

**TOWN OF PAYSON  
TOWN COUNCIL MEETING  
MINUTES OF THE REGULAR MEETING  
September 20, 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**

David Reisdorf, Mountain Bible Church.

**PLEDGE OF ALLEGIANCE**

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

**ABSENT:** Vice-Mayor Michael Hughes, and Council Member Ed Blair.

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

**OTHERS PRESENT:** Tracie Bailey - Deputy Town Clerk, Tammy Enlow - Budget Analyst and Ray Law - Airport Manager.

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

Marie Fasano invited the community to take a free flight with the EAA Young Eagles. Free airplane orientation flights for children and grandchildren ages 8 to 17 were being offered at Payson Airport on October 6, 2012 from 7:30 a.m. to 11:30 a.m.

**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 all items listed on the Consent Agenda.  
Moved by Council Member John Wilson, seconded by Council Member Richard Croy.

**Vote:** Motion carried 5 - 0

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

**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 attached for Council review.

Cameron Davis, Parks, Recreation and Tourism Director, announced September 28th was the Old Time Opory and September 29th, and 30th was the Fiddlers Contest. October 6th was the Arizona State Junior Bull Riding Event. There would be over 120 riders in Payson. The Turkey Trot Marathon was November 17th.

Mayor Evans announced the pumpkin patch at the Community Garden was doing good. People could give a donation for a pumpkin on Friday and Saturday. Mayor Evans stated a month ago he and Debra Galbraith, Town Manager, started having periodic meetings with APS and were told APS was accepting grant proposals for solar. They only had three weeks to get the grant in, but were able to get the grant completed.

## 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 September 21 through 28, 2012 as "Week of 24 x 7 Prayer". David Reisdorf, Payson Christian Ministerial Fellowship, was present to accept the proclamation.

David Reisdorf, coordinator for 24X7 prayer, thanked the Council and appreciated the proclamation.

3. **Proclamation.** Council Member Wilson read into the record a proclamation declaring October 2012 as Domestic Violence Awareness Month. Camille Levee, Executive Director, Time Out, Inc. and other members of Time Out were present to accept the proclamation.

Camille Levee, Executive Director, thanked the Council. Ms. Levee stated last year Time Out had served the equivalent of 13% of the community through their programs and was very grateful to the Town of Payson for their help. October 25th Time Out was celebrating their 19th anniversary with "Walk a Mile in her Shoes" to promote ending domestic violence.

4. **Proclamation.** Mayor Evans read into the record a proclamation declaring September 25, 2012 as First Responder Appreciation Day. Payson Police Chief Don Engler and Payson Fire Chief Marty deMasi were present to accept the

proclamations.

Don Engler, Police Chief, thanked the Council and appreciated the community's support. Marty deMasi, Fire Chief, thanked the Council for their support and noted the Town's citizen's were very good to them and appreciated their support.

LaRon Garrett, Assistant Town Manager, introduced Ray Law, the new Airport Coordinator, and gave a brief background on Mr. Law who had started work on September 10th. Mr. Law had resigned from the Airport Commission to take the job.

## **E. MINUTES**

1. \*Council Meeting Minutes:  
09-06-12 Regular Council Meeting 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. \*PSPRS - Police Board Minutes:  
08-13-12 Regular Meeting Page 1  
**\*CONSENT\* INFORMATION ONLY**
3. \*Airport Commission Minutes:  
08-13-12 Regular Meeting Pages 1-7  
**\*CONSENT\* INFORMATION ONLY**

## **F. HEARINGS AND APPEALS**

1. **Public Hearing.** Mayor Evans opened the Public Hearing concerning an application for a Series 12 (Restaurant) Liquor License filed by Teresa Sellis, agent, Tiny's Family Restaurant & Lounge, 600 E. Highway 260, Payson, AZ. This is a Public Hearing.

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

**Motion:** to Approve an application for a Series 12 (Restaurant) Liquor License filed by Teresa Sellis, agent, Tiny's Family Restaurant & Lounge, 600 E. Highway 260, Payson, AZ.

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

**Vote:** Motion carried 5 - 0

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

Absent: Vice-Mayor Michael Hughes, and Council Member Ed Blair.

2. \* **Special Event Liquor License.** Council approved, on the Consent Agenda, an application for a Special Event Liquor License filed by Sarah Hock, agent, Humane Society of Central Arizona, for a fundraiser to be held at 605 West Wilson Court,

Payson, Arizona, Friday, September 19, 2012, 4:30 p.m. to 6:00 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. **Public Hearing** on Resolution No. 2681 and Ordinance No. 824.

A. **Resolution No. 2681.** Discussion/possible action concerning Resolution No. 2681 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING CHAPTER 95 (AIRPORT) OF THE CODE OF THE TOWN OF PAYSON AND DECLARING SUCH AMENDMENTS TO BE A PUBLIC RECORD.

B. **Ordinance No. 824.** Second Reading and Public Hearing concerning Ordinance No. 824 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING CHAPTER 95 OF THE CODE OF THE TOWN OF PAYSON AND ADOPTING SUCH AMENDMENTS BY REFERENCE. (AIRPORT)

Mayor Evans opened the Public Hearing for Resolution No. 2681 and Ordinance No. 824.

LaRon Garrett, Assistant Town Manager, explained Chapter 95 was taken out of the Town Code when the airport was leased to the Payson Regional Airport Authority (PRAA) and now the Town needed to reinstate it. The Airport Commission had reviewed the old Chapter 95 and made changes.

Jim Garner stated he had sent each Council Member an e-mail individually. Mr. Garner expressed his concerns regarding sections of Chapter 95 that he would like to see the wording changed. Mr. Garner did not want it to have negative impacts on the airport.

Tim Wright, Town Attorney, responded this gave the Town Manager the flexibility to handle what could happen at the airport and if a person refused to comply with the rules they would be suspended from the airport. This was an extreme remedy that would rarely be used.

Council Member Carpenter asked Mr. Garner if he had attended the Airport Commission meetings and presented these objections. Mr. Garner replied yes he had attended some of the meetings.

General Jim Hunt, Airport Commission Chair, explained the process the Commission had gone through. The Commission had three meetings to discuss these rules and clean up discrepancies. The Commission heard comments from airport users and citizens. General Hunt agreed with Mr. Wright about the sections and

stood by it as it was written.

Mayor Evans closed the Public Hearing.

**Motion:** to Approve Resolution No. 2681 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING CHAPTER 95 (AIRPORT) OF THE CODE OF THE TOWN OF PAYSON AND DECLARING SUCH AMENDMENTS TO BE A PUBLIC RECORD.

and

Ordinance No. 824 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING CHAPTER 95 OF THE CODE OF THE TOWN OF PAYSON AND ADOPTING SUCH AMENDMENTS BY REFERENCE. (AIRPORT)

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

Mayor Evans noted there had been an emergency with the airport and believed these sections were appropriate.

Mr. Garner asked when the rules had to be initiated how would citizens know. Mr. Garner believed there is no method in the rules to notify citizens. Mayor Evans responded the Town has very structured and organized Commissions and Boards and they would make sure that the public was notified. The Town has standardized that process. Mr. Garner noted if suspension was immediate it could be a month before it went to Council.

Mayor Evans called for the vote.

**Vote:** Motion carried 5 - 0

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

Absent: Vice-Mayor Michael Hughes, and Council Member Ed Blair.

## **H. UNFINISHED BUSINESS**

1. There were no items in this section.

## **I. NEW BUSINESS**

1. **Council Decision Request** filed by LaRon Garrett, Assistant Town Manager, concerning traffic control signage at the intersection of St. Moritz Drive and Rhone Circle.

Mr. Garrett explained the Town had received a request to install a stop sign at Rhone Circle and St. Moritz Drive. After investigating the intersection Mr. Garrett found a stop sign was not required.

Mayor Evans asked if the Council had to take action. Tim Wright, Town Attorney, replied a motion could be made to take no action or the Council could make one of the suggested motions.

Council Member Carpenter asked if there were other intersections where the Town put signs when they were not required. Mr. Garrett replied yes. Mayor Evans asked if this council had ever done that. Mr. Garrtt replied no. Council Member Carpenter asked what the cost was for the sign. Mr. Garrett responded a little over a \$100. Council Member Connell asked if the cost was the same for a yield sign. Mr. Garrett stated yes. Mayor Evans expressed his concern that it would become a complaint to the Police Department. Council Member Connell asked if other residents had signed the petition. Mr. Garrett replied only one individual had signed it. Council Member Connell asked if there had been any accidents. Mr. Garrett stated no. Council Member Wilson asked how the visibility was there. Mr. Garrett said there was not a problem with visibility. Council Member Carpenter asked if Mr. Huth was present, he was not. Council Member Croy believed, based on Mr. Garrett's investigation, there was no need to do anything.

Bill Mallot appreciated what the Council would do and felt this was a waste of money.

Council took no action on the Council Decision Request.

#### **J. CLAIMS**

1. **\*List of checks.** Council approved, on the Consent Agenda, a list of checks paid from 08/31/12 through 09/13/12, Check Nos. 019410 through 019563, 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 6:21 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 20 of September, 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