

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
September 19, 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

Pastor Gordon Hauptman, Crossroads 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, Tim Wright - Town Attorney, Don Engler - Police Chief, Silvia Smith - Town Clerk, Cameron Davis - Parks, Recreation and Tourism Director, and Emily Linkey - Library Director.

OTHERS PRESENT: Tracie Bailey - Deputy Town Clerk, Tom Fife - Battalion Chief, Hope Cribb - Finance Manager, Nelson Beck - Parks Supervisor, Doni Wilbanks - Planning Technician, Lorenzo Ortiz - Police Detective, Jason Hazelo - Police Sergeant, Nick Bogatko - Police Officer, Garth Linkey - Police Officer, and Michael Hansen - Police Officer.

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 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.

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 weekend was the Arizona high school and junior high rodeo kickoff. This event would bring over four hundred contestants and their families to Payson. It was a free event for people to watch. Next week on September 26th the Fire Ball Run group was having lunch with the Mayor. This show was produced by Universal Studios. It was an eight day, two thousand mile live board game with four teams who competed for bragging rights. The group would bring a community event to Payson for a stop in 2017. Suzy Bogguss would perform at the high school auditorium on September 27th. The tickets were eight dollars at the Parks and Recreation Office or the Chamber of Commerce.

Emily Linkey, Library Director, announced the upcoming library programs. Sherry Engler was having a book signing and there would be a cooking for health class.

Silvia Smith, Town Clerk, announced next Tuesday, September 24th, was National Voter Registration Day. People could go to Town Hall to get a voter registration form or go to the local Records Office and staff would help them register and sign up to be on the permanent early voter list.

Council Member Wilson announced the Friends of Tonto Natural Bridge were having a fundraiser called a Taste at the Bridge on October 19th from 4:00 p.m. to 8:00 p.m. There would be great food, beer and wine. Tickets were fifty dollars per person. There would be parking in Payson or Pine with a buss to bring people down to the bridge.

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.

Mayor Evans presented Hope Cribb, Finance Manager, with an award for the fourteenth year in a row for excellence in financial reporting. This was the highest recognition offered and was a real tribute to staff. Mayor Evans presented the plaque to Ms. Cribb. Ms. Cribb thanked the Mayor and her staff.

2. **Proclamation.** Council Member Blair read into the record a proclamation declaring September 27 through October 4, 2013 as a Week of 24 X 7 Prayer in Payson. Pastor Gordon Hauptman, Crossroads Church, was present to accept the proclamation.

Pastor Hauptman thanked the Council and David Reisdorf, Mountain Bible Church, for making this happen every year.

3. **Proclamation.** Council Member Connell read into the record a proclamation declaring October 2013 as Domestic Violence Awareness Month in Payson. Camille Levee, Executive Director for Time Out Inc., and other members were present to accept the proclamation.

Edna Welshimer thanked the Council and announced Time Out would be doing a walk a mile event at Green Valley Park.

4. **Proclamation.** Council Member Wilson read into the record a proclamation declaring September 22 - 29, 2013 as Payson Old Time Fiddlers' and Acoustic Music Week in Payson. Nelson Beck, Parks Supervisor, was present to accept the proclamation.

Mr. Beck thanked the Council for their continued support and noted the goal was to keep the history going for future generations.

5. **Proclamation.** Mayor Evans read into the record a proclamation declaring September 25, 2013 as First Responder Appreciation Day in Payson. Representatives from the Payson Police Department, Arizona Department of Public Safety, Houston Mesa Fire Department, Hellsgate Fire Department, Native Air, Gila County Sheriff's Department, the Sheriff's Posse and Search and Rescue were present to accept the proclamation.

Mayor Evans thanked all first responders. Sergeant Jason Hazelo thanked the Council and Chief Engler for their support. Mayor Evans hoped this would be a special day of appreciation and he appreciated all first responders.

E. MINUTES

1. *Council Meeting Minutes:

09.05.13Regular Meeting Minutes Pages 1 - 8

***CONSENT* APPROVED**

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:

08.12.13 Regular Meeting Minutes Pages 1 - 4
***CONSENT* INFORMATION ONLY**

3. *Design Review Board Minutes:

08.27.13 Regular Meeting Minutes Pages 203 - 204
***CONSENT* INFORMATION ONLY**

F. HEARINGS AND APPEALS

1. **Special Event Liquor License.** Council approved, on the Consent Agenda, an application for a Special Event Liquor License filed by LeLand Schwein, agent for B.P.O. Elks #2154, for a fundraiser to be held at 1206 N. Beeline Highway, Payson, Arizona, Monday, November 11, 2013, 12:00 Noon to 12:00 Midnight.
***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. 2739.** Council approved, on the Consent Agenda, Resolution No. 2739 captioned as follows: A RESOLUTION OF THE COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A SUBORDINATION AGREEMENT WITH JANET R. WILLIAMS (COMMUNITY DEVELOPMENT BLOCK GRANT LIEN).
***CONSENT* APPROVED**

3. **Ordinance No. 836.** Mayor Evans opened the Second Reading and Public Hearing concerning Ordinance No. 836 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, IMPLEMENTING CONSOLIDATED ELECTIONS (HB2826) RELATED TO THE TERMS OF THE CURRENT MAYOR AND COUNCIL AND HOME RULE (ALTERNATIVE EXPENDITURE LIMITATION) FOR FISCAL YEAR 2014/2015; AND AMENDING THE DEFINITION OF 'A MAJORITY OF VOTES CAST' AS USED IN SECTION 30.07 OF THE TOWN CODE.

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

Motion: to Approve Ordinance No. 836 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, IMPLEMENTING CONSOLIDATED ELECTIONS (HB2826) RELATED TO THE TERMS OF THE CURRENT MAYOR AND COUNCIL AND HOME RULE (ALTERNATIVE EXPENDITURE LIMITATION) FOR FISCAL YEAR 2014/2015; AND AMENDING THE DEFINITION OF 'A MAJORITY OF VOTES CAST' AS USED IN SECTION 30.07 OF THE TOWN CODE.

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.

Mayor Evans believed the Council had received information that as an elected official you cannot promote home rule. The Mayor explained Council Members could promote home rule as an individual, but cautioned them not to use town resources. Tim Wright, Town Attorney, noted he had not sent out the memo yet, but he would send it out in a few days with the Attorney General opinion.

Mayor Evans opened the Second Reading and Public Hearing for Ordinance No. 837 and Ordinance No. 838. There were no public comments. Mayor Evans closed the Second Reading and Public hearing for both ordinances.

4. **Ordinance No. 837.** Second Reading and Public Hearing concerning Ordinance No. 837 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTIONS 10.05 (DEFINITIONS), 10.06 (RULES OF INTERPRETATION), AND 10.99 (GENERAL PENALTY) OF THE TOWN CODE. (PART 1 OF THE SYSTEMATIC CODE REVIEW AND UPDATE)
5. **Ordinance No. 838.** Second Reading and Public Hearing concerning Ordinance No. 838 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTIONS 30.02 (CORPORATE POWERS), 30.03 (DUTIES OF OFFICE), 30.05 (COMPENSATION; OATH AND BOND), 30.07 (COUNCIL ELECTIONS), AND 30.21 (VICE-MAYOR; ACTING MAYOR) OF THE TOWN CODE. (PART 2 OF THE SYSTEMATIC CODE REVIEW AND UPDATE)

Motion: to approve Ordinance No. 837 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTIONS 10.05 (DEFINITIONS), 10.06 (RULES OF INTERPRETATION), AND 10.99 (GENERAL PENALTY) OF THE TOWN CODE. (PART 1 OF THE SYSTEMATIC CODE REVIEW AND UPDATE) and

Ordinance No. 838 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTIONS 30.02 (CORPORATE POWERS), 30.03 (DUTIES OF OFFICE), 30.05 (COMPENSATION; OATH AND BOND), 30.07 (COUNCIL ELECTIONS), AND 30.21 (VICE-MAYOR; ACTING MAYOR) OF THE TOWN CODE. (PART 2 OF THE SYSTEMATIC CODE REVIEW AND UPDATE)
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.

H. UNFINISHED BUSINESS

1. There were no items in this section.

I. NEW BUSINESS

1. There were no items in this section.

J. CLAIMS

1. * **List of checks.** Council approved, on the Consent Agenda, a list of checks paid from August 30, 2013 through August 30, 2013, Check Nos. 023237 through 023362, 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 6:08 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 September, 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