

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
May 15, 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

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, Hope Cribb - Finance Manager, Sheila Deschaaf - Zoning Administrator, Kaprice Bachtell - Recreation Coordinator, Angie Newbold - Recreation Coordinator, and Courtney Spawn - Recreation Coordinator.

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

Mayoral Candidate Randy Roberson has lived in Payson for 34 years and has been following the Town's water conservation efforts. Mr. Roberson was concerned that Resolution 2767, that would allow outdoor swimming pools to be built, would hurt the Town's water conservation efforts. Mr. Roberson had discovered that this went into effect this Saturday and would allow residents to have outdoor pools. Mr. Roberson felt it was important to point out this error of interpretation and asked the Council to reconsider this. Mr. Roberson believed allowing pools with limited water was highly irresponsible.

Jimmy Johnson operated the Journigan House Restaurant with his wife and was President of the Wolves Motorcycle Club which was a private motorcycle club. Mr. Johnson was disappointed that a member of the Council was insinuating the Club was associated with criminals. Mr. Johnson stated this was not true and members had to be drug free and were required to participate in fundraising events. New members had to be sponsored by a member. Mr. Johnson felt the

Wolves represented positive growth for the community and asked the Council to end the negative speculation. Mr. Johnson thanked the Council.

Edwin Hollywood-Hollyoak wanted to continue the positivity between the Council and this motorcycle club. Mr. Hollyoak hoped to have a motorcycle rally in Payson to bring in revenue. Mr. Hollyoak explained the Club did motorcycle safety and awareness booths and was not an outlaw club. The Club was trying to gain comradeship among groups in the community. Mr. Hollyoak thanked the Council.

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.

Mayor Evans invited Donna Moore to come forward. Ms. Moore was a teacher at Julia Randall Elementary School and acknowledged several students who had participated in a ten week State fitness program called Operation Tone-up. The students learned about nutrition and what foods to eat. The students competed in physical and knowledge based competitions and had walked away with the State Championship. Ms. Moore asked the Council to support the students who would now compete in the National Championship. Student Aspen Harrison felt doing the practice had given them a lot of strength and she had learned a lot about nutrition. Student Alyssa Boerst had learned a lot about nutrition and what to eat. Ms. Moore introduced all of the students (Aspen Harrison, DJ Pedler, Alyssa Boerst, Logan Alexander, Mariah Hintze, and Autumn Lynch) and noted they would fly out on Thursday and compete in California on Friday. Ms. Moore thanked the Council. Mayor Evans thanked Ms. Moore and encouraged the students to do their best.

- 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.

Cameron Davis, Parks, Recreation and Tourism Director, announced the Spring Rodeo started this evening. Friday night was Tough Enough to Wear Pink Night and Saturday night was Patriotic Night. The following week was the Sprint Triathlon at Rumsey Park. The Band of Brother's Festival May 23rd - 25th would have 23 bands and the Arizona Cardinal's Cheerleaders. The Mogollon Monster Mudda had 236 people registered so far, there was room for 500 runners. The evening of June 7th was the Monster Truck Night of Fire show. The Fourth of July would be a two day event at Green Valley Park. The Arizona High School Rodeo Finals were the second week in June.

Mr. Davis introduced the two new employees at the Parks and Recreation Department. Angie Newbold was the new Event Center Coordinator and was doing a great job. Ms. Newbold stated she has lived in Payson for ten years and came to Payson with her husband who was from Payson. Ms. Newbold has worked on several different ranches in Arizona and was currently on the Young Arizona Farmers Association. Ms. Newbold was excited to work for the community. Courtney Spawn came to Payson from Nebraska and was the new Youth and Adult Sports Coordinator. Mr. Davis was impressed with her work. Ms. Spawn stated she had finished her Masters Degree in Nebraska and had grow up playing sports. Ms. Spawn had a lot of experience in officiating and was excited to have the opportunity to work for Payson.

Council Member Blair asked how could 500 people run in the mudder. Mr. Davis explained runners would go out in heats of 50 every 15 minutes. Mayor Evans asked where the runners ended up. Mr. Davis replied the race ended in the Event Center's big arena.

Council Member Carpenter announced he has been involved in a Citizens Committee to help fire wise the community. Mr. Carpenter gave a report on the Committee's activities and would have recommendations for Council in early June.

Council Member Connell complimented Mr. Davis on getting all of the bands for the Band of Brothers event and thanked him for bringing them to Payson. Mayor Evans reminded everyone about the Memorial Day Celebration and encouraged everyone to attend.

E. MINUTES

1. *Council Meeting Minutes:

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***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.)

1. There were no items in this section.

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 John Wilson agent for the Friends of Payson Parks and Recreation, Inc. for a fundraiser to be held at 1400 South Beeline Highway, Payson, Arizona, Friday, June 6, 2014, 3:00 p.m. to 8:00 p.m. and Saturday, June 7, 2014, 7:00 a.m. to 11:00 p.m. (Note: due to a perceived and/or conflict of interest, Council Member Wilson will be considered to have abstained from voting on this item). (Application is on file in the Town Clerk's office.)
***CONSENT* APPROVED**

G. RESOLUTIONS AND ORDINANCES

1. Discussion/possible action re: **Intergovernmental agreements with the Arizona Department of Transportation (ADOT).**
 - A. **RESOLUTION No. 2778** - A RESOLUTION OF THE PAYSON TOWN COUNCIL, APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA (DEPARTMENT OF TRANSPORTATION) FOR STRIPING UPGRADES ON COLLECTOR STREETS AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.
 - B. **RESOLUTION No. 2779** - A RESOLUTION OF THE PAYSON TOWN COUNCIL, APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA (DEPARTMENT OF TRANSPORTATION) FOR THE REPLACEMENT OF ROADWAY WARNING SIGNS AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.

Mayor Evans opened discussion on Resolution No. 2778 and Resolution No. 2779. LaRon Garrett, Assistant Town Manager, explained these resolutions were for two new highway safety grants. Resolution 2778 provided the money to put striping on collector streets and Resolution 2779 would complete the warning signs replacement project. Mayor Evans asked if the

two new streets would be collector streets and would be striped. Mr. Garrett replied no because they were not in existence yet. The striping for both of those streets would be covered in the construction.

Motion: to Approve Resolution No. 2778 captioned as follows: A RESOLUTION OF THE PAYSON TOWN COUNCIL, APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA (DEPARTMENT OF TRANSPORTATION) FOR STRIPING UPGRADES ON COLLECTOR STREETS AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.

and

Resolution No. 2779 captioned as follows: A RESOLUTION OF THE PAYSON TOWN COUNCIL, APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA (DEPARTMENT OF TRANSPORTATION) FOR THE REPLACEMENT OF ROADWAY WARNING SIGNS AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.

Moved by Council Member Ed Blair, 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.

2. Second Public Hearing re: **Replacement Development Impact Fees.**

A. **Amendments to Chapter 155 of the Town Code.**

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.

Mayor Evans opened the Second Public Hearing regarding Replacement Development Impact Fees. There were no public comments. The Mayor closed the Public Hearing.

Motion: to Approve Resolution No. 2774 captioned as follows: 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.

and

Ordinance No. 847 captioned as follows: 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).

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.

Motion: to Approve Ordinance No. 848 captioned as follows: 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 with only exhibit A, Replacement Water Development Impact Fees.

Moved by Council Member Su Connell, seconded by Council Member Fred Carpenter.

Tim Wright, Town Attorney, explained only section one, the Replacement Water Development Fees and the effective date would be approved. Sections 2, 3, 4 and 5 would be eliminated. Mayor Evans asked what the affect of the motion was. Mr. Wright explained there were different calculaitons and it would be reduced by approximately \$20,000. Currently the Town has a public safety fee, parks fee, and a streets fee that only applied to residential. Mr. Wright noted Council Member Connell's motion did not include those fees for any commercial development.

Council Member Croy agreed with the motion and explained that the other fees, if adopted, would have to be monitored over a long period of time and

that would cost more than potentially the stimulus that the fees might have created and the fees could only be spent on certain projects.

Council Member Blair asked if the police, parks and streets fees were not collected what impact would it have. Debra Galbraith, Town Manager, noted another change was that with the new legislation only specific projects could be done and the Town would have to have enough money to finish the project within a certain time limit and if the project was not finished the Town might have to give refunds. Council Member Blair believed computers could be used to track the fees and asked if someone contributed to a certain area could the fees be used somewhere else. Ms. Galbraith replied no, it had to be listed where the fee came from and the fee could only be used in that area. Council Member Blair asked what the Town lost if the other replacement fees were not adopted. Mayor Evans noted there had been a detailed presentation on the numbers and the Town could lose tens of thousands of dollars and tracking the fees could cost hundreds of thousands of dollars. The fees would be so difficult to track that it was more expensive to track the fees than use the money. Ms. Galbraith noted the Town also had to keep track of the interest and may have to go back ten years to track the interest. The interest rate for each project had to be tracked.

Mr. Wright explained that if the Town started a project and built a tenth of a part of a street, but did not finish the street because there was not enough money to finish it in the time limit the Town might get refund requests and all the time the Finance Department had to track the fee. Ms. Galbraith explained refunds were based on the address and the Finance Department would have to verify that was the person who was the owner at that address.

Council Member Carpenter noted collections in non-water fees were minimal, but the water impact fees have been significant. Council Member Croy noted the C. C. Cragin Project would be built and was much easier to track. Mr. Wright explained C. C. Cragin was a much different project. Council Member Wilson noted C. C. Cragin also had a definite completion time.

Council Member Blair asked how soon the money had to be spent to build Manzanita Street. Mr. Wright replied the statute was unclear. Council Member Blair noted he would vote against this because he did not like what the State Legislature was doing to the Town. Mayor Evans called for the vote.

Vote: Motion carried 6 - 1

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

No: Council Member Ed Blair.

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 filed by Cameron Davis, Parks, Recreation and Tourism Director, to approve the fireworks display contract in the amount of \$20,000 with FPA for the annual fireworks display at Green Valley Park.
***CONSENT* APPROVED**
2. ***Council Decision Request.** Council approved, on the Consent Agenda, a Council Decision Request filed by Silvia Smith, Town Clerk, to cancel the Special Council Meeting scheduled on May 20, 2014.
***CONSENT* APPROVED**

J. CLAIMS

1. ***List of checks.** Council approved, on the Consent Agenda, a list of checks paid from April 25, 2014 through April 25, 2014, Check Nos. 025942 through 026054, and authorization to file the checks for audit.
***CONSENT* APPROVED**

K. MISCELLANEOUS

1. There were no items in this section.

L. PUBLIC COMMENTS

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 15 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