

**TOWN OF PAYSON  
TOWN COUNCIL MEETING  
MINUTES OF THE REGULAR MEETING  
April 5, 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 Joe Hittle, Calvary Chapel.

**PLEDGE OF ALLEGIANCE**

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

**ABSENT:** Vice-Mayor Michael Hughes.

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

**OTHERS PRESENT:** Tracie Bailey - Deputy Town Clerk, Kyle Mann - Deputy Town Attorney, Colin Walker - Water Superintendent, Chris Floyd - Executive Assistant, and Monica Savage - Administrative Secretary.

**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.**

**Motion:** to approve all items on the Consent Agenda.

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

**Vote:** Motion carried 6 - 0

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

Absent: Vice-Mayor Michael Hughes.

**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.
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.

Colin Walker, Water Superintendent, announced he had been invited by the Star Valley Council to speak at their Council meeting regarding their water system and develop a water planning structure. Mr. Walker felt it was a very professional and forward looking meeting and believed the relationship between the communities was really good and would continue to move forward positively. Mayor Evans felt this was good.

Cameron Davis, Parks, Recreation and Tourism Director, announced 650 kids had attended the fishing festival. The Easter Eggstravaganza was this weekend. The 19th Annual Beeline Cruise In Car Show was Saturday April 28th. The Mountain High Games were in June and were being promoted through KLME Country radio station. The Arizona Centennial Committee was also marketing it. News Channel 3 was going to put a local celebrity into two demolition derby trucks in their back lot to promote the demolition derby.

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

1. Comments, Commendations, and Presentations by Mayor, Council Members, and/or Town Staff.
2. **Proclamation.** Council Member Carpenter read into the record a proclamation declaring April 22 -28, 2012 as the Week of the Young Child. Hazel Chandler, Regional Director of Gila Regional Partnership Council, was present to accept the proclamaion.

Sue came in place of Hazel and thanked the Council. She explained some of the programs at First Things First.

3. **Proclamation.** Council Member Connell read into the record a proclamation declaring April 15 - 21, 2012 as National Volunteer Week. Members of various volunteer groups from the community were present to accept the proclamation.

Mayor Evans thanked all of the volunteers. The Mayor calculated volunteers made an approximately \$350,000 dollar impact. Council Member Wilson asked all of the library volunteers to stand. The President of Friends of the Library thanked the Council. Mayor Evans recognized the Library Volunteers. Mayor Evans recognized Police Volunteers. Harold thanked the Council and noted there were 45 police volunteers. Don Engler, Police Chief, stated over 120,000 hours had been volunteered. Mayor Evans recognized the Fire Department Support and Rehab Group. Monica Savage thanked the Council and explained the rehab group went out

any time of day or night and supplied hydration and food to the fire fighters. Mayor Evans recognized the Time out Shelter. The Manager of the Time Out Thrift Shop thanked the Council and stated she could not run the shop without her volunteers. Mayor Evans recognized Rim Country Literacy. Last year approximately 45 volunteers helped approximately 60 students. Mayor Evans recognized Mogollon Health Alliance and the Gracie Lee Haught Foundation. Sanja Long thanked the Council and stated Mogollon Health Alliance had over 130 volunteers. Louise Echols explained what some of the Gracie Lee Haught Events were and expressed her appreciation for her volunteers. Mayor Evans recognized the Pink Ladies. Pat thanked the Council, she has been a member of the Pink Ladies for 30 years. Mayor Evans recognized the Senior Center volunteers. Joanne Conlin, Director of the Senior Center, thanked the Council and her dedicated volunteers. Mayor Evans recognized the Senior Circle volunteers. Mayor Evans recognized the Friends of Parks and Recreation. Michael Rose, President of Friends of Parks and Recreation, thanked the Council. Mayor Evans recognized the Tonto Rim Search and Rescue volunteers. Bill Prittle thanked the Council and stated there were 50 active volunteers for the Tonto Rim Search and Rescue Team. Mayor Evans recognized Payson Supply Line. Mayor Evans recognized Big Brothers and Big Sisters. Robert Henley thanked the Council and stated there were 180 children actively involved in the program. Mayor Evans recognized the Payson Area Food Drive. Roger Kreimeyer thanked the Council and stated there were 12 committees that work with the food drive and they have started a community garden. Mayor Evans recognized the Historical Society volunteers. Mayor Evans thanked all of the organizations for their hard work.

## **E. MINUTES**

### 1. \* Council Meeting Minutes:

03.06.12Special Meeting Minutes Pages 1 - 3

03.15.12Regular Meeting Minutes Pages 1 - 6

03.20.12Special Meeting Minutes Pages 1 - 2

**\*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:

02.13.12Regular Meeting Minutes Pages 1 - 3

**\*CONSENT\* INFORMATION ONLY**

### 3. \* Building Advisory Board Minutes:

02.24 & 25.12 Regular Meeting Minutes Pages 436 - 437

**\*CONSENT\* INFORMATION ONLY**

### 4. \* Transportation Advisory Board Minutes:

01.04.12Regular Meeting Minutes Pages 267 - 270  
**\*CONSENT\* INFORMATION ONLY**

5. \* Design Review Board Minutes:

02.28.12Regular Meeting Minutes Pages 185 - 186  
**\*CONSENT\* INFORMATION ONLY**

## **F. HEARINGS AND APPEALS**

1. \* **Application for a Special Event Liquor License.** Council approved, on the Consent Agenda, an application for a Special Event Liquor License filed by Daniel Wile, agent for the Payson Pro Rodeo Committee, for a fundraiser to be held at 1400 S. Beeline Highway, Payson, Arizona, Friday, May 18, 2012, 8:00 a.m. to 11:00 p.m. and Saturday, May 19, 2012, 8:00 a.m. to 11:00 p.m.  
**\*CONSENT\* APPROVED**

## **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. 2660.** Council approved, on the Consent Agenda, Resolution No. 2660 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE GOVERNOR'S OFFICE OF HIGHWAY SAFETY FOR FUNDS FOR A TRAFFIC ENFORCEMENT VEHICLE AND TRAFFIC ENFORCEMENT DETAILS.  
**\*CONSENT\* APPROVED**
3. \* **Resolution No. 2661.** Council approved, on the Consent Agenda, Resolution No. 2661 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING A PORTION OF AIRPORT ROAD AND AIRLINE BOULEVARD RIGHT OF WAY FROM THE ARIZONA DEPARTMENT OF TRANSPORTATION.  
**\*CONSENT\* APPROVED**
4. \* **Resolution No. 2663.** Council approved, on the Consent Agenda, Resolution No. 2663 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, (IN THE 500 BLOCK OF EAST BONITA) ALL DESCRIBED ON EXHIBIT "1" ATTACHED HERETO COMPRISING RIGHT-OF-WAY ACQUISITION FOR THE BONITA STREET PHASE 2 ROAD CONSTRUCTION PROJECT.  
**\*CONSENT\* APPROVED**
5. **Ordinance No. 822.** Mayor Evans opened the First Reading and Public Hearing concerning Ordinance No. 822 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA,

AMENDING SECTIONS 15-02-004(C)(3), 15-04-002(E), 15-14-006(E)(2), 15-14-007(E), AND 15-11 OF CHAPTER 154 (THE UNIFIED DEVELOPMENT CODE) OF THE CODE OF THE TOWN OF PAYSON, RELATING TO THE PARKING OF LARGE COMMERCIAL VEHICLES IN RESIDENTIAL AREAS.

LaRon Garrett, Assistant Town Manager, explained the Town's current code did not allow any vehicle larger than a 1 ton vehicle at ones residence. The Planning and Zoning Commission had recommended that a larger vehicle could be kept if it was parked in a structure.

Council Member Blair asked if a vehicle could be covered with a blue tarp. Mr. Garrett replied no it had to be a covered structure. Council Member Carpenter asked if a conditional use permit could be obtained. Mr. Garrett responded if the vehicle was kept outside of the structure.

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 LaRon Garrett, Assistant Town Manager, to adopt the corrected fee schedule for the Payson Airport.

LaRon Garrett, Assistant Town Manager, explained that in the first billing cycle an error was discovered. This Council Decision Request was to adopt the correct amount.

**Motion:** adopt the corrected fee schedule for the Payson Airport.  
Moved by Council Member Ed Blair, seconded by Council Member John Wilson.

Council Member Croy asked if the Board of Directors came up with the fees. Mr. Garrett replied the Airport Commission will meet next week to review the fees. Council Member Croy asked if the fees could be changed in July. Mr. Garrett responded yes.

**Vote:** Motion carried 6 - 0

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

2. \* **Council Decision Request.** Council approved, on the Consent Agenda, a Council Decision Request filed by Colin Walker, Water Superintendent, to award the contract to Amon Builders, Inc. for the design and construction of a steel building located at the public works maintenance facility at 1002 W. Airport Rd. and to allocate all costs to the Water Enterprise Fund.

**\*CONSENT\* APPROVED**

3. **\* Council Decision Request.** Council approved, on the Consent Agenda, a Council Decision Request filed by Silvia Smith, Town Clerk, to change the Special Meeting/Budget and the Regular Council Meeting of June 7, 2012 to Tuesday, June 5, 2012.

**\*CONSENT\* APPROVED**

4. **Council Decision Request** filed by Tim Wright, Town Attorney, seeking input from the Council on areas of concern related to the Town's sign regulations and direction if staff and/or the Planning and Zoning Commission should explore options for amending the Town's sign code based upon such concerns.

Tim Wright, Town Attorney, explained some citizens had asked for a change in the sign code. Mr. Wright explained the current code and policy. Staff recommendation was to get Council feedback and then come back to the Council with specific language.

Council Member Connell was concerned that the policy lacked clarification on the differentiation of portable and temporary signs and days that signs have to be taken down and asked staff to provide clarity on that. Council Member Connell also felt that the policy was not administered equitably across the Town and there appeared to be favoritism.

Council Member Croy asked if signs could be allowed seven days and still be a temporary sign. Mr. Wright replied there were businesses that had illegal temporary signs, but those signs would become a permanent sign. Council Member Croy felt it was pointless to only have a sign up six days and not seven and have to police that. Mr. Wright responded the policy was they had to maintain the signs. Council Member Croy believed it was a waste of time to police signs one day a week.

Council Member Carpenter did not want to see any changes involving bill boards and asked if the people carrying signs on the sidewalk had a policy. Mr. Wright replied that was a State statute and the Town had little regulatory power. Council Member Carpenter felt those signs were a distraction. Don Engler, Police Chief, stated there have been no accidents related to those signs. Mr. Wright noted there was a strong lobby for this industry and felt there could be difficulty at the local level. Mayor Evans noted temporary could be defined any way the Planning and Zoning Commission wanted to define it.

Debra Galbraith, Town Manager, asked that not discussing bill boards went to the Planning and Zoning Commission also. Mayor Evans noted LCD signs were being looked at and the Town needed to make sure its codes were consistent with the State statute. Council Member Carpenter clarified his objection was regarding traditional style bill boards.

Council Member Blair asked that under prohibited signs animated signs be deleted. Council Member Blair believed other businesses would be thinking about these signs and wanted the Planning and Zoning Commission to look at it. Council Member Blair felt that some of these rules were excessively restrictive and that there had to be a way for businesses to display their name on the building.

Ms. Galbraith asked if there was a Police Department request to leave open space to see in the window. Chief Engler responded he would like to have the opportunity to have some input into that.

Council Member Wilson stated he was on the Council when this ordinance was first discussed and the primary concern was that the Town was cluttered with signs and it did not look good. Temporary signs were taken down on Tuesdays as a compromise to help keep the sign from becoming a permanent sign. Council Member Wilson agreed there needed to be flexibility, but did not want to see a lot of clutter.

Council Member Carpenter asked if there was a controversy over signs in residential areas. Mr. Wright replied the Town had made some code changes and he was not aware of any complaints.

Mayor Evans agreed there had to be some balance and asked for input from the Planning and Zoning Commission. The idea of a sign was so that people could see your business, it should not be like a billboard. Mayor Evans believed buildings should look uniform and presentable.

Council Member Blair noted it was the political signs that made the Town look cluttered. Council Member Blair felt it would be a hassle for realtors to take down their signs one day a week.

Mayor Evans stated it appeared the Council would move forward with this.

**Motion:** explore options for amending the Town's sign code.

Moved by Council Member Fred Carpenter, seconded by Council Member John Wilson.

**Vote:** Motion carried 6 - 0

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

Absent: Vice-Mayor Michael Hughes.

## **J. CLAIMS**

1. \* **List of checks.** Council approved, on the Consent Agenda, a list of checks paid from March 1, 2012 through March 23, 2012, Check Nos. 017450 through 017638, and authorization to file the checks for audit.  
**\*CONSENT\* APPROVED**

## **K. MISCELLANEOUS**

1. \* Council approved, on the Consent Agenda, the acceptance, with regrets, of the **resignation of Garrett Goldman** from the Board of Adjustments and thanks for a job well done.  
**\*CONSENT\* APPROVED**

2. \* Council approved, on the Consent Agenda, the **appointment of Patrick Underwood** to the Board of Adjustments to replace Garrett Goldman, term to expire December 31, 2014.  
\***CONSENT\* APPROVED**
3. \* Council approved, on the Consent Agenda, the **appointment of Garrett Goldman** to the Design Review Board to replace Bernie Lieder, term to expire December 31, 2013.  
\***CONSENT\* APPROVED**

**L. PUBLIC COMMENTS**

1. There were no public comments.

**ADJOURNMENT**

Mayor Evans adjourned the meeting at approximately 6:43 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 5 of April, 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