

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
May 1, 2014**

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 Rich Richey, Church of the Nazarene.

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, Cameron Davis - Parks, Recreation and Tourism Director, and Emily Linkey - Library Director.

OTHERS PRESENT: Tracie Bailey - Deputy Town Clerk, Ray LaHaye - Chief Building Official, Police Sergeant Joni Varga, Detective Lorenzo Ortiz, Detective Matt Van Camp, Detective Michael Varga, Police Officer Nicholas Bogatko, Police Officer Paul Snyder, Battalion Chief Dan Bramble, Captain Jerome Lubetz, Engineer Tyler Cline, and Fire Fighter David Ahl.

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 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.

Don Engler, Police Chief, announced the Fire Chief position has been accepted by David Staub the Fire Chief for Pine/Strawberry, Arizona. Chief Engler noted an officer had stopped an individual who had committed a traffic violation on his bike. The officer investigated the individual and asked for the individuals name. The individual gave the officer a fictitious birth date. The officer then finger printed the individual with the Police Department's new portable finger print machine. The individual had felony warrants and had failed to register as a sex offender. Chief Engler commended Officer McAnerny for his good police work.

Emily Linkey, Library Director, announced the Northern Gila County Science Fair was May 3, 2014 from 9:00 a.m. to Noon.

Cameron Davis, Parks, Recreation and Tourism Director, announced the Wildlife Fair was May 10, 2014 at Green Valley Park. The Gary Hardt Memorial Rodeo was May 16 and 17, 2014 at the Event Center. The Band of Brothers group was doing a music tour May 23 - 25, 2014 at the Event Center to help veterans with suicide prevention. There were twenty bands booked for this event. Annual registration for the Spring Triathlon was open now and the 2nd Annual Mogollon Monster Mudda was June 7, 2014. The Monster Truck Night of Fire would close out the Mountain High Games. The Summer Concert Series was booked.

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 moved Item D.5 up on the agenda.

5. **Proclamation.** Council Member Carpenter Read into the record a proclamation declaring Sunday, May 25th and Monday May 26th, 2014 as Memorial Days: Never Forget, Ever Honor. Kathy Siler was present to accept the proclamation.

Kathy Siler thanked the Council. Ms. Siler was the Theater Arts Teacher at the high school and served on the Patriotic Events Committee. Ms. Siler greatly appreciated the Council's support and encouraged students to get involved in Patriotic Events. November 11, 2014 was the Memorial Celebration at the high school auditorium. Cheryl Lola-Pope, a senior at Payson High School, valued her freedom and was greatfull to the Council for the recognition. Emmerson Carr, a freshman at Payson High School, spoke about the flag and what it meant. Mayor Evans invited everyone to go see the Patriotic Events in Payson.

2. **Proclamation.** Council Member Wilson read into the record a proclamation declaring May 15 - 17, 2014 as Payson Western Wear Days. John Landino and members of the Payson Rodeo Committee were present to accept the proclamation.

John Landino thanked the Council for recognizing the Rodeo Committee. The Rodeo Committee raised scholarships for local students based on need. Mr. Landino asked Mr. Davis for information on the Band of Brothers. Saturday night was Patriot Night and Mr. Landino would like to announce the Band of Brothers event at the rodeo. The Rodeo Queen State Contest was the same week.

3. **Proclamation.** Council Member Croy read into the record a proclamation declaring May 2014 as Mental Health Month in Payson. Monika Weldon, Program Director of Southwest Behavioral Health Services, was present to accept the proclamation.

Monica Weldon thanked the Council and invited everyone to come to the Open House at the Empowerment Center, 107 E. Aero Drive, on May 9, 2014 from 9:00 a.m. to 2:00 p.m.

4. **Proclamation.** Mayor Evans read into the record a proclamation declaring May 18 - 24, 2014 as Emergency Medical Services week. Carl Valenti, Director of Emergency Services, and Mike Ward, EMS Coordinator, of Payson Regional Medical Center, were present to accept the proclamation.

Carl Valenti and Mike Ward thanked the Council and acknowledged EMS providers in the community. Mr. Valenti and Mr. Ward appreciated the Council honoring EMS providers and presented the proclamation to Dan Bramble, Battalion Chief. Mayor Evans thanked all EMS providers for their service.

6. **Proclamation.** Vice-Mayor Hughes read into the record a proclamation declaring May 11 - 17, 2014 as Police Week and May 15, 2014

as Peace Officers' Memorial Day. Payson Police Chief Don Engler and officers with the Gila County Sheriff's Department, Department of Public Safety, Arizona Game and Fish, and the Tonto Apache Tribe were present to accept the proclamation.

Mayor Evans was thrilled to have the quality of public safety we had in this community and appreciated their service. Chief Engler thanked the Council.

7. **Proclamation.** Council Member Blair read into the record a proclamation declaring May 4 - 10, 2014 as Public Service Recognition Week in Payson. Beverly Disbrow, Secretary for NARFE Chapter 1235, was present to accept the proclamation.

Beverly Disbrow thanked the Council and appreciated the proclamation. Mayor Evans thanked staff for their public service.

E. MINUTES

1. *Council Meeting Minutes:

04.17.14Regular Council Meeting Minutes Pages 1 - 10
***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:

03.10.14Regular Meeting Minutes Pages 1 - 3
***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 Leland Schwein agent for the Payson Elks Lodge #2154 for a fundraiser to be held at 1206 North Beeline Highway, Payson, Arizona, Saturday, June 7, 2014, 12:00 Noon to 12:00 Midnight.
***CONSENT* APPROVED**

G. RESOLUTIONS AND ORDINANCES

1. ***Resolution No. 2777.** Council approved, on the Consent Agenda, Resolution No. 2777 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING THE DRAINAGE EASEMENT IN THE 1700 BLOCK OF WEST PILOT AS DESCRIBED IN THE DOCUMENT

ATTACHED HERETO AS EXHIBIT "1".

***CONSENT* APPROVED**

2. **First Public Hearing** re: Replacement Development Impact Fees.
 - A. Amendments to Chapter 155 of the Town Code and Repealing Admin. Policies.

Resolution No. 2774 - A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING CHAPTER 155: DEVELOPMENT IMPACT FEES OF PAYSON TOWN CODE AND DECLARING SUCH AMENDMENTS TO BE A PUBLIC RECORD.

Ordinance No. 847 - AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING CHAPTER 155 OF THE PAYSON TOWN CODE FROM THE INTERNATIONAL RESIDENTIAL CODE TO DEVELOPMENT IMPACT FEES AND ADOPTING SUCH AMENDMENTS BY REFERENCE. (REPLACEMENT DEVELOPMENT IMPACT FEES).
 - B. Adopting Specific Development Impact Fees.

Ordinance No. 848 - AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADOPTING APPENDICES TO CHAPTER 155 OF THE PAYSON TOWN CODE SETTING THE AMOUNT OF DEVELOPMENT IMPACT FEES. A

Note: As this is a First Public Hearing no action is anticipated; adoption of Resolution 2774, Ordinance 847 and Ordinance 848 is scheduled for May 15, 2014.

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

Council Member Carpenter asked if the Council adopted the maximum water development fee would it still be less. Tim Wright, Town Attorney, responded yes, about a thousand dollars less.

Mayor Evans noted the fees became difficult to administer and hard to track. Mayor Evans closed the Public Hearing.

H. UNFINISHED BUSINESS

1. There were no items in this section.

I. NEW BUSINESS

1. ***Council Decision Request.** Council approved, on the Consent Agenda, a Council Decision Request to approve the subdivision construction of the Mazatzal Mountain Air Park Unit 4 Subdivision, including the traffic control devices, subject to the developer's two year warranty of public improvements

and to accept the public subdivision improvements for Town maintenance under such warranty.

***CONSENT* APPROVED**

2. **Discussion/possible action regarding the 2011 National Electrical Code.**
Note - It was not anticipated that the Council would take final action on the 2011 National Electrical Code. It was anticipated that following the review of all of the construction codes, the Council would consider an Ordinance adopting and/or updating each of the Town's construction codes.

Ray LaHaye, Chief Building Official, discussed the most significant changes that affected Payson. Habitable attics were now required to have smoke alarms. Mayor Evans asked what habitable meant. Mr. LaHaye replied that would be a finished attic.

Mr. LaHaye went over smoke detection systems and carbon monoxide detectors as well as lighting systems, location of overcurrent devices, outdoor outlets, foyer receptacles, GFCI protection and arc-fault protection. Mr. LaHaye believed these items were the most impactful.

Vice-Mayor Hughes asked how it worked if Council adopted this Code and the Energy Code. Mr. LaHaye replied staff could make changes to the other document if needed.

Council Member Carpenter asked if non LED bulbs could be used. Mr. LaHaye replied yes. Council Member Carpenter asked if the Board had gone through this. Mr. LaHaye replied yes, the Board spent two days going through it.

Mayor Evans reminded everyone the Council would vote on this in August.

J. CLAIMS

1. ***List of checks.** Council approved, on the Consent Agenda, a List of checks paid from April 11, 2014 through April 11, 2014, Check Nos. 025794 through 025932, 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 6:31 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 1 of May, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this ____ day of _____, 2014.

Tracie Bailey, Deputy Town Clerk