

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
June 19, 2014**

CALL TO ORDER

Mayor Evans called the meeting to order at approximately 5:36 p.m. in the Town Hall Council Chambers, 303 North Beeline Highway, Payson, Arizona.

INVOCATION

Kay Houghton, Church of Jesus Christ of Latter Day Saints.

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.

OTHERS PRESENT: Tracie Bailey - Deputy Town Clerk, Sheila DeSchaaf - Zoning Administrator, Hope Cribb - Finance Manager and Tammy Enlow - Budget Analyst.

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

Jack Thein represented many residents of Forest Park and gave Council Members a handout regarding the Timber Ridge Development. Mr. Thein believed he had discovered an oversight in the plan and was concerned that the potential for increased project density would make Forest Park Drive become a cut through street. This street also had a lot of pedestrian traffic and Mr. Thein felt to add 720 vehicle trips to this street would be a mistake.

Bob Hershberger stated he supported everything Mr. Thein had said and asked the Council to consider his recommendations. Mayor Evans thanked Mr. Thein for the photos.

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.

Council Member Croy pulled Items G.1, G.2, and G.3 from the Consent Agenda.

Motion: to approve all items listed on the Consent Agenda except Items G.1, G.2, and G.3.

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.

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, introduced the new Payson Area Advisory Youth Council (PAAYC) members and thanked the Council. Mayor Evans thanked the new members for their service and felt this was a great group. Council Member Connell noted it has been fun to watch the kids mature and grow.

Cameron Davis, Parks Recreation and Tourism Director, reminded everyone the summer concert series were every weekend. The July 4th and 5th celebration would have busses running from Payson High School. There would also be a patriotic event at the war memorial. The High School Rodeo Finals were successful and it was the largest finals event yet.

Council Member Carpenter gave an update on the Fire Smart Committee. October 11, 2014 would be Payson Firewise Day at Rumsey Park.

Mayor Evans noted the all America's Apache Tribal Summit was in Payson last weekend and had gone off well with 350 people attending.

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 Carpenter read into the record a proclamation declaring June 23 - 29, 2014 as Amateur Radio Week. John Swenson, President of the Tonto Amateur Radio Association, was present to accept the proclamation.

John Swenson appreciated the proclamation and thanked the Council. Mr. Swenson invited everyone to stop by Rumsey Park Saturday to see radios in operation. Mayor Evans thanked Mr. Swenson.

E. MINUTES

1. ***Council Meeting Minutes:**

06.03.14Special Meeting Minutes Pages 1 - 4

06.05.14Regular 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. ***Planning and Zoning Commission Minutes:**

04.14.14Regular 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 Joanne Conlin agent for the Payson Multipurpose Senior Center Development Association, Inc. for a fundraiser to be held at 514 W. Main St., Payson, Arizona, Saturday, August 2, 2014, 4:00 p.m. to 6:00 p.m.
***CONSENT* APPROVED**

G. RESOLUTIONS AND ORDINANCES

1. ***Resolution No. 2784.** Mayor Evans opened discussion/possible action concerning Resolution No. 2784 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH PAYSON CHAMBER OF COMMERCE, INC., FOR DISBURSEMENT OF PUBLIC PURPOSE FUNDS.
Pulled from consent approval.

Council Member Croy asked Debra Galbraith, Town Manager, to give a summary of what this was and what the Chamber would do with the funds.

Ms. Galbraith asked Hope Cribb, Finance Manager, to give the details. Ms. Cribb noted this went back as far as 2010 and the Chamber promoted the Town. Mayor Evans responded the Chamber promoted businesses in Town and it was the Town's voice in knowing what the community needed. Council Member Connell was the liaison with the Chamber and gave a brief background on what the Chamber did and how many new businesses have joined. Council Member Blair had read that the Chamber had to be out of the building and asked when it would move. Tim Wright, Town Attorney, explained that was not on the agenda and could not be discussed. Mr. Wright gave a brief overview of the contracts with the non profits. Council Member Croy believed that all three of the non-profits did a fine job and wanted to bring that to light.

Motion: to Approve Resolution No. 2784 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH PAYSON CHAMBER OF COMMERCE, INC., FOR DISBURSEMENT OF PUBLIC PURPOSE FUNDS.

Moved by Council Member Richard Croy, 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.

2. ***Resolution No. 2785.** Mayor Evans opened discussion/possible action concerning Resolution No. 2785 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE HUMANE SOCIETY OF CENTRAL ARIZONA, INC., FOR FISCAL YEAR 2014-2015.
Pulled from consent approval.

Motion: to Approve Resolution No. 2785 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE HUMANE SOCIETY OF CENTRAL ARIZONA, INC., FOR FISCAL YEAR 2014-2015.

Moved by Council Member Ed Blair, seconded by Council Member John Wilson.

Council Member Croy felt the Humane Society did a fine job. Ms. Cribb noted the Humane Society did send a monthly report to the Town before the funds were disbursed.

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. ***Resolution No. 2786.** Mayor Evans opened discussion/possible action concerning Resolution No. 2786 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE PAYSON MULTIPURPOSE SENIOR CENTER DEVELOPMENT ASSOCIATION, INC., FOR DISBURSEMENT OF PUBLIC PURPOSE FUNDS.
Pulled from consent approval.

Council Member Croy believed the Senior Center also did a fine job. Ms. Cribb noted the Senior Center did send an annual report to the Town detailing what the money was spent on.

Motion: to Approve Resolution No. 2786 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE PAYSON MULTIPURPOSE SENIOR CENTER DEVELOPMENT ASSOCIATION, INC., FOR DISBURSEMENT OF PUBLIC PURPOSE FUNDS.
Moved by Council Member Ed Blair, 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.

4. ***Resolution No. 2789.** Council approved, on the Consent Agenda, Resolution No. 2789 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE TOWN MANAGER TO SIGN A STREETLIGHT POLE USE LICENSE AGREEMENT, A STREETLIGHT ENERGY AGREEMENT, AND A STREETLIGHT MAINTENANCE AGREEMENT WITH ARIZONA PUBLIC SERVICE COMPANY RELATING TO STREET LIGHTS WITHIN THE TOWN.
***CONSENT* APPROVED**
5. **Resolution No. 2790.** Mayor Evans opened discussion/possible action concerning Resolution No. 2790 captioned as follows: A RESOLUTION OF THE TOWN OF PAYSON SUPPORTING AND CO-SPONSORING THE CITY OF KINGMAN'S PROPOSED ARIZONA LEAGUE OF CITIES AND TOWNS RESOLUTION RELATED TO HURF FUNDING.

Mayor Evans explained each year there was a process for suggestions for Legislature to take and felt this was fitting for Payson to co-sponsor. The Governor has been sending the Highway User Revenue (HURF) money to the Department of Public Safety (DPS) after some legislation. This resolution would, for towns in rural Arizona, ask the League to say that this money was designated for a specific purpose. Mayor Evans recommended the Council support this resolution.

Motion: to Approve Resolution No. 2790 captioned as follows: A RESOLUTION OF THE TOWN OF PAYSON SUPPORTING AND CO-SPONSORING THE CITY OF KINGMAN'S PROPOSED ARIZONA LEAGUE OF CITIES AND TOWNS RESOLUTION RELATED TO HURF FUNDING.

Moved by Mayor Kenny J. Evans, seconded by Vice-Mayor Michael Hughes.

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.

6. ***Resolution No. 2791.** Council approved, on the Consent Agenda, Resolution No. 2791 captioned as follows: A RESOLUTION OF THE MAYOR AND PAYSON TOWN COUNCIL, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A LIBRARY SERVICE AGREEMENT WITH THE GILA COUNTY LIBRARY DISTRICT FOR FISCAL YEAR 2014-2015.
***CONSENT* APPROVED**

7. **Ordinance No. 849.** Mayor Evans opened the Second 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.

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

Motion: to Approve 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.

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.

8. **Ordinance No. 850.** Mayor Evans opened the Second 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.

There were no public comments. Mayor Evans closed the Public Hearing. Council Member Blair asked if this included the Wildland Urban Interface (WUI) Code. Mayor Evans responded the WUI Code would be addressed later as part of the total Code package.

Motion: to Approve 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.

Moved by Vice-Mayor Michael Hughes, 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.

9. **Ordinance No. 851.** Mayor Evans opened the First Public Hearing regarding Ordinance No. 851 captioned as follows: AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, AMENDING ORDINANCE 466, THE ZONING MAP, AND THE ZONING CODE FOR THE TOWN OF PAYSON BY REZONING CERTAIN REAL PROPERTY GENERALLY LOCATED AT 300 WEST RUMSEY DRIVE, BEING GILA COUNTY ASSESSOR'S PARCEL NUMBERS 302-05-138D, 304-05-11M AND 304-05-11K, AS MORE PARTICULARLY DESCRIBED ON EXHIBIT A, FROM R1-10 TO PAD AS DESCRIBED IN THE JUNE 2014 TIMBER RIDGE PLANNED AREA DEVELOPMENT NARRATIVE AND EXHIBITS.

Sheila DeSchaaf, Zoning Administrator, explained this was a request by Timber Ridge to re-zone 300 West Rumsey Drive.

Brad Bielenberg, Timber Ridge Developer, explained they had designed a subdivision that had three different products and had done that to respond to neighboring areas. Timber Ridge had followed the General Plan for this project and also considered the natural features at the site. They were able to save seventy five percent of the trees at the site.

Council Member Blair asked if there were problems with the suggestion for the right of way. Aidan Barry, Timber Ridge Developer, had no problem modifying it as long as it satisfied the Town's requirement for the emergency vehicle access. Council Member Blair asked what the difference was between public and private streets. Mr. Barry explained the Home Owner's Association would take care of that.

Council Member Carpenter asked if there would be a round-a-bout at McClane. Mr. Barry replied there was adequate room and they would comply with what the Town wanted. Council Member Carpenter asked if phase one was to cut Rumsey Drive through. Mr. Barry replied that was correct. Council Member Croy asked if Forest Park Drive was going to be put through. LaRon Garrett, Assistant Town Manager, responded staff recommended that Forest Park Drive be put through for better connectivity. Sheila DeSchaaf, Zoning Administrator, noted from a planning stand point the reason for encouraging the street to connect was to decrease the overall miles cars had to travel and to decrease time for emergency vehicles. Homeowner's concerns were the change to the environment and that there were no sidewalks and that it would decrease home value.

Council Member Croy asked David Staub, Fire Chief, for his perspective. Chief Staub felt it would be better for the response time to get to residents. Council Member Croy wanted to bring these things to light and asked Don Engler, Police Chief, to comment. Chief Engler believed emergency access was important as well as connectivity and his department would address any traffic issues. Council Member Croy asked Debra Galbraith, Town Manager, if she believed that was discussed in other meetings. Ms. Galbraith noted staff would back what ever Council decided. Council Member Croy asked if there were prior discussions to connect those streets. Ms. Galbraith did not believe so. Mayor Evans noted *Better Cities and Towns* advocated walking from place to place and that prior streets were not built to accommodate cars and people and asked how staff would deal with this interface on this narrow road. Ms. DeSchaaf responded decreasing the width of the new street would slow traffic.

Council Member Connell asked if all the neighborhoods would be linked together. Mr. Bielenberg replied yes they would be linked. Council Member Connell felt this was very well done. Council Member Carpenter asked if the park in the northern part would be taken over by the Town. Mr. Bielenberg replied the parks were all private and would be taken care of by the Homeowner's Association. Mr. Bielenberg supported this plan and understood why residents did not want more traffic up there.

Council Member Blair asked what bollards were and if you did not need a key to get through do you just drive through it. Mr. Barry responded the concept was a pole that sat on a pole in the ground and was intended to be a removable barrier.

Council Member Croy asked if it was possible to use Tonto Street for access. Mr. Garrett explained there was a property owner that would have to sell property for a right-of-way and it would go through an industrial area. Council Member Croy asked if that would use less paving and if it was a viable option. Mr. Barry explained that involved property Timber Ridge did not control and they did not support that. Mr. Barry believed Timber Ridge had done their due diligence and through the process had submitted the hammer head and felt that the design was appropriate for the project. Mr. Barry explained they had heard the input from the community and felt this was appropriate. Mr. Barry thanked the Council.

Susan Chester felt that the corner at Overland and Park was not safe. There were no more public comments. Mayor Evans closed the First 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 filed by Silvia Smith, Town Clerk, to direct staff to publish in the newspaper at least ten days prior to the Town's election a statement of all monies received into the treasury of the Town since the last such statement was published two years ago (pursuant to A.R.S. § 9-246).
***CONSENT* APPROVED**
2. **Council Decision Request** filed by Sheila DeSchaaf, Zoning Administrator, to allow adjustments to building envelopes within Chaparral Pines Phase III subject to conditions.

Sheila DeSchaaf, Zoning Administrator, explained this was to amend the building envelopes and that lot owners had requested the change because of natural features of their lots. This required Council action to make a change. There were five conditions required if this change were made.

Motion: to allow adjustments to building envelopes within Chaparral Pines Phase III subject to five conditions. 1) at least 75 percent of the original building envelope remains unchanged; 2) the building envelope area is not increased; 3) the adjacent property owner(s) affected by the adjustment and the Chaparral Pines Homeowners Association/Architectural Review Committee have no objection to the proposed adjustment; 4) a registered professional has certified that amending the platted slope and drainage easement will have no adverse impact; and 5) the lot owner records the new building envelope as adjusted and approved by staff.

Moved by Council Member John Wilson, seconded by Council Member Ed Blair.

Council Member Carpenter asked if the Homeowner's Association accepted this concept and if people would work with the Town. Ms. DeSchaaf replied lot owners would need approval from the Homeowner's Association and the adjoining neighbors. Council Member Blair appreciated the flexibility and asked if the adjoining lot owners had to concur. Ms. DeSchaaf replied yes. Council Member Connell asked how many lots were asking for this. Ms. DeSchaaf replied forty-five. 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.

J. CLAIMS

1. ***List of checks.** Council approved, on the Consent Agenda, a list of checks paid from May 30, 2014 through June 6, 2014, Check Nos. 026341 through 026421, and authorization to file the checks for audit.
***CONSENT* APPROVED**

K. MISCELLANEOUS

1. Council approved, on the Consent Agenda, the **appointment of Isaac Branson, Nathan McMullen, Ryland Wala, Molly Beier, Dela Dossou and Karen Williams as regular members to the Payson Area Advisory Youth Council**, terms to expire June 30, 2017.
***CONSENT* APPROVED**
2. Council approved, on the Consent Agenda, the **appointment of Hannah Osier as an alternate member to the Payson Area Advisory Youth Council**, term to expire June 30, 2017.
***CONSENT* APPROVED**

L. PUBLIC COMMENTS

Mayor Evans explained the Council cannot act on items at the First Public Hearing.

ADJOURNMENT

Mayor Evans adjourned the meeting at approximately 6:40 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 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