

**COMMON COUNCIL OF THE TOWN OF PAYSON  
AGENDA OF THE REGULAR MEETING  
JULY 23, 2015**

**CALL TO ORDER:** 5:30 p.m. in the Town Hall Council Chambers, 303 North Beeline Highway, Payson, Arizona.

**INVOCATION (Participation Voluntary)** Minister Ken Davidson, Church of Christ

The invocation is provided by a volunteer; presenters are accepted and welcome regardless of religious affiliation. Interested persons may contact the Town Clerk.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** KE \_\_ MH \_\_ FC \_\_ SC \_\_ RC \_\_ CH \_\_ JW \_\_

**STAFF PRESENT:** LG \_\_ HF \_\_ DBE \_\_ SS \_\_ CD \_\_ EL \_\_ TH \_\_ DS \_\_

**OTHERS PRESENT:** \_\_\_\_\_

*The Council may discuss, consider or take action on any item on this agenda.  
The Council reserves the right to consider any matter out of sequence.*

To accommodate all those who wish to address the Town Council and to facilitate the expeditious consideration of the agenda, it is requested that each person wishing to address the Mayor and Common Council under an agenda item limit his or her comments to a maximum of three minutes.

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

1. Communications and comments or suggestions from citizens present who have submitted a Speaker's Request Form to the Mayor, Town Clerk, or designee, prior to the meeting being convened, concerning matters other than those listed on the agenda for consideration, shall be heard by the Council. All remarks shall be addressed to the Council as a whole and not to any member thereof. Members of the Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01(H), a public body may make an open call to the public during a public meeting, subject to reasonable time, place and manner restrictions, to allow individuals to address the public body on any issue within the jurisdiction of the public body. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action.

**B. CONSENT AGENDA**

1. Items listed on the agenda with an asterisk which are considered to be routine

in nature and which will be enacted by one motion. No separate discussion of these items shall be held unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and will be considered in its normal sequence on the main agenda.

**C. CURRENT EVENTS PRESENTATION BY THE ACTING TOWN MANAGER, MAYOR, AND/OR COUNCIL MEMBER**

1. Brief presentation of current events by the Acting 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.
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)

**D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS**

1. Comments, Commendations, and Presentations by Mayor, Council Members, and/or Town Staff.
2. Presentation by Payson Fire Department regarding the green tag red tag program.
3. Economic Development Status Report by Bobby Davis, Economic Development Specialist.

**E. MINUTES**

- 1.\* **Council Meeting Minutes:**  
[July 2, 2015 Special Meeting Pages 1 - 2](#)  
[July 2, 2015 Regular Meeting Pages 1 - 8](#)  
**\*CONSENT\* APPROVAL**

**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:**  
[June 1, 2015 Regular Meeting Pages 1 - 5](#)  
**\*CONSENT\* INFORMATION ONLY**

**F. HEARINGS AND APPEALS**

1. There are no items in this section.

**G. RESOLUTIONS AND ORDINANCES**

1. Discussion/possible action concerning [Resolution No. 2864](#) captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE MANAGEMENT SERVICES AGREEMENT ("AGREEMENT") BETWEEN THE HOUSTON MESA FIRE DISTRICT ("HMFD

DISTRICT") AND THE TOWN OF PAYSON, THE PAYSON FIRE DEPARTMENT, ("TOWN PFD") TO PROVIDE MANAGEMENT AND OVERSIGHT SERVICES.

2. Discussion/possible action concerning [Resolution No. 2865](#) captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE ARIZONA STATE FORESTRY DIVISION COOPERATIVE INTERGOVERNMENTAL AGREEMENT ("ASFD IGA") BETWEEN THE STATE FORESTER ("FORESTER") AND THE TOWN OF PAYSON, THE PAYSON FIRE DEPARTMENT, ("COOPERATOR") FOR THE PROTECTION OF ITS FORESTS AND WILDLANDS.
3. Discussion/possible action concerning [Resolution No. 2866](#) captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE LIBRARY SERVICE AGREEMENT ("AGREEMENT") BETWEEN THE GILA COUNTY LIBRARY DISTRICT ("DISTRICT") AND THE TOWN OF PAYSON, THE PAYSON LIBRARY, ("TOWN") TO OPERATE AND MAINTAIN A LIBRARY.
4. Discussion/possible action concerning [Resolution No. 2867](#) captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING THE PURCHASE OF RIGHT OF WAY FOR THE MUD SPRINGS ROAD AND GRANITE DELLS ROAD INTERSECTION, ALL DESCRIBED ON EXHIBIT 1 ATTACHED HERETO, FROM MICHAEL J. AMON AND TRINA AMON.
5. Second Public Hearing regarding [Ordinance No. 870](#) captioned as follows: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTIONS 154-02-005D(2) AND 154-02-006D OF THE UNIFIED DEVELOPMENT CODE TO ALLOW REDUCED FRONT AND/OR STREET-SIDE SETBACK REQUIREMENTS IN COMMERCIAL AND INDUSTRIAL DISTRICTS.

#### **H. UNFINISHED BUSINESS**

1. There are no items in this section.

#### **I. NEW BUSINESS**

1. [Council Decision Request](#) filed by Sheila DeSchaaf, Planning and Development Director, to direct staff to bring back to the Council an amendment to the Unified Development Code §154-02-004B.3, to allow for the keeping of a limited number of hens on properties less than one acre in size.
2. [Council Decision Request](#) filed by Sheila DeSchaaf, Planning and Development Director, to direct staff to waive the Conditional Use Permit fee at 425 North Beeline Highway as requested by the Habitat for Humanity.

#### **J. CLAIMS**

- 1.\* List of checks paid from June 26, 2015, through July 10, 2015, Check Nos. 030350 through 046267, except Check No. 030416, and authorization to file the checks for audit.

**\*CONSENT\* APPROVAL**

- 2.\* Check No. 030416 and authorization to file the check for audit. (Note: due to a perceived and/or possible conflict of interest, Council Member Higgins will be considered to have abstained from voting on this item).

**\*CONSENT\* APPROVAL**

#### **K. MISCELLANEOUS**

- 1.\* There are no items in this section.

#### **L. PUBLIC COMMENTS**

1. Public Comments:

Note: Communication and comments or suggestions from citizens present who have not submitted a Speaker's Request Form, on matters other than those listed on the agenda for consideration, shall be heard by the Council. All remarks shall be addressed to the Council as a whole and not to any member thereof. The Council cannot discuss nor take action upon comments received; however, the Council may direct staff to address the issue and/or it may be referred to a later agenda. No public discussion of comments under this section is permitted.

#### **ADJOURNMENT**

**Note:** Pursuant to A.R.S. §38-431.03(A)(3), the council may vote to hold an executive session for the purpose of obtaining legal advice from the Town Attorney concerning any matter listed on this agenda. The information discussed at any Executive Session and the minutes thereof are confidential.

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#### **CERTIFICATION OF POSTING**

The undersigned hereby certifies that a copy of the attached notice was duly posted at the following location: Payson Town Hall bulletin board, 303 N. Beeline Highway, Payson, Arizona, on the \_\_\_\_\_ day of \_\_\_\_\_, 2015, at \_\_\_\_\_, in accordance with the statement filed by the Town of Payson with the Payson Town Clerk.

By: \_\_\_\_\_  
Silvia Smith, Town Clerk