TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
October 6, 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

Pastor Kelly Wooldridge, Payson's First Assembly of God.

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, LaRon Garrett - Public Works Director, and Cameron Davis - Parks, Recreation and Tourism Director.

Council Member Carpenter was present telephonically.

OTHERS PRESENT: Tracie Bailey - Deputy Town Clerk, Hope Cribb - Finance Manager, Julie Swanson - Fire Department Engineer, and Chad Richey - Fire Department Engineer.

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

There were no public comments.

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 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.

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

OCT 20 2011 E.1*

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.

LaRon Garrett, Assistant Town Manager, announced the Town was awarded a $64,000 grant to replace signs. Cameron Davis, Parks, Recreation and Tourism Director announced October 31st was the haunted house and trunk or treat festival. There would be lots of room to park and parking was free. Mr. Davis noted last week the Insights show was filmed and would air across the country. Mr. Davis would let everyone know when it aired.

Council Member Blair announced Tim Hewitt had died in a car accident last Tuesday. Mr. Hewitt was the Manager of Payson Glass and was a member of the Kiwanis and the Expedition Church. He also served on the Habitat for Humanity Board.

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 review.

D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS

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

   Mayor Evans announced there was a big crowd at the Habitat for Humanity event and that he appreciated those who participated.

2. **Proclamation.** Mayor Evans read into the record a proclamation declaring October 9 - 15, 2011 as Fire Prevention Week. Fire Chief Martin deMasi and Engineers Julie Swanson and Chad Richey were present to accept the proclamation.

   Chief de Masi invited everyone to come to all three fire stations for open house this week and thanked the Council.

3. **Proclamation.** Council Member Wilson read into the record a proclamation declaring October 2011 as Disability Employment Awareness Month. Leona Bowman, Gila Employment and Special Training, was present to accept the proclamation.

   Leona Bowman explained they provided direct client services and thanked the Council.

4. **Proclamation.** Council Member Connell read into the record a proclamation designating the Payson High School Band as the official representative of the Town of Payson, Arizona, at the 70th anniversary of the attack on Pearl Harbor. The band would perform on the Battleship Missouri. Daria Mason and members of the Payson High School Band were present to accept the proclamation.

   Daria Mason thanked the Council for this honor.

E. MINUTES

1. *Council Meeting Minutes:

   09.22.11Regular 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. *Payson Advisory Youth Council:

   08.11.11Regular Meeting Minutes Pages 1 - 3
   ***CONSENT* INFORMATION ONLY**

3. *Public Safety Personnel Retirement System Fire Department Local Board:

   01.14.10Regular Meeting Minutes Page 1
   ***CONSENT* INFORMATION ONLY**

4. *Public Safety Personnel Retirement System Payson Police Department Local Board:

   04.19.11Regular Meeting Minutes Pages 1 - 2
   ***CONSENT* INFORMATION ONLY**

F. HEARINGS AND APPEALS

Mayor Evans opened the Public Hearings for items F.1 and F.2. There were no public comments. Mayor Evans closed the Public Hearings.

1. **Public hearing** regarding an application for a Series 6 Liquor License filed by Philip Green, Sr., agent, OB Sports Golf Management, L.L.C. (dba Rim Golf Club), 300 South Clubhouse Drive, Payson, Arizona. This is a public hearing (Application on file in the Town Clerk's office).

   Motion: to Approve an application for a Series 6 Liquor License filed by Philip Green, Sr., agent, OB Sports Golf Management, L.L.C. (dba Rim Golf Club), 300 South Clubhouse Drive, Payson, Arizona.
   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.

2. **Public Hearing** concerning an application for a Special Event Liquor License filed by Audrey Jean Wilson, agent, Soroptimist of Zane Grey Country for a fundraiser to

be held at the Best Western, 801 N. Beeline Highway, Payson, Arizona, Friday, December 2, 2011 from 3:00 p.m. to 9:00 p.m. This is a Public Hearing.

Motion: to Approve an application for a Special Event Liquor License filed by Audrey Jean Wilson, agent, Soroptimist of Zane Grey Country for a fundraiser to be held at the Best Western, 801 N. Beeline Highway, Payson, Arizona, Friday, December 2, 2011 from 3:00 p.m. to 9:00 p.m.
Moved by Council Member Richard Croy, seconded by Vice-Mayor Michael Hughes.

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. **Public Hearing** on Resolution No. 2625 and Ordinance No. 812.
A. **Resolution No. 2625**. Discussion/possible action concerning Resolution No. 2625 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTION 15-02-006 (INDUSTRIAL DISTRICTS) OF THE UNIFIED DEVELOPMENT CODE OF THE TOWN OF PAYSON AND DECLARING SUCH AMENDMENT TO BE A PUBLIC RECORD.
B. **Ordinance No. 812** Discussion/possible action (Second Reading) concerning Ordinance No. 812 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTION 15-02-006 (INDUSTRIAL DISTRICTS) OF THE UNIFIED DEVELOPMENT CODE OF THE TOWN OF PAYSON.

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

Motion: to Approve Resolution No. 2625 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTION 15-02-006 (INDUSTRIAL DISTRICTS) OF THE UNIFIED DEVELOPMENT CODE OF THE TOWN OF PAYSON AND DECLARING SUCH AMENDMENT TO BE A PUBLIC RECORD.
and
Ordinance No. 812 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTION 15-02-006 (INDUSTRIAL DISTRICTS) OF THE UNIFIED DEVELOPMENT CODE OF THE TOWN OF PAYSON.
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. ***Resolution No. 2629**. Council approved, on the Consent Agenda, Resolution No. 2629 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 NOTICE OF TERMINATION OF AGREEMENT TO CONSTRUCT SUBDIVISION IMPROVEMENTS RELATING TO THE RIM CLUB CABINS.
***CONSENT* APPROVED**

4. **Ordinance No. 813**. First Reading and Public Hearing concerning Ordinance No. 813 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 ADDING ARCHITECTURAL DESIGN GUIDELINES, REGULATIONS, AND DEVELOPMENT REQUIREMENTS SPECIFIC TO MULTIFAMILY DEVELOPMENTS (MULTIFAMILY DEVELOPMENT DESIGN REVIEW).

   Mayor Evans opened the First Reading and Public Hearing.

   Council Member Carpenter asked for a brief overview. Bernie Lieder, Design Review Board Chair, stated the Board had looked at the regulations and had eliminated some conflicts. The Board felt they had arrived at a good set of rules. Council Member Carpenter asked if this was reviewed by the Planning and Zoning Commission. Mayor Evans replied yes. Tim Wright, Town Attorney, noted it was recommended 6-0 by the Planning and Zoning Commission. Council Member Blair asked if this was single family or multi-family and does that have anything to do with space such as was there a playground required. Mr. Lieder responded if there were young families a playground would be required.

   Mayor Evans closed the First Reading and Public Hearing.

H. UNFINISHED BUSINESS

There were no items in this section.

I. NEW BUSINESS

1. **Utility rate increase**. Discussion/possible action re: utility rate increase requests submitted by Semstream and Arizona Public Service to the Arizona Corporation Commission. Note: The Town does not have any role, authority, or influence in the rate setting process except as a customer of Semstream and Arizona Public Service.

   Mayor Evans stated he had asked that this be put on the agenda so he could explain the Town's role in this. The Town could only act as a customer of these utilities. Mayor Evans encouraged individuals within the community to make their voices heard and participate in the public hearings. Council Member Blair asked if there

was anyone in the audience who wanted to speak. There were no public comments.

Council Member Connell asked if it was appropriate for the Town to send a letter to the Arizona Corporation Commission to object to the rate increase. Mayor Evans replied yes.

Motion: send a letter from the Town as a customer to the Arizona Corporation Commission objecting to the utility rate increase requests submitted by Semstream and Arizona Public Service.
Moved by Council Member Su Connell, 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.

J. CLAIMS

1. ***List of checks.** Council approved, on the Consent Agenda, a list of checks paid from September 14, 2011 through September 23, 2011, Check Nos. 015637 through 015762, except check nos. 015664, 015659 and 015703, and authorization to file the checks for audit.
***CONSENT* APPROVED**

2. ***Check No. 015664.** Council approved, on the Consent Agenda, Check No. 015664 and authorization to file the check for audit. (Note: due to a perceived and/or conflict of interest, Mayor Evans will be considered to abstain from the voting on this item.)
***CONSENT* APPROVED**

3. ***Check No. 015659.** Council approved, on the Consent Agenda, Check No. 015659 and authorization to file the check for audit. (Note: due to a perceived and/or conflict of interest, Council Member Croy will be considered to abstain from the voting on this item.)
***CONSENT* APPROVED**

4. ***Check No. 015703.** Council approved, on the Consent Agenda, Check No. 015703 and authorization to file the check for audit. (Note: due to a perceived and/or conflict of interest, Council Member Wilson will be considered to abstain from the voting on this item.)
***CONSENT* APPROVED**

K. MISCELLANEOUS

1. *Council approved, on the Consent Agenda, the **appointment of Thorry Smith** to the Fire Department Alternate Pension and Benefit Plan Board, POC to replace Jackson Owens term to expire December 31, 2012.
***CONSENT* APPROVED**

L. PUBLIC COMMENTS

Mayor Evans annouced that he had gotten word the Forest Service had approved the SLE as an entity to purchase the admin site for the college campus.

ADJOURNMENT

Mayor Evans adjourned the meeting at approximately 6:01 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 6 of October, 2011. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this ____day of _____, 2011.

_____

Tracie Bailey, Deputy Town Clerk