

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
March 1, 2012**

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 Rich Richey, First Church of the Nazarene.

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

OTHERS PRESENT: Tracie Bailey - Deputy Town Clerk and Mike Vogel - Economic Development.

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

1. 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.

Council Member Blair asked to pull Item I.2 off of the Consent Agenda.

Motion: to approve all items listed on the Consent Agenda except Item I.2.
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

MAR 15 2012 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.

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 attached for Council review.

Mayor Evans thanked Pastor Richey for the community garden. It would be available to families.

Don Engler, Police Chief, announced three people were recognized from public safety for awards. Jared Cline was awarded Fire Fighter of the year, Susan Cordaro was awarded Dispatcher of the year and Officer of the year was awarded to Officer Jesse Davies.

Mayor Evans announced the interview that Terry Bradshaw did on Payson had showed over the weekend in the Seattle, Washington area. There was high traffic on the web site after that and the video was on YouTube now. The Mayor believed this was a great promo for the Town. Debra Galbraith, Town Manager, noted it was also going to be a 30 second shot put on TV at the airports. Potentially it would be watched by 235 million people.

D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS

1. Comments, Commendations, and Presentations by Mayor, Council Members, and/or Town Staff.
2. Economic Development update presented by Mike Vogel, Economic Development.

Mike Vogel, Economic Development, gave an update on economic development in Payson. Mr. Vogel stated there were nine new retail shops. The retail businesses worked together by not putting out certain products so that they could send people to the other businesses. Mr. Vogel has not been able to get the more established businesses to do this. There were also some relocations. Mr. Vogel has worked with manufacturing businesses more and was trying to expand and organize things. The Town wrote a grant for a manufacturing company in town, they were awarded \$300,000. That was the first time the Town had ever applied for a grant. Mr. Vogel was also working with the Commerce Department.

Mayor Evans cleared up some confusion regarding the new Legislative and Congressional Districts. Gila County was split into three separate pieces in the Legislative District and two pieces in the Congressional District. Payson was in Legislative District six and Congressional District four now.

E. MINUTES

1. * Council Meeting Minutes:

02.16.12 Regular Meeting Minutes Pages 1 - 8

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. * Planning and Zoning Commission Minutes:

01.09.12 Regular Meeting Minutes Pages 1 - 5

***CONSENT* INFORMATION ONLY**

3. * Payson Area Advisory Youth Council:

12.15.11 Regular Meeting Minutes Pages 1 - 3

***CONSENT* INFORMATION ONLY**

F. HEARINGS AND APPEALS

1. **Public Hearing.** Mayor Evans opened the Public Hearing concerning an application for a Special Event Liquor License filed by Leland Schwein, agent for B.P.O. Elk Lodge #2154, for a fundraiser to be held at 1206 N. Beeline Highway, Payson, Arizona, Saturday, April 14, 2012, 9:00 a.m. to 5:00 p.m. and Sunday, April 15, 2012, 9:00 a.m. to 4:00 p.m.

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

Motion: to Approve an application for a Special Event Liquor License filed by Leland Schwein, agent for B.P.O. Elk Lodge #2154, for a fundraiser to be held at 1206 N. Beeline Highway, Payson, Arizona, Saturday, April 14, 2012, 9:00 a.m. to 5:00 p.m. and Sunday, April 15, 2012, 9:00 a.m. to 4:00 p.m.

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.

2. **Public Hearing.** Mayor Evans opened the Public Hearing concerning an application for a Special Event Liquor License filed by Leland Schwein, agent for B.P.O. Elk Lodge #2154, for a fundraiser to be held at 1206 N. Beeline Highway, Payson, Arizona, Saturday, April 28, 2012, 8:00 a.m. to 5:00 p.m.

There were no Public Comments. Mayor Evans closed the Public Hearing.

Motion: to Approve an application for a Special Event Liquor License filed by Leland Schwein, agent for B.P.O. Elk Lodge #2154, for a fundraiser to be held at 1206 N. Beeline Highway, Payson, Arizona, Saturday, April 28, 2012, 8:00 a.m. to 5:00 p.m.

Moved by Council Member Richard Croy, 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.

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. * **Resolution No. 2653.** Council approved, on the Consent Agenda, Resolution No. 2653 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING A REPOSITORY AGREEMENT WITH THE NORTHERN GILA COUNTY HISTORICAL SOCIETY FOR STORAGE OF ARTIFACTS DISCOVERED DURING THE EXCAVATION AND DEVELOPMENT OF THE GOAT CAMP RUIN SITE.
***CONSENT* APPROVED**
3. **Ordinance No. 821.** Mayor Evans opened the First Reading and Public Hearing concerning Ordinance No. 821 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADDING SECTION 130.25 OF THE CODE OF THE TOWN OF PAYSON, PROHIBITING THE SALE, DISPLAY, OR POSSESSION FOR SALE OF INTENTIONALLY MISUSED PRODUCTS.

Tim Wright, Town Attorney, stated he had met with Police Chief Engler regarding this several times. The Town Prosecutor believed he could prosecute using this. Mayor Evans asked that in the heading staff use the terminology "dangerous drugs" instead of "products". Mr. Wright stated the terminology was very broad because "dangerous drugs" had a certain definition in State Statute. Mr. Wright explained the item was defined in the body. Council Member Wilson suggested that staff add "for human consumption". Council Member Carpenter suggested that the word "products" be changed to "substance".

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

H. UNFINISHED BUSINESS

There were no items in this section.

I. NEW BUSINESS

1. **Council Decision Request** filed by Tim Wright, Town Attorney, seeking Council direction on whether staff should investigate the feasibility of constructing a gazebo in Green Valley Park that could be reserved and utilized for events such as

weddings.

Council Member Connell felt this was a feasible idea and could bring money in for the Town. Council Member Wilson felt the Town would not necessarily have to charge for its use and noted Parks and Recreation had 20 - 30 requests like this a year. This could be reserved for these events and would be an enhancement for the Town.

Council Member Carpenter noted there would need to be policy changes made and the Town would have to get the Sanitary District's compliance. Council Member Wilson responded this was a request for a feasibility study to see if it could be done.

Council Member Blair asked how was this different from reserving a ramada. Council Member Wilson responded people cannot reserve a ramada in Green Valley Park. Council Member Blair felt it should not be too close to the playground. Mayor Evans believed there could be some challenges and did not want every wedding to become a co-sponsored event by the Town. The Mayor wanted to define the Tonto Natural Bridge as a place for these events. Mayor Evans believed that structurally the first thing to do was to ask the Sanitary District if they would comply. Council Member Carpenter would like to see narrowly defined what events could take place there. Mayor Evans believed a gazebo on the south side would dissect the walking route and parking would be a challenge.

Council Member Carpenter stated he would make a motion to approve this with the modification to start with the Sanitary District.

Motion: investigate the feasibility of constructing a gazebo in Green Valley Park that could be reserved and utilized for events such as weddings and starting with asking the Northern Gila County Sanitary District for their compliance. 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. * **Council Decision Request** filed by LaRon Garrett, Assistant Town Manager, for the conditional acceptance of the right of way underlying (a) the Mud Springs Road and Granite Dells Road Roundabout, (b) the portion of Mud Springs Road adjacent to the Forest Service Administrative site, and (c) that portion of Granite Dells Road running through the Forest Service Administration site.

Removed from *CONSENT* APPROVAL

LaRon Garrett, Assistant Town Manager, pointed the area out on the wall map. Mayor Evans noted the Town had rolled over on to the Forest Service Road and the Town maintained it. Mr. Garrett replied yes and the Town had full liability for it. The Town had accepted maintenance, but there was no legal documentation. Mayor Evans stated the Forest Service condition was how the Town would deal with the road on their property, they wanted assurance the Town would continue to maintain

it.

Council Member Blair believed the confusion was whether the new easement went north or south. Mr. Garrett replied it was from the round-a-bout south and east.

Motion: conditional acceptance of the right of way underlying (a) the Mud Springs Road and Granite Dells Road Roundabout, (b) the portion of Mud Springs Road adjacent to the Forest Service Administrative site, and (c) that portion of Granite Dells Road running through the Forest Service Administration site.
Moved by Vice-Mayor Michael Hughes, 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 February 8, 2012 through February 16, 2012, Check Nos. 017182 through 017332, and authorization to file the checks for audit.
***CONSENT* APPROVED**

K. MISCELLANEOUS

1. There were no items in this section.

L. PUBLIC COMMENTS

1. 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 1 of March, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this ____ day of _____, 2012.

Tracie Bailey, Deputy Town Clerk