayor Evans adjourned the meeting at approximately 6:00 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 9 of December, 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