

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
January 5, 2012**

CALL TO ORDER

Vice-Mayor Hughes called the regular meeting to order in Mayor Evan's absence at 5:30 p.m. in the Town Hall Council Chambers, 303 N. Beeline Highway, Payson, Arizona.

INVOCATION

Dr. Tom Gossett, Indian Trails Missionary Outreach offered an invocation.

PLEDGE OF ALLEGIANCE

PRESENT: 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: Tim Wright - Town Attorney, Don Engler - Police Chief, Silvia Smith - Town Clerk, and LaRon Garrett - Assistant Town Manager.

OTHERS PRESENT: Gaye Stidham - Deputy Town Clerk, Colin P. Walker - Water Superintendent.

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 comments from the public.

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 the CONSENT AGENDA.

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

Vote: Motion carried 6 - 0

Yes: 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.

Absent: Mayor Kenny J. Evans.

JAN 19 2012 E. 1

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.

Vice-Mayor Hughes presented a birthday card to Council Member Wilson. Council Member Wilson was celebrating his 80th birthday. Council Member Wilson reported that demand for food from the Food Bank was up and there is a greater need for donations of food and cash.

Council Member Blair announced a blood drive to be held at the Shepherd of the Pine's Church.

Council Member Connell announced the Parks & Recreation Spring activities.

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 items for information.

D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS

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

There were no further announcements.

E. MINUTES

1. *Council Meeting Minutes:

12.08.11 Regular Council Meeting Pages 1 - 9

12.13.11 Special Council Meeting Pages 1 - 8

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. *Payson Area Advisory Youth Council Minutes:

11.10.11 Regular Meeting Pages 1 - 3

11.17.11 Regular Meeting Pages 1 - 3

CONSENT INFORMATION ONLY

3. *Public Safety Personnel Retirement System - Police Department Local Board

Minutes:

10.26.11 Regular Meeting Page 1

CONSENT INFORMATION ONLY

4. *Payson Fire Department Alternative Pension Plan Board Minutes:

12.14.11 Regular Meeting Pages 1 - 2

CONSENT INFORMATION ONLY

F. HEARINGS AND APPEALS

There are 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. Public Hearing on Resolution No. 2646 and Ordinance No. 818.

A. Discussion/possible action concerning Resolution No. 2646 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTIONS 15-07, 15-08, 15-09-008, AND 15-09-010 (ALL RELATING TO THE TOWN'S SUBDIVISION REQUIREMENTS) OF THE UNIFIED DEVELOPMENT CODE OF THE TOWN OF PAYSON AND DECLARING SUCH AMENDMENTS TO BE A PUBLIC RECORD.

B. Second Reading and Public Hearing concerning Ordinance No. 818 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTIONS 15-07, 15-08, 15-09-008, AND 15-09-010 (ALL RELATING TO THE TOWN'S SUBDIVISION REQUIREMENTS) OF THE UNIFIED DEVELOPMENT CODE OF THE TOWN OF PAYSON. Second Reading and Public Hearing.

Vice-Mayor Hughes opened the public hearing. There were no comments from the public and he closed the public hearing.

Motion: to Approve Resolution No. 2646 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTIONS 15-07, 15-08, 15-09-008, AND 15-09-010 (ALL RELATING TO THE TOWN'S SUBDIVISION REQUIREMENTS) OF THE UNIFIED DEVELOPMENT CODE OF THE TOWN OF PAYSON AND DECLARING SUCH AMENDMENTS TO BE A PUBLIC RECORD and Ordinance No. 818 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTIONS 15-07, 15-08, 15-09-008, AND 15-09-010 (ALL RELATING TO THE TOWN'S SUBDIVISION REQUIREMENTS) OF THE UNIFIED DEVELOPMENT CODE OF THE TOWN OF PAYSON with the

removal of provisions allowing Town staff to review subdivisions of 10 or fewer lots and adding back in that the Council approve all preliminary plats.
Moved by Council Member Ed Blair, seconded by Council Member Fred Carpenter.

Council Member Connell asked how this change would look in relation to the explanation provided by the Town Attorney. Council Member Blair said it would look like the item in the left column. LaRon Garrett, Assistant Town Manager, explained that there were a number of changes to bring the subdivision process into alignment with changes in State law, many more than just the change to staff review of preliminary plats. Council Member Blair said he made the motion to keep citizen and neighbor participation in the preliminary plat process. He did not believe that the reports from developers or notifications of property owners only to 300 feet was sufficient and wanted to continue with Planning and Zoning Commission and Council hearings on all preliminary plats.

Council Member Croy noted that any concerned citizen could talk with a Council Member or the Town Manager. He believed the change would be an opportunity to streamline the process for the small developer.

Vice-Mayor Hughes asked if this change to staff review of preliminary plats of 10 lots or less was unique to Payson. Mr. Garrett answered that he did not know how many other agencies used this provision. The State changed the rules and that is why it was presented to Council. Attorney Wright noted that the State allows waiving all preliminary plats entirely if the municipality wishes.

Council Member Connell agreed with the need for citizen involvement. She wanted to make sure that the citizen participation meetings were not removed with these changes. Mr. Garrett assured her the intent was to streamline the process and reduce red tape, but not to change the citizen participation meetings.

Council Member Carpenter said his support of the motion did not reflect on his respect and admiration for the good job done by staff. He noted that staff review might put staff in a difficult position in the future.

Council Member Croy noted that Council could still become involve at a citizen's request.

Vice-Mayor Hughes said the only time the Council is being removed from the process was at the preliminary plat. The final plat would still be coming to Council. Attorney Wright added that State law requires Council approval of a final plat that is fundamentally like the preliminary plat.

Council Member Wilson said he was in favor of reducing red tape and liked the original resolution and ordinance proposed.

Council Member Carpenter asked if this Ordinance would be subject to a referendum. Attorney Wright replied that it would.

Vote: Motion failed 3 - 3

Yes: Council Member Ed Blair, Council Member Fred Carpenter, and Council

Member Su Connell.

No: Vice-Mayor Michael Hughes, Council Member Richard Croy, and Council Member John Wilson.

Absent: Mayor Kenny J. Evans.

Motion: to Approve Resolution No. 2646 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTIONS 15-07, 15-08, 15-09-008, AND 15-09-010 (ALL RELATING TO THE TOWN'S SUBDIVISION REQUIREMENTS) OF THE UNIFIED DEVELOPMENT CODE OF THE TOWN OF PAYSON AND DECLARING SUCH AMENDMENTS TO BE A PUBLIC RECORD and Ordinance No. 818 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTIONS 15-07, 15-08, 15-09-008, AND 15-09-010 (ALL RELATING TO THE TOWN'S SUBDIVISION REQUIREMENTS) OF THE UNIFIED DEVELOPMENT CODE OF THE TOWN OF PAYSON.

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

Vote: Motion carried 4 - 2

Yes: Vice-Mayor Michael Hughes, Council Member Su Connell, Council Member Richard Croy, and Council Member John Wilson.

No: Council Member Ed Blair, and Council Member Fred Carpenter.

Absent: Mayor Kenny J. Evans.

3. Discussion/possible action concerning Resolution No. 2648 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AUTHORIZING THE MAYOR TO EXECUTE AGREEMENTS WITH STAR VALLEY FOR THE PROVISION OF AFTER HOURS AND EMERGENCY WATER SYSTEM SERVICES AND EMERGENCY BACKUP WATER SERVICE.

Colin Walker, Water Superintendent, explained this request was from Star Valley. He said it would be used only if the need arises and only after all Town customers are served and contingent upon availability. This would be cheaper and more beneficial for them than to find alternate means of backup services. Attorney Wright added that this is not a partnership but a contract for services.

Motion: to Approve Resolution No. 2648 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AUTHORIZING THE MAYOR TO EXECUTE AGREEMENTS WITH STAR VALLEY FOR THE PROVISION OF AFTER HOURS AND EMERGENCY WATER SYSTEM SERVICES AND EMERGENCY BACKUP WATER SERVICE.

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

Vote: Motion carried 6 - 0

Yes: 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.
Absent: Mayor Kenny J. Evans.

4. *Discussion/possible action concerning Resolution No. 2649 captioned as follows:
A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING A QUIT CLAIM DEED TO CERTAIN REAL PROPERTY, ALL DESCRIBED ON EXHIBIT "1" ATTACHED HERETO COMPRISING RIGHT-OF-WAY ACQUISITION IN THE 200-300 BLOCK OF EAST BONITA STREET FOR THE BONITA STREET PHASE 2 ROAD CONSTRUCTION PROJECT.
CONSENT APPROVED

5. First Reading and Public Hearing concerning Ordinance No. 819, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTIONS 33.97 OF THE CODE OF THE TOWN OF PAYSON, TO ALLOW MIDDLE SCHOOL STUDENTS TO SERVE AS ALTERNATE MEMBERS ON THE PAYSON AREA ADVISORY YOUTH COUNCIL. First Reading and Public Hearing.

Vice-Mayor Hughes opened the public hearing. There were no comments from the public and he closed the public hearing. Council Member Connell said she was proud of the members of PAAYC and their desire to mentor interested young people.

H. UNFINISHED BUSINESS

There were no items in this section.

I. NEW BUSINESS

There were no items in this section.

J. CLAIMS

1. *List of checks paid from 11/23/2011 through 12/16/2011, Check Nos. 016492 through 016766, and authorization to file the checks for audit.
CONSENT APPROVED

K. MISCELLANEOUS The following applications/letters/e-mails are on file in the Town Clerk's Office.

1. *Appointment of Dan Bramble to the Public Safety Personnel Retirement System Board (PSPRS); term to expire December 31, 2015.
CONSENT APPROVED
2. *Appointment of Roger Donahoo to the Parks and Recreation Advisory Board to fill the unexpired term of Gerry Levine. Term to expire December 31, 2012.
CONSENT APPROVED
3. *Appointment of Todd Brahm to the Building Advisory Board to fill the unexpired term of Don Monteath. Term to expire December 31, 2013.
CONSENT APPROVED

4. *Accept, with regrets, the resignation of Jon Barber from the Building Advisory Board with thanks for a job well done.
CONSENT APPROVED
5. *Appointment of Bill Easton to the Building Advisory Board to fill the unexpired term of Jon Barber. Term to expire December 31, 2014.
CONSENT APPROVED
6. *Appointment of John Swenson to the Planning and Zoning Commission to fill a vacancy. Term to expire December 31, 2014.
CONSENT APPROVED
7. *Appointment of Butch Joyner to the Board of Adjustments to fill a vacancy. Term to expire December 31, 2012. (Vacant since 2009)
CONSENT APPROVED

L. PUBLIC COMMENTS

1. Public Comments: Note: Communication and comments or suggestions from citizens present who have not submitted a Speaker’s Request Form, on matters other than those listed on the agenda for consideration, shall be heard by the Council. There were no comments by the public.

Council Member Carpenter noted that Jon Barber will be on Airport Commission. Council Member Blair asked who was no longer on the Planning and Zoning Commission. Attorney Wright explained that Russ Goddard had not reapply to be reappointed to the Commission.

ADJOURNMENT

Vice-Mayor Hughes adjourned the meeting at approximately 5:55 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 special meeting of the Town Council of the Town of Payson held on this day the 5 of January, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this ____ day of _____, 2012.

Gaye Stidham, Deputy Town Clerk