TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
April 19, 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

Reverend Charles Proudfoot, Community Presbyterian 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, LaRon Garrett - Assistant Town Manager, 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, Mike Ploughe - Hydrogeologist, Bethany Beck - Housing Program Manager, and Doni Wilbanks - Housing Program Coordinator.

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 listed on the Consent Agenda.
Moved by Council Member Ed Blair, 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.

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.

   Don Engler, Police Chief, announced Highway 260 was closed and would be closed for hours due to a tanker truck accident. Chief Engler and his Staff had gone out on Monday and checked businesses selling synthetic products known as spice and found that all businesses were compliant. Chief Engler also noted the Police Department volunteers had recieved recognition last night.

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Cameron Davis, Parks, Recreation and Tourism Diretor, announced the following events, the 19th Annual Beeline Cruise In April 27th and 28th, the Payson Wildlife Fair May 12th, the Payson Aero Fair May 19th, the Spring Rodeo on May 19th and 20th and the Mountain High Games were June 1st through June 3rd.

D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS

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

   Mayor Evans stated there was a press conference with Arizona State University to open Camp Tontozona again August 14th through the 18th. There would be a series of events to go along with the training. Mayor Evans felt Coach Grahm would bring back the wining tradition.

2. **Presentation** of a Certificate of Appreciation to the Honorable Representative Paul Gosar. Following the presentation, Representative Gosar may desire to address the Council concerning Federal issues of interest to Payson.

   Mayor Evans asked Representative Gosar to come forward and presented him with a certificate of appreciation for his help with the C.C. Cragin Reservior and Dam.

   Representative Gosar thanked the Mayor and Council. Representative Gosar noted the Forest Service contracts for thinning the forest had not come through. He asked citizens to send out letters and asked that more people bring this up directed to the Forest Service. Council Member Blair asked where to address letters. Representative Gosar responded all letters should be addressed to the Forest Service in Payson.

3. **Proclamation.** Council Member Blair read into the record a proclamation declaring May 5, 2012 as National Day of Prayer. Reverend Charles Proudfoot, member of the Payson Christian Ministerial Fellowship, was present to accept the proclamation.

   Reverend Proudfoot thanked the Mayor and Council.

4. **Proclamation.** Council Member Croy read into the record a proclamation declaring April 22 - 28, 2012 as National Crime Victim's Rights Week. Daisy Flores, Gila County Attorney, and Robin Miller, Gila County Attorney's Office, Victim Services, were present to accept the proclamation.

   Daisy Flores, Gila County Attorney, thanked the Council and noted Payson was doing a great job with crime. Ms. Flores felt it was important to recognize the victims with this proclamation.

5. **Presentation** of the Annual Water Report by Mike Ploughe, Hydrogeologist.

   Mike Ploughe, Hydrogeologist, stated the Payson Water Department had accomplished alot this past year. Payson was well within the safe yield and had done well on conservation programs. The existing water resources were in good shape. Mr. Ploughe recommended the Town continue with level 1 water conservation.

   Council Member Blair appreciated all of the work.

E. MINUTES

1. * Council Meeting Minutes:
   04-03-12 Special Meeting Minutes - CSP Pages 1 - 4
   04-05-12 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. * Design Review Board Meeting Minutes:
   03-27-12 Regular Meeting Minutes Pages 187 - 188

***CONSENT* INFORMATION ONLY**

F. HEARINGS AND APPEALS

1. There were 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. The following Items all pertain to the Community Development Block Grant (CDBG) Program.

   A. **Presentation and Public Hearing** regarding the Community Development Block Grant, by Bethany Beck, Housing Program Manager. Public Hearing

Bethany Beck, Housing Program Manager, thanked the Council. Ms. Beck stated this was the second and final Public Hearing for the Community Development Block Grant funds and would fund the Senior Center completely.

   B. **Resolution No. 2654**. Discussion/possible action concerning Resolution No. 2654, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FISCAL YEAR 2012-2013 STATE COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") FUNDS, CERTIFYING THAT SAID APPLICATION MEETS THE COMMUNITY'S PREVIOUSLY IDENTIFIED HOUSING AND COMMUNITY DEVELOPMENT NEEDS AND THE REQUIREMENTS OF THE STATE CDBG PROGRAM, AND AUTHORIZING ALL ACTIONS NECESSARY TO IMPLEMENT AND COMPLETE THE ACTIVITIES OUTLINED IN SAID APPLICATION.

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

Motion: to Approve Resolution No. 2654, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FISCAL YEAR 2012-2013 STATE COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") FUNDS, CERTIFYING THAT SAID APPLICATION MEETS THE COMMUNITY'S PREVIOUSLY IDENTIFIED HOUSING AND COMMUNITY DEVELOPMENT NEEDS AND THE REQUIREMENTS OF THE STATE CDBG PROGRAM, AND AUTHORIZING ALL ACTIONS NECESSARY TO IMPLEMENT AND COMPLETE THE ACTIVITIES OUTLINED IN SAID APPLICATION.
Moved by Council Member Ed Blair, seconded by Council Member John Wilson.

Council Member Carpenter asked if the $87,000 covered everything the Senior Center needed. Ms. Beck replied yes.

Council Member Connell asked if Habitat for Humanity had an opportunity to get some of the Community Development Block Grant funds. Ms. Beck responded she had met with Habitat for Humanity, but the program was limited and the Town could not submit separately for Habitat for Humanity.

Mayor Evans called for the vote.

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. ***Resolution No. 2655**. Council approved, on the Consent Agenda, Resolution No. 2655,

captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADOPTING A RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN FOR FISCAL YEAR 2012, AS REQUIRED UNDER SECTION 104(d) OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED.
***CONSENT* APPROVED**

D.* **Resolution No. 2656. Council approved, on the Consent Agenda, Resolution No. 2656, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING REVISIONS TO THE TOWN OF PAYSON HOUSING REHABILITATION GUIDELINES.**
***CONSENT* APPROVED**

3. ***Resolution No. 2652**. Council approved, on the Consent Agenda, Resolution No. 2652, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, MAKING KNOWN ITS COMMITMENT TO THE PRINCIPLE OF FAIR HOUSING, AND DESCRIBING ACTIONS IT WILL UNDERTAKE TO AFFIRMATIVELY FURTHER FAIR HOUSING.
***CONSENT* APPROVED**

4. **Ordinance No. 822**. Mayor Evans opened the Second 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), (THE UNIFIED DEVELOPMENT CODE) OF THE CODE OF THE TOWN OF PAYSON, RELATING TO THE PARKING OF LARGE COMMERCIAL VEHICLES IN RESIDENTIAL AREAS.

Council Member Blair asked if someone got a conditional use permit could a neighbor still complain and get involved. Mr. Garrett replied yes neighbors within the 300 foot radius would be notified before the hearing so they could attend. Tim Wright, Town Attorney, noted it would then take effect in 30 days.

Motion: to Approve 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), (THE UNIFIED DEVELOPMENT CODE) OF THE CODE OF THE TOWN OF PAYSON, RELATING TO THE PARKING OF LARGE COMMERCIAL VEHICLES IN RESIDENTIAL AREAS.
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.

H. UNFINISHED BUSINESS

There were no items in this section.

I. NEW BUSINESS

1. **Council Decision Request** filed by LaRon Garrett, Assistant Town Manager, seeking Council direction on whether staff should proceed with a General Plan amendment regarding R3 development standards (a) in the second half of 2012; or (b) in conjunction with the 2015 General Plan update.

LaRon Garrett, Assistant Town Manager, explained there needed to be an amendment to the General Plan and that the Town was allowed to make one amendment per calendar year. Mr. Garrett stated staff could wait until later this year in case there were other changes that had to be added. Mayor Evans asked if there was anything pressing the Town was waiting for. Mr. Garrett replied no. Mayor Evans asked if staff would bring it back if there was. Mr. Garrett responded yes. Council Member Blair asked if the set

Attorney, noted the General Plan did not address the set backs. Mr. Garrett noted the goal was to get parking moved back. The developer still had to meet all other requirements; this just allowed more units. Council Member Blair felt parking was a really big deal and asked if it was one car per unit. Mr. Garrett replied it was based on the number of bedrooms. Council Member Blair believed every family unit had two cars and worried there would be cars parked on the street. Mayor Evans noted the Planning and Zoning Commission was moving in the direction of higher density, from an environmental stand point that was better than spreading housing out. Council Member Carpenter asked if the Town had done this before. Mr. Garrett replied only two other times. Council Member Carpenter asked if the Town was in danger of something coming up. Mr. Wright noted the Council Decision Request was for staff to do it this calendar year or wait until the entire plan is re-done in 2015. Mayor Evans believed it would be foolhardy to delay this project.

Council Member Croy asked if during the 90 day process something came up would it come back to the Council. Mr. Garrett replied yes it would be done this year and noted some sites may still not be able to be as dense because of other rules and safeguards in place. Mr. Garrett explained this was more of a form based code.

Motion: proceed with a General Plan amendment regarding R3 development standards (a) in the second half of 2012.
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. **Council Decision Request** filed by Debra Galbraith, Town Manager, re the Town of Payson taking over the building services duties for the Town of Star Valley.

Debra Galbraith, Town Manager, explained Star Valley's building inspector was leaving his position. Star Valley had very little under inspection, but there was one house that needed an inspection on Monday. Ms. Galbraith explained this was to provide services until the Town could get an intergovernmental agreement with Star Valley.

Council Member Croy believed the Town should charge a high enough fee to cover the cost of insurance and social security.

Mayor Evas asked if an inspection fee over the hourly rate would be paid. Ms. Galbraith replied those fees were already paid to Star Valley. If a whole plan review came in it would be different. Mr. Garrett responded that for an inspection this number was fine, but if there was a plan review that would be more. Tim Wright, Town Attorney, noted this was a band-aid to help Star Valley at the last minute.

Council Member Blair asked that total pay and benefits be considered. Council Member Carpenter believed if the Town did do an intergovernmental agreement all of the costs needed to be covered. Mayor Evans noted that tonight all Council was doing was approving the Council Decision Request. Council Member Croy believed there should be a time line. Mayor Evans sated Ms. Galbraith could have done this herself, but wanted to bring it to Council so they were aware of it. Council Member Blair asked for the hourly rate to be raised. Council Member Wilson noted the motion was to approve providing the service and that the rate was not firm in the motion and could be adjusted.

Motion: approve the Town of Payson taking over the building services duties for the Town of Star Valley.
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.

3. * **Council Decision Request.** Council approved, on the Consent Agenda, a Council Decision Request, filed by Silvia Smith, Town Clerk, to cancel the Special Budget Meetings on May 8 & 10, 2012 and add a Special Meeting/Budget on May 1, 2012 at 4:00 p.m.
***CONSENT* APPROVED**

J. CLAIMS

1. ***List of checks.** Council approved, on the Consent Agenda, a list of checks paid from 03/28/2012 through 04/06/2012 , Check Nos. 017639 through 017743, and authorization to file the checks for audit.
***CONSENT* APPROVED**

K. MISCELLANEOUS

1. *Council approved, on the Consent Agenda, the **appointment of Stanton Sanders** to the Transportation Advisory Board to fill the unexpired term of Gordon Metcalf. Term to expire December 31, 2012.
***CONSENT* APPROVED**

L. PUBLIC COMMENTS

1.Th ere were no public comments.

ADJOURNMENT

Mayor Evans adjourned the meeting at approximately 6:37 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 19 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