

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
June 5, 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

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, Emily Linkey - Library Director, and David Staub - Fire Chief.

Council Member Ed Blair was present telephonically.

OTHERS PRESENT: Tracie Bailey - Deputy Town Clerk and Ray LaHaye - Chief Building Official.

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

Margie Oldenkamp was awarded the fuel contract at the airport last year and wanted to give the Council an update. Ms. Oldenkamp noted they were only down three days last year and appreciated all of the help from the Fire department. Mayor Evans thanked Ms. Oldenkamp for the service she was providing.

Len Little opposed the off highway vehicle (OHV) camp that would be at the Houston Mesa Horse Camp on the southern side. Mr. Little believed it was designed to be a horse camp and asked Council to take this on. Mr. Little felt there was no representation for the camp. He lived directly behind the horse camp and there were already off road vehicles there. Mr. Little asked the Council to represent the residents that lived near the horse camp and ask the Forest Service to review this.

Mayor Evans amended the agenda and moved discussion of Item I.4, the Forest Service Proposal for the use of Houston Mesa Campground, up on the agenda. Mayor Evans had met with County Supervisor Tomi Martin and had sent a draft letter of issues he believed had not been addressed to the rest of the Council. Mayor

JUN 19 2014 E-1*

Evans explained the law had a structured way the project had to be evaluated. In his discussion with the Forest Service they did listen to alternatives and indicated they had a structured plan they had to follow. The Forest Service had to evaluate all options from public input to environmental issues. All of the pieces submitted to the Forest Service in writing had to be addressed and it may take them until October to respond to those issues. Mayor Evans had suggested the Forest Service use the Jim Jones access road to the south of town or along the Doll Baby Ranch Road to the west of town. Options on the north side of town included one or more of the construction staging sites along Houston Mesa Road for the C. C. Cragin Pipeline. The Forest Service had acknowledged all of the input and had to take all of the comments as a body and then score them and do a report. Then there would be an opportunity for additional input.

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.

Emily Linkey, Library Director, encouraged everyone with children to come to the library for the summer children's programs.

Don Engler, Police Chief, introduced the new Fire Chief, David Staub, and gave a brief background on Chief Staub. Chief Staub was very happy to move here and loved the town. Mayor Evans welcomed Chief Staub aboard.

Cameron Davis, Parks, Recreation and Tourism Director, announced the Mogollon Monster Mud Run was this weekend and had over 400 people signed up. It would kick off Saturday morning at 9:00 a.m. There was a police vs fire run Friday night. You could bring a can of food and cheer on your local heroes Friday night. The monster truck show was cancelled due to mechanical issues. There would be a summer concert series on Saturday

night. The Fourth of July event was coming up it would be expanded to July 4th and 5th. Mayor Evans noted this weekend the Any Time High School Leaders from around the State of Arizona were meeting in Payson.

LaRon Garrett, Assistant Town Manager, reported the signs for the sign grant the Town had accepted three years ago with no matching funds had arrived and the Street Department would start putting them up on Monday. The street name signs were ordered. Debra Galbraith, Town Manager, asked how many signs there were. Mr. Garrett replied about 3,500 signs. Council Member Carpenter asked if people would notice alot of difference. Mr. Garrett replied yes, there were some very faded signs and the new standard was to have highly reflective signs. Mr. Garrett noted the old sings would be saved if they were in good shape, if they were not they would be sold for scrap. Mayor Evans asked if the old signs could be used for trail signs. Mr. Garrett believed that would not be cost effective.

Council Member Connell asked everyone to remember it was the 70th anniversary of D Day and to please fly your flag and think of all soldiers.

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.
2. **Proclamation.** Council Member Connell read into the record a proclamation declaring June 2014 as Wildfire Awareness and Prevention Month throughout Payson. Suzy Tubbs, Payson Fire Wise Committee Chairperson, was present to accept the proclamation.

Ms. Tubbs thanked the Council

3. **Report by Suzy Tubbs, Payson Fire Wise Committee Chairperson.**

Ms. Tubbs introduced her committee and thanked the Mayor and Council. Ms. Tubbs was the Association Manager for the Rim Golf Community Home Owners Association. Ms. Tubbs gave a Power Point presentation on education, implementation and fuel reduction to fire wise a community. Ms. Tubbs asked Council Member Carpenter if the Committee could do a fire wise assessment on his property. Council Member Carpenter replied yes. The Committee recommended adopting the 2012 WUI Code Building Components with amendments and to revisit the Building Components in 18 months and schedule a Fire Smart Education Day. Ms. Tubbs encouraged the

Council to implement these ideas. Mayor Evans thanked Ms. Tubbs for her efforts. Marguerite Kelly, Committee Member, stated fire smart was preparing your property and the Town needed to deal with the problem.

Council Member Carpenter thanked Ms. Tubbs for her hard work and noted she has made tremendous strides in the Rim Club. Mayor Evans noted there were five fire wise communities in town and there were some fire wise home owners associations. The difference was that the Rim Club has maintained their fire wise status. Mayor Evans believed this should be a long term, sustained program and that it was an ongoing cultural shift for the community.

E. MINUTES

1. * Council Meeting Minutes:

05.06.14Special Meeting Minutes Pages 1 - 4

05.15.14Regular Meeting Minutes Pages 1 - 9

***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. *Parks and Recreation Commission Meeting Minutes:

01.15.14Regular Meeting Minutes Pages 1 - 3

***CONSENT* INFORMATION ONLY**

F. HEARINGS AND APPEALS

1. **Public Hearing** concerning an application for a Series 12 Liquor License filed by Amy Nations, agent for Native New Yorker Restaurant, 210 E. Highway 260, Payson, Arizona.

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

Motion: to Approve the application for a Series 12 Liquor License filed by Amy Nations, agent for Native New Yorker Restaurant, 210 E. Highway 260, Payson, Arizona.

Moved by Council Member John Wilson, seconded by Council Member Richard Croy.

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.

G. RESOLUTIONS AND ORDINANCES

1. ***Resolution No. 2783.** Council approved, on the Consent Agenda, Resolution No. 2783 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA GAME AND FISH COMMISSION RELATING TO THE STOCKING OF FISH IN THE GREEN VALLEY LAKES.
***CONSENT* APPROVED**
2. **Resolution No. 2788.** Mayor Evans opened discussion/possible action concerning Resolution No. 2788 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO SIGN THE FIRST AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA FOR DESIGN OF THE EAST BONITA STREET PROJECT.

LaRon Garrett, Assistant Town Manager, explained this resolution asked for more money. Council Member Carpenter asked if this was not just for the design. Mr. Garrett replied no.

Motion: to Approve Resolution No. 2788 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO SIGN THE FIRST AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA FOR DESIGN OF THE EAST BONITA STREET PROJECT. 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.

3. **Ordinance No. 849.** First Public Hearing regarding Ordinance No. 849 captioned as follows: AN ORDINANCE OF THE MAYOR AND COUNCIL OF PAYSON, ARIZONA, AMENDING CHAPTER 95 (AIRPORT) OF THE TOWN CODE RELATING TO THROUGH THE FENCE ACCESS TO THE AIRPORT.
4. **Ordinance No. 850.** First Public Hearing regarding Ordinance No. 850 captioned as follows: AN ORDINANCE OF THE MAYOR AND TOWN

COUNCIL OF PAYSON, ARIZONA, INCORPORATING THE TOWN'S UNIFIED DEVELOPMENT CODE INTO THE MAIN TOWN CODE COMPILATION.

Mayor Evans opened the First Public Hearing for Ordinance No. 849 and Ordinance No. 850. There were no public comments. Mayor Evans closed both Public Hearings.

H. UNFINISHED BUSINESS

1. There were no items in this section.

I. NEW BUSINESS

Mayor Evans moved Item I.2 up on the agenda.

2. **Discussion/possible action re: Fire Smart Program for the Town of Payson.**

Motion: to accept the Payson Fire Smart Committee's report and move forward with the Committee's recommendations.

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

Mayor Evans asked Ms. Tubbs to bring the date for the education program to the Council at the June 19, 2014 Council meeting. Ms. Tubbs replied she would do that. Mayor Evans noted with that amendment the Council would accept the report and the recommendations of that report. Council Member Blair did not have the amendments to the Wildland Urban Interface (WUI) Code and asked where the amendments were. Mayor Evans explained the recommendation was that the Town would accept the Wildland Urban Interface (WUI) Code as it related to vegetation and that the Council would schedule a time to review the rest of the WUI report in eighteen month. Ms. Tubbs confirmed that was correct. Tim Wright, Town Attorney, explained that procedurally the Council would not move forward on the WUI Code tonight, but when staff brought back a compilation of the codes staff would prepare a version of the WUI Code. Mayor Evans called for the vote.

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 moved Item I.4 up on the agenda.

4. **Discussion/possible action re: the Forest Service Proposal for the use of the Houston Mesa Campground.**

Mayor Evans explained this item was based on the Town of Payson sending the Forest Service a written letter. Mayor Evans read the issues from the letter. Council Member Blair felt the Mayor did a fine job and thanked Mayor Evans. Council Member Connell asked if the Mayor's letter would go out tomorrow because it was the deadline and asked everyone to hand deliver any letters to the Payson Ranger Station on Highway 260. Mayor Evans responded he would e-mail the letter directly to the site on the notice. The Forest Service was required to consider the points people raised.

Council Member Carpenter noted the Forest Service had to consider the impact to vulnerable populations. Council Member Blair asked the Mayor to state the e-mail address. Mary Little believed the e-mail was comments-southwestern-tonto-payson@fs.fed.us Tim Wright, Town Attorney, confirmed that was the e-mail address. Vice-Mayor Hughes confirmed comments was plural. Council Member Croy asked if the Council should take official action with a motion. Mayor Evans stated he needed authorization from the Council to direct the Mayor to write a letter to the Forest Service as the official position of the Town, including the points read earlier, and to e-mail it to the Forest Service.

Motion: to direct the Mayor to write a letter to the Forest Service as the official position of the Town, including the points read earlier, and to e-mail the letter to the Forest Service.
Moved by Council Member Richard Croy, 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.

Francis Fork asked if residents and concerned citizens would be informed as to any information on the progress and how they would be informed. Mayor Evans explained the Forest Service had to accept all comments before they could comment back. If you were on the list you would automatically be responded to and it could take six to eight weeks. It could be August to October before the Forest Service had a statement ready. The Town of Payson would be a respondent with this letter. Council Member Wilson noted the response would come from the Forest Service as an official announcement and you had to look through that to see if they answered your comment. Mayor Evans explained the Forest Service would identify all the items and group them into different concerns. Ms. Fork was concerned because a lot of people did not know about the project. Mayor Evans encouraged Ms. Fork to look at Ms. Little's response.

Mary Little thanked the Council for addressing this issue and thanked the Council on behalf of the citizens of Payson.

1. **Discussion/possible action regarding construction code updates:**

(A) The 2012 International Fuel Gas Code.

(B) The 2012 International Plumbing Code.

(C) The 2012 International Mechanical Code.

Note - It was not anticipated that the Council would take final action at this meeting on these codes. 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.

Mayor Evans explained the Council was going through the entire code book and would act on all codes sometime in early fall. Ray LaHaye, Chief Building Official, went over the 2012 International Fuel Gas Code, International Plumbing Code and Mechanical Code significant changes. Mayor Evans asked if the pool cover was for evaporation and believed that with no cover on the pools with solar energy that would then be wasting water. Mr. LaHaye would take that section back to the Building Advisory Board. Council Member Carpenter asked what huffing was. Mr. LaHaye replied it was breathing the refrigerant in to get high. The locking mechanism on outdoor refrigerant loops would stop that. Mayor Evans noted Payson had a lot of homes with sub floors that use the sub flooring and asked if that would be ok. Mr. LaHaye replied not on the exterior walls. Mayor Evans asked what was the rationale behind gas piping going into the house above ground then being run underneath concrete under the house. Mr. LaHaye believed it was because of the venting requirement to let the unburned gas escape.

Council Member Carpenter asked if the Building Advisory Board adopted all of these changes unanimously. Mr. LaHaye replied yes.

Bob Dailey believed that these new codes added twenty percent to the cost to build his new home so he decided not to build it. Mr. Dailey asked the Council to take another look at this.

3. ***Council Decision Request.** Council approved, on the Consent Agenda, a Council Decision Request filed by LaRon Garrett, Assistant Town Manager, to approve the Amended Final Plat for Dwelling Units 53 thru 56 and Tract B for Northwoods, A Condominium.

***CONSENT* APPROVED**

J. CLAIMS

1. ***List of checks.** Council approved, on the Consent Agenda, a list of checks paid from May 9, 2014 through May 23, 2014, Check Nos. 026055 through 026340, **except check number 026133** and authorization to file the

checks for audit.

***CONSENT* APPROVED**

- 2. ***Check No. 026133.** Council approved, on the Consent Agenda, Check No. 026133 and authorization to file the check for audit. (Note: due to a perceived and/or conflict of interest, Council Member Carpenter was considered to have abstained from voting on this item).

***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 7:06 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 5 of June, 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