

**TOWN OF PAYSON  
TOWN COUNCIL MEETING  
MINUTES OF THE REGULAR MEETING  
June 2, 2011**

**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**

An invocation was offered by Pastor Mark Henning, Payson's Living Word Bible Church.

**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, Marti deMasi - Fire Chief, Don Engler - Police Chief, Silvia Smith - Town Clerk, and LaRon Garrett - Public Works Director.

**OTHERS PRESENT:** Gaye Stidham - Deputy Town Clerk, Hope Cribb - Finance Manager, Ray Erlandsen - Community Development Director.

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

1. Communications and comments or suggestions from citizens present who have submitted a Speaker's Request Form to the Mayor, Town Clerk, or designee, prior to the meeting being convened, concerning matters other than those listed on the agenda for consideration, shall be heard by the Council.

There were no public comments.

**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.**

**Motion:** to approve the CONSENT AGENDA.

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 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 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.

Manager Galbraith explained that Mr. Davis was not available for the Council meeting because he and his department were preparing for the Mountain High Games this weekend.

Mayor Evans announced the Relay for Life this Friday to benefit the fight against cancer.

2. Documents, materials and information for Council review. There were no materials for Council review.

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

1. Comments, Commendations, and Presentations by Mayor, Council Members, and/or Town Staff.
2. Presentation of the 2009-2010 Town of Payson financial audit by Dennis Osuch from Larson Allen CPAs, Consultants and Advisors.

Dennis Osuch with Larson Allen CPAs, Consultants and Advisors, reported an unqualified opinion for the Town's financial statements. The internal controls also received an unqualified opinion. Major federal programs, annual limitation reports, HURF reports, payroll and accounts payable all received clean opinions. Mr. Osuch said he expected the CAPR to receive the GOFA award again.

There are changes to the 2011 fund balance reporting requirements adding five new categories. Several existing funds will roll into the General Fund and some individual capital projects may roll up to one capital project fund.

Council Member Carpenter asked if the budget form will change. Manager Galbraith explained that only the external reporting process will be affected.

Council Member Blair asked for an example of a common special revenue fund. Mr. Osuch and Manager Galbraith gave examples. Manager Galbraith said there may be a need to create new project codes. She will be looking at all funds, asking if we need them and bringing those needed funds back to Council.

## **E. MINUTES**

1. \* Council Meeting Minutes:  
  
05.10.11 Special Meeting Pages 1 - 7  
\*CONSENT\* APPROVED  
  
05.17.11 Special Meeting Pages 1 - 5

05.19.11 Special Meeting Pages 1 - 3  
\*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. \* Planning and Zoning Commission Minutes:

04.11.11 Regular Meeting Pages 1 - 8  
\*CONSENT\* INFORMATION ONLY

## F. HEARINGS AND APPEALS

1. This is a Public Hearing concerning an application for a Class 6 and Interim Liquor License filed by John Scott Stewart, agent for Strikers Bar and Billiards, 1111 North Beeline Highway, Payson, Arizona.

Mayor Evans opened the public hearing. There were no comments from the public and he closed public hearing.

**Motion:** to Approve an application for a Class 6 and Interim Liquor License filed by John Scott Stewart, agent for Strikers Bar and Billiards, 1111 North Beeline Highway, Payson, Arizona.

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

2. This is a Public Hearing concerning an application for a Special Event Liquor License filed by Daniel Wile, agent, Payson Pro Rodeo Committee for a fund raiser for scholarships to be held at the Payson Event Center, 1400 South Beeline Highway, Payson, Arizona, Sunday, July 3, 2011 from 11:00 a.m. to 6:00 p.m.

Mayor Evans opened the public hearing. There were no comments from the public and Mayor Evans closed the public hearing.

**Motion:** to Approve an application for a Special Event Liquor License filed by Daniel Wile, agent, Payson Pro Rodeo Committee for a fund raiser for scholarships to be held at the Payson Event Center, 1400 South Beeline Highway, Payson, Arizona, Sunday, July 3, 2011 from 11:00 a.m. to 6:00 p.m.

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.

3. This is a Public Hearing concerning an application for a Special Event Liquor License filed by LeLand Schwein, agent, B.P.O. Elks Lodge #2154 for a fund raiser for charities to be held at the Elk's Lodge, 1206 North Beeline Highway, Payson, Arizona, Sunday, July 3, 2011 from 11:00 a.m. to 11:00 p.m.

Mayor Evans opened the public hearing. There were no comments from the public and Mayor Evans closed the public hearing.

**Motion:** to Approve an application for a Special Event Liquor License filed by LeLand Schwein, agent, B.P.O. Elks Lodge #2154 for a fund raiser for charities to be held at the Elk's Lodge, 1206 North Beeline Highway, Payson, Arizona, Sunday, July 3, 2011 from 11:00 a.m. to 11:00 p.m.

Moved by Mayor Kenny J. Evans, seconded by 0.

**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. Discussion/possible action concerning Resolution No. 2601 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AFFIRMING THE TOWN'S DESIRE TO PARTICIPATE IN THE CREATION OF A HIGHER EDUCATION SEPARATE LEGAL ENTITY, APPROVING THE CONCEPTUAL FRAMEWORK SET FORTH IN THE DRAFT INTERGOVERNMENTAL AGREEMENT (CREATING SUCH HIGHER EDUCATION SEPARATE LEGAL ENTITY), AND AUTHORIZING THE MAYOR TO NEGOTIATE THE REMAINING DETAILS OF SUCH INTERGOVERNMENTAL AGREEMENT FOR APPROVAL BY COUNCIL.

Resolution No. 2601-A was distributed to the Council before the Council meeting. Attorney Wright explained this was fundamentally the same as Resolution No. 2601 except for the fifth "whereas". Resolution No.2601-A also states an invitation to Gila County has been "extended." In Section 2, Items 2 and 3, references to the County have been removed and the word "seek" inserted.

**Motion:** to Approve Resolution No. 2601-A captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN

OF PAYSON, ARIZONA, AFFIRMING THE TOWN'S DESIRE TO PARTICIPATE IN THE CREATION OF A HIGHER EDUCATION SEPARATE LEGAL ENTITY, APPROVING THE CONCEPTUAL FRAMEWORK SET FORTH IN THE DRAFT INTERGOVERNMENTAL AGREEMENT (CREATING SUCH HIGHER EDUCATION SEPARATE LEGAL ENTITY), AND AUTHORIZING THE MAYOR TO NEGOTIATE THE REMAINING DETAILS OF SUCH INTERGOVERNMENTAL AGREEMENT FOR APPROVAL BY COUNCIL.

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

Council Member Carpenter asked Mayor Evans how the invitation to Gila County was progressing. Mayor Evans stated he tried to explain in his meeting with the County that we didn't want their money, there were no future obligations and this was an opportunity to reach across some of the gaps between Northern and Southern Gila County. Gila County has been offered a one-third partnership without cost or obligation, but has not responded positively so far.

**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. First Reading and Public Hearing concerning Ordinance No. 804 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTIONS 50.59(C) AND (D) OF THE CODE OF THE TOWN OF PAYSON, ADDRESSING THE MANNER OF DETERMINING THE RATE OF INTEREST TO BE CHARGED ON DEFERRED WATER DEVELOPMENT FEES. First Reading and Public Hearing.

Mayor Evans opened the public hearing. There were no comments from the public and he closed the public hearing. Council Member Blair asked if the water development fee could be delayed to the end of 10 years. Attorney Wright explained that payments would be made during the 10 years, but could be interest only.

4. Second Reading and Public Hearing concerning Ordinance No. 806 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADDING SECTION 15-02-016 AND AMENDING SECTIONS 15-02-003 AND 15-11-002 OF CHAPTER 154 (THE UNIFIED DEVELOPMENT CODE) OF THE CODE OF THE TOWN OF PAYSON, CREATING AN EDUCATIONAL FACILITIES ZONING DISTRICT. (EDUCATION FACILITIES ZONING DISTRICT)

Mayor Evans opened the public hearing. There were no comments from the public and he closed the public hearing.

**Motion:** to Approve Ordinance No. 806 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADDING SECTION 15-02-016 AND AMENDING SECTIONS 15-02-

003 AND 15-11-002 OF CHAPTER 154 (THE UNIFIED DEVELOPMENT CODE) OF THE CODE OF THE TOWN OF PAYSON, CREATING AN EDUCATIONAL FACILITIES ZONING DISTRICT. (EDUCATION FACILITIES ZONING DISTRICT) Second Reading and Public Hearing. (Staff Memo to Ordinance No. 806)

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

**H. UNFINISHED BUSINESS** There are no items in this section.

**I. NEW BUSINESS** There are no items in this section.

**J. CLAIMS**

1. \* List of checks paid from May 13, 2011 through May 26, 2011, Check Nos. 014122 through 014279, and authorization to file the checks for audit.  
\*CONSENT\* APPROVED

**K. MISCELLANEOUS** There are no items in this section.

**L. PUBLIC COMMENTS**

1. Public Comments: There were no further comments from the public.

**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 June, 2011. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_

Gaye Stidham, Deputy Town Clerk