

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
May 16, 2013**

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

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

OTHERS PRESENT: Tracie Bailey - Deputy Town Clerk, Tomi Huddlestun - Human Resources Manager, Ray LaHaye - Chief Building Official, Viki Holms - Water Resources Specialist, Robert Lockhart - Fire Marshal, Jim Rasmussen - Battalion Chief, Monica Savage - Administrative Secretary, Hope Cribb - Finance Manager, Tammy Enlow - Budget Analyst, and Sam Garcia - Firefighter.

Motion: to bring Items K1 and K2 up above public comments on the agenda. Moved by Council Member Su Connell, 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.

1. **Appointment of Leah Brahm, Savannah Grassel and Cody May as regular members to the Payson Area Advisory Youth Council, terms to expire June 30, 2016 or until no longer qualified to hold the position.**
2. **Appointment of alternate member Priya Bhakta as a regular member of the Payson Area Advisory Youth Council, term to expire June 30, 2016 or until no longer qualified to hold the position. (Application is on file in the Town Clerk's Office).**

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Emily Linkey, Library Director, introduced the new Payson Area Advisory Youth Council members and gave a brief background on each new member.

Motion: Appoint Leah Brahm, Savannah Grassel and Cody May as regular members to the Payson Area Advisory Youth Council, terms to expire June 30, 2016 or until no longer qualified to hold the position.

and

to appointment alternate member Priya Bhakta as a regular member of the Payson Area Advisory Youth Council, term to expire June 30, 2016 or until no longer qualified to hold the position.

Moved by Council Member Su Connell, 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.

Mayor Evans recognized Patty Henderson who was the Payson Area Youth Advisory Council liaison from the Town of Star Valley.

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

Mayor Evans explained the Town only had authority over Arizona Public Service (APS) facilities on Town property. The Town had a franchise agreement with APS. Mayor Evans stated he had asked staff to look at the Town's authority over APS and staff found the Town did not have the authority to do anything and this was not an actionable item for the Council.

Peter Morgan understood what the Mayor said, but wanted to make the audience and Council aware of his concerns about smart meters. Mr. Morgan believed some communities had banned the smart meters and asked the Council to get informed on smart meters.

Elizabeth Silcock was concerned about smart meters and the health problems they caused. Ms. Silcock believed her friend in Prescott was getting sick from smart meters.

Bill Powers noted that on his APS bill there was a city sales tax and franchise fee. Mr. Powers felt when you are receiving money there was sharable interest and thanked the Council.

Shirley Dye felt there were a huge number of problems with smart meters. Ms. Dye has a grandson who was diagnosed with siezures whose bed was by the smart meter. Ms. Dye noted that if you did not get a smart meter you had to pay thirty

dollars extra a month and believed people should not be charged extra to have the meter reader come out and read the meter. Ms. Dye stated Brenda Hazlit with APS had agreed to speak to the Tea Party.

Lew Levenson thanked the Council and noted smart meters were the tip of the iceberg. Mr. Levenson believed the Town could get involved and felt there needed to be some other avenue to bring smart meters attention. Mr. Levenson asked the Council to do a resolution to get action and felt everyone could work together to get something done.

Darlene Yonker, President of the Payson Tea Party, felt there could be a huge health risk from smart meters. Ms. Yonker wanted APS to do an environmental impact study and felt these meters were a surveillance device on peoples homes and increased utility costs. Ms. Yonker believed the rates would go up and wanted APS to assure the rates would not go up. Ms. Yonker was concerned about lost jobs of meter readers and felt the opt out fee was outrageous. Ms. Yonker believed that the Town could require APS to prove there was no health hazard and that they were not surveillance devices.

Patricia Ferre believed the Council could do a resolution to establish a level of micro waves that was safe for Payson. Ms. Ferre felt that what APS was asking was only in their own interest and wanted Payson to be safe from pollution of smart meters.

Clare Fritz believed that around the world government and corporate partners were creating a power grid that was exposed to hackers. Ms. Fritz felt this was a massive problem and that the electrical grid could be open to a cyber attack. Ms. Fritz believed smart meters had shown no net energy savings.

Jim Muhr believed the Mayor said the Town had no power over APS. Mayor Evans noted he said the Town had no power over what APS put on private homes. Mr. Muhr believed there was no testing data on this and wanted to see Payson get testing data. Mr. Muhr felt if the meters proved to not be hazardous, the community would welcome them. Mayor Evans stated he did not approach APS or the Corporation Commission, but had a spec sheet from the company that made the meter. The Mayor passed the sheet down to Mr. Muhr and stated the Council was looking at the issue. Mr. Muhr responded he would look at the information. Mayor Evans stated he would try to get the Corporation Commission to hold a meeting in Payson on this.

Robert Howarth was concerned about health issues and economics regarding the fireworks display. Mr. Howarth asked if the Town paid ten thousand dollars for the fireworks display. Debra Galbraith, Town Manager, replied yes. Mr. Howarth was concerned a spark could get out and start a forest fire and that the fireworks were to loud. Mr. Howarth suggested the Town not spend the money on the fireworks display and have the party instead. Mayor Evans believed the contract had already been signed. Mr. Howarth expressed his concern regarding people who smoked around buildings and blew second hand smoke on children. Mr. Howarth asked that

all smoking on public property be banned and only allowed on private property.
Mayor Evans thanked Mr. Howarth.

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 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 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.

Cameron Davis, Parks, Recreation and Tourism Director, announced this evening was the start of the Gary Hardt Memorial Rodeo. Saturday's performance would start at 2:00 p.m. The Mountain High Games were May 31st through June 2nd and there was a great influx of people coming in.

Council Member Blair noted the Arizona Department of Transportation's (ADOT) budget was very limited and may not fund the four lane section past Star Valley. Council Member Blair asked citizens to send in a form that was attached to the article online and vote to keep the Lyon Springs Project alive.

Mayor Evans stated Payson had a very active Patriotic Events Committee and read a list of events that were coming up that citizens were encouraged to attend.

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.

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

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

There were no ceremonial announcements.

E. MINUTES

1. * Council Meeting Minutes:

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***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. * Airport Commission Minutes:

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***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. **Ordinance No. 831.** Mayor Evans opened the First Reading and Public Hearing concerning Ordinance No. 831 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING VARIOUS PROVISIONS OF THE TOWN CODE AND OF THE UNIFIED DEVELOPMENT CODE RELATING TO TREES.

Tim Wright, Town Attorney, explained this ordinance did not include any substantial changes and that it clarified that if there was a lean and clean the Town would follow the State law.

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

3. **Ordinance No. 832.** Mayor Evans opened the First Reading and Public Hearing concerning Ordinance No. 832 captioned as follows: AN

ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DEANNEXING CERTAIN LAND IN THE SOUTH WEST QUARTER OF SECTION 36 (IN APPROXIMATELY THE EAST 2900 BLOCK OF THE POSEY COURT ALIGNMENT) TO THE TOWN OF STAR VALLEY PURSUANT TO A.R.S. § 9-471.02.

LaRon Garrett, Assistant Town Manager, explained that there was an error in the legal description and the Town of Star Valley had annexed a piece of property that was in Payson.

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

H. UNFINISHED BUSINESS

1. **FY 2013/2014 Budget.** Mayor Evans opened discussion/possible action regarding the FY 2013/2014 Budget, including, but not limited to, potential options for increasing the ending General Fund Balance.

Vice-Mayor Hughes explained how many positions fell into the higher rate of pay category and that the Town had to pay additional money for police officer's and firefighter's retirement. Vice-Mayor Hughes explained some positions were required by State Statute. After the Budget Committee reviewed all options, if the Council wanted to eliminate any positions the only position that fit the criteria was the Fire Marshal.

Council Member Carpenter asked if the Town had to have someone that was an official Fire Marshal. Debra Galbraith, Town Manager, explained somebody had to be designated to do the Fire Marshal's duties, but did not have to be a Fire Marshal.

Mayor Evans addressed some rumors that this meeting was a lashing out at the Fire Marshal because the Mayor and Fire Marshal clashed over many issues. Mayor Evans asked Mr. Lockhart if they had ever had a clash. Mr. Lockhart replied no sir. Mayor Evans stated there was no war between Mr. Lockhart and himself. Mayor Evans noted the second rumor was that Council was trying to dismantle the Fire Department. Mayor Evans stated that was not true and would not happen. Mayor Evans explained the Council was trying to be open about this budget process and had to look beyond the one or two month data and project out where the Town was going and what could be done.

Vice-Mayor Hughes added this was the first year that the Budget Committee had not started off trying to break even. The Town had cut operating services by forty-five percent and this was the first year there was a three percent increase. The Town had to start building up the reserve fund.

Mayor Evans hoped the body would direct the Town Manager to come back at the June 4, 2013 Council meeting with two options; if the Town converted the Fire Marshal position what the financial budget would be or if the duty was assigned to a trained personnel. Council Member Blair asked if it was appropriate for the firefighters to make comments. Mayor Evans noted it was if it was on this agenda subject. Council Member Carpenter would like to take another look at the Paid on Call firefighters at the next meeting.

Mayor Evans asked Vice-Mayor Hughes to run the meeting for a moment.

Motion: to ask the Town Manager to prepare an alternative budget showing the financial impact if the Fire Marshal is eliminated.

Moved by Mayor Kenny J. Evans, seconded by Council Member John Wilson.

Vote: Motion carried 6 - 1

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

No: Council Member Fred Carpenter.

I. NEW BUSINESS

1. * **Council Decision Request.** Council approved, on the Consent Agenda, a Council Decision Request filed by Cameron Davis, Parks, Recreation and Tourism Director, to approve the agreement for facilities use between the Payson Unified School District and the Town of Payson and authorize the Town Manager to sign such agreement.

***CONSENT* APPROVED**

J. CLAIMS

1. * **List of checks.** Council approved, on the Consent Agenda, a list of checks paid from April 25, 2013 through May 9, 2013, Check Nos. 021933 through 022050, and authorization to file the checks for audit.

***CONSENT* APPROVED**

K. MISCELLANEOUS

Items K.1 and K.2 were moved up on the agenda.

L. PUBLIC COMMENTS

Vince Palandri, Firefighter, wanted the public to be aware that the share the employee paid for retirement for being a firefighter also went up and that firefighters did not draw Social Security and had to get by on their pension. The pension was based on the best three years of pay and Mr. Palandri stated that was

four years ago for him. Mr. Palandri wanted to speak for the firefighters and let the public know that the retirement was not that great of a thing everyone thought it was.

Vice-Mayor Hughes noted he was just stating the facts from the budget information. Mr. Palandri responded he wanted to clear the water for people watching the meeting. Mayor Evans noted the Town was contributing more, but so were the employees. Mr. Palandri replied yes.

ADJOURNMENT

Mayor Evans adjourned the meeting at approximately 6:54 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 16 of May, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this ____ day of _____, 2013.

Tracie Bailey, Deputy Town Clerk