

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
July 31, 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 David Staub - Fire Chief.

Council Member Ed Blair was present telephonically.

OTHERS PRESENT: Tracie Bailey - Chief Deputy Town Clerk, Ray LaHaye - Chief Building Official, Bobby Davis - Economic Development Specialist and Sheila DeSchaaf - Zoning Administrator.

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 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.

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.

Cameron Davis, Parks, Recreation and Tourism Director, announced the National Barrel Horse Association would be in Payson on August 8th and 9th at the Payson Event Center. The ASU Football Camp and August Doins were the following week. Payson was selected over Flagstaff to host the sectional punt, kick and pass tournament in September and the Summer Madness Softball Tournament would have close to thirty teams registered this year.

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.

Debra Galbraith, Town Manager, introduced Bobby Davis the new Economic Development Specialist for the Town. Mr. Davis was looking forward to bringing businesses to Payson and noted if anyone had any questions his door was always open. Mayor Evans appreciated Mr. Davis being on board.

Mayor Evans presented a birthday card to Council Member Carpenter and wished him a happy birthday.

E. MINUTES

1. *Council Meeting Minutes:

07.10.14Special Meeting Minutes Pages 1 - 2

07-10-14 Regular Meeting Minutes Pages 1 - 9

***CONSENT* APPROVED**

2. **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.) There are no items in this section.

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 Leland Schwein agent for the BPO Elks Lodge #2154, for a fundraiser to be held at 1206 North Beeline Highway, Payson, Arizona, Saturday, October 4, 2014, 12:00 Noon to 12:00 Midnight
***CONSENT* APPROVED**

G. RESOLUTIONS AND ORDINANCES

1. **Ordinance No. 853.** Mayor Evans opened the First Public Hearing regarding Ordinance No. 853 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ANNEXING CERTAIN LAND GENERALLY TO THE EAST OF THE SOUTHEAST CORNER OF THE TOWN BOUNDARIES (PORTIONS OF SECTIONS 6 AND 7) FROM THE TOWN OF STAR VALLEY PURSUANT TO A.R.S. § 9-471.02.

Tim Wright, Town Attorney, explained this ordinance was to annex the Fox Farm property from Star Valley. Star Valley had had their first read on the ordinance. This was the first step for this process and it needed to be approved by both Payson and Star Valley then it would go to the Board of Supervisors for approval.

Council Member Carpenter asked what comments there were from the Star Valley Council. Mr. Wright responded it was a first reading and the Council took public comments. Council Member Carpenter asked if this would come back for a second reading for Star Valley. Mr. Wright replied yes, and the second reading for Payson would be after that. Council Member Carpenter was concerned about the nature of the development that went there and would be careful with the rezoning. Mr. Wright noted if the Council chose to approve this it would be step one then the Council would have to go through step two and three.

Mayor Evans explained a business had outgrown their facility and was looking for a bigger property. The Mayor had met a man in Pittsburg who he introduced to the other party. The parties had done an analysis of the West and had identified properties in Texas, Colorado and Arizona. In early spring they had defined the dimensions needed for this plan for multiple enterprises. Mayor Evans had gone to work to try to find a piece of property to fit the size needed and found no private parcels in Town that met those dimensions.

The Mayor had tried to keep them in their current location as long as they could and keep looking for a property. At that time the owners of Fox Farm came around and the Mayor introduced them to the business owners. The problem was that there was no infrastructure. That evolved into meeting with the Town and Forest Service to see if those services could be provided, the only option was to annex Fox Farm and provide the services. That then moved into discussions with the Star Valley Council Members and Mayor. Mayor Evans believed this would benefit the entire community of Payson and Star Valley. The Mayor would like to work with them on this and noted it could be close to a six month process. Mr. Wright felt if everything went well it could be the end of the year.

Council Member Carpenter asked why this could not be done in one step. Mr. Wright explained there were different sections that needed to be annexed. Council Member Connell asked for clarification if this proceeded and the Town got to the point of the road being built would DCK be working with the Forest Service. Mayor Evans replied the Forest Service would issue a special use permit for the road's standard and wanted it to be to the Town's standards then they would grant an easement to the Town of Payson. Council Member Connell note that road had beautiful landscaping next to it that she did not want to see ruined. Council Member Croy asked if the sewer easement would be involved in this. Mayor Evans responded no, DCK would be dealing with that and there was not significant effluent from these businesses.

Mary Goddard had done some work with the woman who originally owned that land. It was a boys club that changed lives vitally. The woman later decided to sell the farm. Ms. Goddard felt this piece of property was beautiful, but it did turn into a raging river when the rain came through in the wash. Ms. Goddard noted the County had not known about this project. Ms. Goddard presented maps of the area as it would have been as a guest ranch and other projects. Ms. Goddard could not imagine the ammunitions company there and asked why would the Town build a road there and try to get water there and have the building in a box canyon. Ms. Goddard felt it would need a lot of stabilization in the area and that the property should be preserved. Ms. Goddard believed it should be a park, resort or community and that the company should be built at the current industrial park. Ms. Goddard questioned how it would it enhance the community and understood the Town had the right to annex the property, but believed it was a bad idea.

Mike Wicks noted years ago people had come onboard as the airport for the industrial area and felt the company should be up there. Mr. Wicks believed it was not fair to help this one business. Mr. Wicks believed the Town could not maintain the current roads. Mayor Evans noted DCK was paying for the road and the infrastructure. Mr. Wicks felt the Town should not add more land that it could not take care of. Council Member Croy noted this would be a standard road with curbs and gutters that would hold up better. Mr. Wicks agreed, but noted that it would still need to be maintained.

Art Lloyd stated he was part of the land trade. Mr. Lloyd noted there was a big ravine and boulders on the land and felt that only about fifty percent of the area was buildable. Mr. Lloyd could not imagine semis traveling down Granite Dells Road. Mr. Lloyd believed they would be on septic systems. Mr. Lloyd's biggest concern was that he could not see industrial out there.

Clair Waits lived in Star Valley and agreed with everything Ms. Goddard had said. Ms. Waits felt the property would be ruined by the industrial park and noted Houston Creek had stopped flowing and trees were dying along the creek.

Bill Rider believe this would ruin the property and was very disappointed. Council Member Carpenter noted the Council would not take action tonight. There were no more public comments. Mayor Evans closed the First Public Hearing.

2. **First Public Hearing regarding amendments to Chapter 90, Animals, of the Payson Town Code.**

A. **Resolution No. 2793** - A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING CHAPTER 90: ANIMALS OF PAYSON TOWN CODE AND DECLARING SUCH AMENDMENTS TO BE A PUBLIC RECORD.

B. **Ordinance No. 854** - AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING CHAPTER 90: ANIMALS OF THE PAYSON TOWN CODE AND ADOPTING SUCH AMENDMENTS BY REFERENCE (AMENDMENTS TO CHAPTER 90: ANIMALS).

Tim Wright, Town Attorney, explained this was the next systematic code update. This would define leashes and add electronic leashes. Mr. Wright would add in the definition of the Animal Control Officer for the Second Reading. Mayor Evans opened the First Public Hearing. There were no public comments. The Mayor closed the First Public Hearing.

3. **Ordinance No. 855.** Public Hearing regarding Ordinance No. 855 captioned as follows: AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, ACCELERATING THE EFFECTIVE DATE FOR REPEAL OF STREETS, PARKS, AND PUBLIC SAFETY DEVELOPMENT IMPACT FEES, AND DECLARING AN EMERGENCY.

Tim Wright, Town Attorney, explained the budget year had overlapped and these impact fees needed to be retroactive to July 1, 2014. Mayor Evans noted this was an emergency and the Council would act on it now. Council Member Carpenter asked if the only impact fee left was the Water Impact Fee. Mr. Wright replied yes and it was a reduced fee and it was the first time

the fee has been reduced. Mayor Evans opened the Public Hearing. There were no public comments. Mayor Evans closed the Public Hearing.

Motion: to Approve Ordinance No. 855 captioned as follows: AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, ACCELERATING THE EFFECTIVE DATE FOR REPEAL OF STREETS, PARKS, AND PUBLIC SAFETY DEVELOPMENT IMPACT FEES, AND DECLARING AN EMERGENCY.

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.

H. UNFINISHED BUSINESS

1. There were no items in this section.

I. NEW BUSINESS

1. **Council Decision Request** filed by LaRon Garrett, Assistant Town Manager, regarding an all-way stop at McLane Road and Payson Parkway.

LaRon Garrett, Assistant Town Manager, explained this was a highly traveled road and after looking at this it did warrant changing it to an all-way-stop based on the geometry of the intersection. This would also have an effect on the speed in the area. Mr. Garrett recommended Council approval.

Motion: to Approve an all-way stop at McLane Road and Payson Parkway. Moved by Council Member Ed Blair, seconded by Council Member Su Connell.

Council Member Carpenter asked why the budget was \$86,000, but this only used \$500. Mr. Garrett explained that was the total budget and these signs would only cost \$500. Council Member Connell had heard there would be trees taken down to put up the signs. Mr. Garrett responded no trees would be removed to put up the signs.

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. ***Council Decision Request.** Council approved, on the Consent Agenda, a Council Decision Request filed by LaRon Garrett, Assistant Town Manager,

to award the Echo Ramp Expansion Construction Administration to Armstrong Consultants, Inc.

***CONSENT* APPROVED**

3. **Discussion/possible action regarding the 2012 International Fire Code.**
Note - it was not anticipated that the Council would take final action at this meeting on this 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.

David Staub, Fire Chief, gave a presentation on the changes that would most impact Payson. Council Member Hughes asked if under "hot work" a roofer using a torch was required to have a permit only during wildfire risk or all the time. Mr. Staub replied this section was for wildfire risk only, but another section addressed that and it required a permit most of the time. Council Member Carpenter asked if this was already in the Code. Mr. Staub responded yes. Mayor Evans noted in the section regarding crowd managers the concerts in the park would go over the specified size and require crowd managers. Mr. Staub replied current staff could be trained to control the crowd. Mayor Evans noted there was quite a gap between 250 and 1,000 people. Mr. Staub responded staff could look at it and modify the code. Mayor Evans believed the majority of concerts did not get over 800 people. Council Member Carpenter noted this would go into play for the fireworks show and rodeo also.

Mr. Staub went over new tests and record keeping requirements on exit lighting. Council Member Carpenter asked if hospitals and schools had to do this for the exit lighting. Mr. Staub replied probably not schools. Council Member Carpenter asked if section 903.2.2 (ambulatory care facilities) applied to any place in Payson. Mr. Staub replied not at this time, it would be for future construction. Council Member Carpenter asked if the Town regulated sprinkler systems in the schools anymore. Mr. Staub responded schools were regulated under the State Fire Marshal. Mayor Evans asked if it was actually buildings storing furniture or mattresses that had to have an automatic sprinkler system. Mr. Staub replied yes. Council Member Carpenter asked if this was retroactive. Mr. Staub replied no. Mayor Evans asked if automatic sprinklers were not included in 903.3.13. Mr. Staub replied they were not included. Mayor Evans thanked Mr. Staub for the presentation.

4. ***Council Decision Request.** Council approved, on the Consent Agenda, a Council Decision Request filed by LaRon Garrett, Assistant Town Manager, to award the 2014 Airport Improvement Project for the Echo Ramp Expansion Construction to Pavex Corporation.
***CONSENT* APPROVED**

J. CLAIMS

- 1.

***List of checks.** Council approved, on the Consent Agenda, a list of checks paid from July 3, 2014 through July 18, 2014, Check Nos. 026707 through 026943, 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 6:45 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 31 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