

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
July 10, 2014**

CALL TO ORDER

Mayor Evans called the meeting to order at approximately 5:32 p.m. in the Town Hall Council Chambers, 303 North Beeline Highway, Payson, Arizona.

INVOCATION

Minister Ken Davidson Jr., Church of Christ.

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, Silvia Smith - Town Clerk, Cameron Davis - Parks, Recreation and Tourism Director, Tanner Henry - Water Division Manager, and David Staub - Fire Chief.

OTHERS PRESENT: Tracie Bailey - Chief Deputy Town Clerk, Sheila DeSchaaf - Zoning Administrator and Sherwood Eldredge- Police Lieutenant.

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.

David Staub, Fire Chief, announced the fire restrictions on Tonto National Forest and Payson would be lifted at 8:00 a.m. tomorrow morning and reminded everyone to be careful with fire.

Cameron Davis, Parks, Recreation and Tourism Director, highlighted upcoming events. July 12, 2014 was the Southwest Indian Rodeo. In August there was a Barrel racing event and the following week was Camp Tontozona week. Mr. Davis was helping the Payson Pro Rodeo committee to kick off the August rodeo. The First annual Glow in the Bowl fun run was August 23, 2014 at Green Valley Park. Mayor Evans appreciated the efforts on the 4th of July and thanked Chief Staub and Mr. Davis.

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. Information re: the Town's 2014 Election Cycle.

Tim Wright, Town Attorney, gave a presentation regarding the consolidated elections. The Legislature mandated that the Town move its elections to coincide with the State's fall election dates. The County would run both the Primary and General election. Mr. Wright noted if you were not registered with a recognized party you would not receive a ballot in the mail. You would need to request a party ballot by August 15, 2014. Any candidate who received more than fifty percent of the vote in the Primary would be deemed elected as of the date of the General Election.

Council Member Carpenter noted under the old formula a candidate had to receive fifty percent plus one to be deemed elected. Mr. Wright replied the Legislature said this was the new formula. Council Member Connell asked Mr. Wright to send her the formula. Council Member Carpenter asked Mr. Wright if he would supply the formula to the news media. Mr. Wright

replied if the media asked him for it he would supply it. Mayor Evans thanked Mr. Wright.

E. MINUTES

1. *Council Meeting Minutes:

06.19.14Special Meeting Pages 1 - 3

06.19.14Regular Meeting Pages 1 - 11

***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. *Airport Commission Minutes:

01.13.14Regular Meeting Pages 1 - 5

03.10.14Regular Meeting Pages 1 - 6

***CONSENT* INFORMATION ONLY**

3. *Design Review Board Minutes:

02.11.14Regular Meeting Pages 207 - 208

06.10.14Regular Meeting Page 209

***CONSENT* INFORMATION ONLY**

4. *Public Safety Personnel Retirement System Payson Fire Department Local Board Minutes:

11.07.13Regular Meeting Page 1

***CONSENT* INFORMATION ONLY**

5. *Public Safety Personnel Retirement System Payson Police Department Local Board Minutes:

02.26.14Regular Meeting Page 1

***CONSENT* INFORMATION ONLY**

F. HEARINGS AND APPEALS

- *Application for a Special Event Liquor License.** Council approved, on the Consent Agenda, an application for a Special Event Liquor License filed by Raymond Still agent for the Payson Rodeo Committee, Inc., for a fundraiser to be held at 1400 South Beeline Highway, Payson, Arizona, Thursday, August 14, 2014, 8:00 a.m. to 2:00 a.m., Friday, August 15, 2014,

8:00 a.m. to 2:00 a.m. and Saturday, August 16, 2014, 8:00 a.m. to 2:00 a.m.

***CONSENT* APPROVED**

G. RESOLUTIONS AND ORDINANCES

1. **Resolution No. 2792.** Mayor Evans opened discussion/possible action concerning Resolution No. 2792 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING AMONG THE TOWN, SALT RIVER PROJECT, NATIONAL FOREST FOUNDATION, USDI BUREAU OF RECLAMATION (PHOENIX AREA OFFICE) AND THE USDA FOREST SERVICE (COCONINO NATIONAL FOREST).

LaRon Garrett, Assistant Town Manager, explained staff had been working on this for some time. This would improve the forest health around the C. C. Cragin water shed around the lake to help prevent any wildfires that might harm the lake.

Council Member Carpenter asked if there were actions planned now. Mr. Garrett replied the Forest Service Four Forest Restoration Initiative (4FRI) was working on it now.

Motion: to Approve Resolution No. 2792 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING AMONG THE TOWN, SALT RIVER PROJECT, NATIONAL FOREST FOUNDATION, USDI BUREAU OF RECLAMATION (PHOENIX AREA OFFICE) AND THE USDA FOREST SERVICE (COCONINO NATIONAL FOREST). 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.

2. **Ordinance No. 851.** Second 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 NUMBER 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 AND THE 3 PAGE AMENDMENT RECEIVED JUNE 16, 2014.

Mayor Evans opened the Second Public Hearing. Mayor Evans noted the Council had talked about this at great length at the last Council meeting and felt that the issue was opening up Forest Park Drive. Mayor Evans asked the Council if it was general consensus that Forest Park Drive not go through and that it would be open to emergency vehicles only and have a hammer head gate. The Council concurred. Mayor Evans asked if the right of way would be twelve feet wide not thirty feet wide. Mr. Garrett explained it was required to be at least twenty four feet wide with a twelve foot driving lane.

Council Member Carpenter noted he did not want the road open to regular access.

Jack Thein a resident of Forest Park represented seventy six petitioners who were affected home owners. Mr. Thein hoped each Council Member had read the report he provided. Mr. Thein opposed Forest Park Drive going through and believed that street connectivity should not override safety. Mr. Thein asked the Council to permanently abandon this street as a through street and thanked the Council.

Jared Tenney emphasized his respect for the Council and Staff. Mr. Tenney felt this was a safety issue and appreciated the Council's time.

Debbie Lowery believed this was all about the safety.

Arlin Chester wanted a quiet dead end street for himself and his wife and their animals. Mr. Chester felt his house would lose value if the road went through.

Meria Heller had watched people speed through the stop sign on the corner and felt this was very dangerous. Ms. Heller asked when you come out to turn on Longhorn why not come out on Tonto Street and believed that would be a win win for everyone.

Craig Hagaman had talked to all the kids on the street and felt if this went through someone would end up hurt or killed because of the blind spots. Mr. Hagaman believed if there was a gate the Town would have to replace it yearly because people would blow through it and felt this was basically a safety issue. Mr. Hagaman asked that the gate be kept at twelve feet and that the Town look into Payson Parkway for connectivity.

Myrna Burdick wanted a nice quiet two block long street for the lack of road noise. Ms. Burdick had a house in Apache Junction where every day there were two hundred to four hundred cars on the road and she did not want any more traffic noise.

Ila Tenney thanked the Council for listening. Ms. Tenney loved Payson because it was so beautiful and felt this was special because the city planners had taken the time to not disturb the forest any more than they had to. Ms. Tenney felt staff had worked hard to keep the quiet places quiet.

Ed Vos noted the developers had told him they would start with phase two and that it would be low density. Mr. Vos believed the extension of Forest Park Drive should make the zoning remain at low density.

Vicki May noted a vehicle went by every two minutes. Ms. May had observed people on the road and gave the Council a packet. Ms. May asked Council to put in a cul-de-sac.

Dale Laycock the Home Owners Association President for Forest Park noted the Board unanimously supported these issues and did not want to see Forest Park Drive cut through. Mr. Laycock thanked the Council.

Robert Hershberger was a retired architect and planner. Mr. Hershberger and his partner had done Mill Avenue in Down Town Mesa and felt this was a similar situation. Mr. Hershberger believed the traffic would come down this way because it was the shortest route and felt there would be inappropriate traffic in the area and that the traffic would be dangerous for the kids. Mr. Hershberger believed the gate would be appropriate and that it would be an advantage. Mr. Hershberger recommended that the road never go through and that the paved area be twelve feet. Mr. Herberger felt the road should be permanently taken off the General Plan for connectivity and thanked the Council.

Larry Potvin noted Forest Park Drive could be nerveracking because there are no sidewalks and the kids did walk in the middle of the road. Mr. Potvin felt the traffic was horrendous and asked that speed humps and sidewalks be put in. Mr. Potvin asked if the plan could be changed to put the condos closer to the higher density area. Mr. Potvin believed Forest Park Drive was dangerous now before the new development and thanked the Council.

Doug Wernier felt all developments were hard for the Council and understood what the problems were in Forest Park. Mr. Wernier wanted this development to go through and felt the development was laid out nice. Mr. Wernier noted that if you tried to take a left out of the library you could not see traffic. Mr. Wernier asked to block off the entrance to the loop on Laredo Lane because he was concerned that people would start cutting through the loop. Mr. Wernier asked Council to consider what to do about traffic by the library and the loop area.

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

Motion: to Approve 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 NUMBER 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 AND THE 3 PAGE AMENDMENT RECEIVED JUNE 16, 2014.

Moved by Council Member Ed Blair, seconded by Council Member Fred Carpenter.

Debra Galbraith, Town Manager, noted the Council still had to discuss putting in a round a bout or a four way stop. LaRon Garrett, Assistant Town Manager, stated there were two ways to address the traffic, a round a bout or a four way stop. There was adequate room for a round a bout, but it would require trees to be taken out and would take some of the dog park.

Council Member Carpenter asked if this ordinance was how the people wanted it. Mayor Evans believed the concerns were addressed. Mr. Garrett responded yes. Council Member Carpenter asked what would be the motivation to change it. Mayor Evans did not believe this Council could bind any future Council with any restrictions. Mr. Wright replied that was correct, it would be a hammer head gate. A future Council could change this, all Council could do was act on this tonight. This made it more difficult, but not impossible for a future Council to change.

Council Member Croy asked if this would be for a future phase. Mr. Garrett replied it was for phase one. Council Member Croy asked if it could start out with a stop sign. Mr. Garret responded right now it was a round a bout.

Council Member Blair disagreed with having stop signs and was concerned that this was a money issue. Council Member Blair believed If the Council did not accept the round a bout now in future years the tax payers would have to pay for it. Council Member Blair was in favor of keeping the round a bout in the proposal and felt this would save tax payers from paying for it in the future. Council Member Carpenter asked if it was left as it was would the round a bout stay in. Mayor Evans replied that was correct and 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.

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 move the July 24, 2014, Regular Council Meeting to July 31, 2014.
***CONSENT* APPROVED**
2. ***Council Decision Request.** Council approved, on the Consent Agenda, a Council Decision Request filed by Tanner Henry, Water Division Manager, regarding awarding the bid for materials for the South Mudsprings Road water main extension to HD Supply Waterworks.
***CONSENT* APPROVED**

J. CLAIMS

1. ***List of checks.** Council approved, on the Consent Agenda, a list of checks paid from June 13, 2014 through June 27, 2014, Check Nos. 026422 through 026706, and authorization to file the checks for audit.
***CONSENT* APPROVED**

K. MISCELLANEOUS

1. *Council approved, on the Consent Agenda, the **appointment of Scott Helmer to the Planning and Zoning Commission** to fill the unexpired term of Mark Waldrop. Term to expire December 31, 2014.
***CONSENT* APPROVED**

L. PUBLIC COMMENTS

1. There were no public comments.

ADJOURNMENT

Mayor Evans adjourned the meeting at approximately 6:46 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 10 of July, 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, Chief Deputy Town Clerk