

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
September 17, 2015**

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 Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris Higgins, and Council Member John Wilson.

STAFF PRESENT: LaRon Garrett - Assistant Town Manager, Hector Figueroa - Town Attorney, Silvia Smith - Town Clerk, Emily Linkey - Library Director, and David Staub - Fire Chief.

OTHERS PRESENT: Tracie Bailey - Chief Deputy Town Clerk, Elaine Votruba - Assistant Library Manager, Sherwood Eldrege - Police Lieutenant, Trevor Fleetham - Planning Technician, Tim Rice - Fire Captain, Henry Jandayan, Fire Engineer, Dan Bramble - Battalion Chief, Mike Hansen - Police Detective, Joni Varga - Police Sergeant, Firefighters - Thorry Smith, John Jackson, Coby Smith, John Wisner, and Bobbi Doss, Dave Bathke - Fire Chief, Hope Borselli - Airevac, Brandon Johnson - Airevac, Neil Gheo - Airevac, and Tim Scott - Gila County Sheriff's Office.

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

Jerry Carlson noted it had been ten weeks ago that they began an adventure with first responders day Sept 19, 2015 from 10:30 a.m. to 4:00 p.m. It was a day to show our respect for all first responders. Mr. Carlson applauded the Councils support for this and felt this was important in the community.

June McConway thanked all first responders and wanted to give back to them all. Ms. McConway noted there would be a raffle at the event and all the proceeds would go to the firefighters and police officers.

Ed Blair wanted to echo what Ms. McConway and Mr. Carlson said and thanked the first responders. The proceeds of the raffle would go to the widows and children of first responders. The event was at Mount Cross Lutheran Church, 601

East Highway 260. Mr. Blair hoped everyone would be a part of the event and show their gratitude.

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 Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris Higgins, 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.

Mayor Evans presented a certificate of appreciation to Ed Blair in memoriam of Jim Scheidt for serving the Town on the Planning and Zoning Commission to offer to Mr. Scheidt's family. Mr. Blair explained Mr. Scheidt's widow was not feeling up to being here and had asked him to accept the certificate. Mr. Blair appreciated Mr. Scheidt and was aware of the vast amount of time he spent on the Planning and Zoning Commission. Mr. Blair was honored to accept the certificate on his behalf. Mayor Evans noted he had received a letter from Mr. Scheidt's widow to the officials and employees of the Town of Payson.

LaRon Garrett, Acting Town Manager, read a list of upcoming events for Cameron Davis, Parks, Recreation and Tourism Director. The State of Arizona High School and Junior High Rodeo Association Season Opener was September 19 - 20, 2015 at the Event Center. The Payson Old Time Opry was September 25, 2015 at 6:30 p.m. at the high school auditorium and the Old Time Fiddlin' State Championships were September 26 - 27, 2015 at the Event Center. The Town of Payson's Trunk or Treat Festival was on Historic Main Street on October 31, 2015 from 6:00 p.m. to 9:00 p.m. and the Turkey Trot 5k was November 21, 2015 at Green Valley Park. Mr. Garrett noted the Cragin water line was going in along Beeline Highway to Tyler Parkway and all of the pipeline projects were moving forward.

- 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. **Presentation** by Emily Linkey, Library Director, regarding Literacy Month.

Ms. Linkey introduced Elaine Votruba her Assistant Manager. Ms. Votruba had coordinated with Gila County for Read On Arizona. Ms. Linkey and Ms. Votruba gave a brief presentation on the Read On Arizona program. This was a critical goal for anyone who had a child. The community was full of resources for this program. Ms. Linkey hoped to match families and children with the appropriate reading partners. Ms. Votruba noted there was a direct reading link between third grade kids and high school kids. If a child cannot read by third grade they are likely to drop out of high school. Children in poverty are even more likely to drop out. Thirty four percent of kindergarteners in Payson were not prepared to read. Ms. Linkey noted parents needed to be educated so they could help their kids to read. Parents could bring their kids to the library for story time. The five basic things parents could do were talk to the baby, sing children`s songs, most important was to read to them and practice basic writing and creative play with children. Ms. Linkey noted one of the great things that came out of Read On was that information could be pulled up from any school in the state to get stats to see how good the school was doing. As of the 2014 standardized test seventy four percent of the third graders in the district were reading proficiently. There was a chronic absent rate in the district and for kindergarteners alone it was very high. Parents needed to be involved to support getting their kids to school. Ms. Linkey believed teachers in Payson were trying very hard to work with kids. Ms. Linkey thanked the Council

3. **Proclamation.** Council Member Higgins read into the record a proclamation declaring October 4 - 10, 2015 as Fire Prevention Week. David Staub, Payson Fire Chief, was present to accept the proclamation.
4. **Proclamation.** Council Member Carpenter read into the record a proclamation declaring the week of September 21, 2015 as National Gear Up Week. Jackie Wallace, Gear Up Coordinator, and Ellie Hubbard, Student Body President, were present to accept the proclamation.

Jackie Wallace introduced Ellie Hubbard the 8th grade Student Body President. Ms. Wallace noted Gear Up goals were to increase the high school

graduation rate and get kids college and career ready. Ms. Wallace thanked the Council.

5. **Proclamation.** Council Member Croy read into the record a proclamation declaring the week of September 17 - 23, 2015 as Constitution Week. Jo Patterson, Chaplain, Geneva Holehan, Parliamentarian, and other members of Daughters of the American Revolution were present to accept the proclamation.

Jo Patterson thanked the Council for the proclamation. Ms. Patterson announced next Tuesday the Daughters of the American Revolution would be outside the library giving out the constitution and would have a constitution signing. Ms. Patterson hoped to see everyone there.

6. **Proclamation.** Council Member Connell read into the record a proclamation declaring September 26, 2015 as First Responder Appreciation Day. Members of the Payson Fire and Police Departments, Houston Mesa Fire Department, Hellsgate Fire Department, Native Air, Air Evac (PMI), Gila County Sheriff's Department, Gila County Sheriff's Posse, Tonto Rim Search and Rescue, and the Arizona Department of Public Safety were present to accept the proclamation.

Mayor Evans noted the citizens appreciated the wonderful first responders in the community. Mayor Evans thanked all of the first responders.

E. MINUTES

1. ***Council Meeting Minutes:**
September 3, 2015 Regular Meeting Pages 1 - 7
***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.)

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 Joanne Marie Conlin, agent for Payson Multipurpose Senior Center Development Assoc Inc., for a fundraiser to be held at 514 West Main Street, Payson, Arizona, Saturday, October 3, 2015, 4:00 PM to 6:00 PM.
***CONSENT* APPROVED**

G. RESOLUTIONS AND ORDINANCES

1. **Second Public Hearing re:** amending Chapter 152 of the Payson Town Code: Grading and Drainage.
 - A. **Resolution No. 2871** - A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING PAYSON TOWN CODE CHAPTER 152 RELATING TO GRADING AND DRAINAGE AND DECLARING SUCH AMENDMENT TO BE A PUBLIC RECORD.
 - B. **Ordinance No. 872** - AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, AMENDING CODE CHAPTER 152, GRADING AND DRAINAGE, FOR THE TOWN OF PAYSON BY UPDATING, REVISING, ADDING AND DELETING SPECIFIC GRADING AND DRAINAGE DEFINITIONS, REQUIREMENTS AND PROVISIONS TO MAKE THEM MORE APPLICABLE AND REASONABLE.

Mayor Evans opened the Public Hearing there were no public comments. Council Member Carpenter noted at the last Council meeting there was an issue and asked if those changes had been made. LaRon Garrett, Acting Town Manager, replied yes, the changes were made. The Mayor closed the Public Hearing.

Motion: to Approve Resolution No. 2871 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING PAYSON TOWN CODE CHAPTER 152 RELATING TO GRADING AND DRAINAGE AND DECLARING SUCH AMENDMENT TO BE A PUBLIC RECORD.

and

Ordinance No. 872 captioned as follows: AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, AMENDING CODE CHAPTER 152, GRADING AND DRAINAGE, FOR THE TOWN OF PAYSON BY UPDATING, REVISING, ADDING AND DELETING SPECIFIC GRADING AND DRAINAGE DEFINITIONS, REQUIREMENTS AND PROVISIONS TO MAKE THEM MORE APPLICABLE AND REASONABLE.

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 Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris Higgins, and Council Member John Wilson.

2. **Second Public Hearing re:** amending and creating Payson Town Code Section 154-02-017 of the Unified Development Code: Community Gardens.
 - A.

Resolution No. 2877 - A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING AND CREATING PAYSON TOWN CODE SECTION 154-02-017 OF THE UNIFIED DEVELOPMENT CODE RELATING TO COMMUNITY GARDENS AND DECLARING SUCH AMENDMENT TO BE A PUBLIC RECORD.

- B. **Ordinance No. 871** - AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, CREATING AND ADOPTING PAYSON TOWN CODE SECTION 154-02-017 OF THE UNIFIED DEVELOPMENT CODE RELATING TO COMMUNITY GARDENS IN ALL ZONING DESIGNATIONS SUBJECT TO CONDITIONS.

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

Motion: to Approve Resolution No. 2877 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING AND CREATING PAYSON TOWN CODE SECTION 154-02-017 OF THE UNIFIED DEVELOPMENT CODE RELATING TO COMMUNITY GARDENS AND DECLARING SUCH AMENDMENT TO BE A PUBLIC RECORD.
and

Ordinance No. 871 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, CREATING AND ADOPTING PAYSON TOWN CODE SECTION 154-02-017 OF THE UNIFIED DEVELOPMENT CODE RELATING TO COMMUNITY GARDENS IN ALL ZONING DESIGNATIONS SUBJECT TO CONDITIONS.

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 Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris Higgins, 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, Acting Town Manager, to approve the request to waive the land rental cost for the new aircraft and vehicle parking areas installed by MPG East from October 1, 2015, through September 30, 2018, as requested by MPG East.

LaRon Garrett, Acting Town Manager, explained MPG East was installing improvements and was asking for rental costs to be waived for three years. The contract between the Town and MPG East provides that the leased area may be adjusted from time to time through negotiations with the Town Manager. MGP East has proposed that they install an additional aircraft parking ramp near the fueling operation and a vehicle parking area. The improvements would consist of a 45' x 45' concreted pad with tie down anchor and a concrete walkway to a 6' by 10' concrete storage pad, a 20' x 20' vehicle parking pad, lighting for both pads, a water spigot, and a locked man gate in the fence. The cost of these improvements was estimated to be \$24,000. Mr. Garrett noted per the lease, the improvements would belong to the Town when they were completed and the leased area would increase 3,601 square feet to encompass these improvements. MPG East was requesting that the Town waive the land rental cost for this additional leased area for three years. The leased cost at \$0.36 per square foot was \$1,296.36 annually. The three year total was \$3,889.08. At the end of the three year period MPG East would either release the improvements to the Town for its use or begin paying the standard lease payments on the increased area. Mr. Garrett noted this would provide additional upgrades to the Town of Payson Airport at no financial cost to the Town; however, the Town Airport revenue would be decreased by \$1,296.36 annually for the next three years.

Council Member Croy noted in three years the Town would own it and asked if MPG East stayed would they still use it. Mr. Garrett replied after three years MPG East would start to pay the rent on it. Council Member Croy asked what the plans were for usage of the slab. Mr. Garrett replied it would be used for helicopter parking. Council Member Croy noted this could go forward with or without the Council's approval and believed the Town would lose the revenue from a helicopter sitting on the pad. Mr. Garrett replied that was correct. Council Member Croy asked if the Town has ever done this in the past. Mr. Garrett responded not for a lease, but the Town has for the fuel fee. Council Member Croy felt the tenant could do this with asphalt. Mr. Garrett explained it was currently dirt and would have to be improved. Council Member Croy felt it could be down graded to asphalt and asked what Mr. Garrett's opinion was. Mr. Garrett felt this would help the airport be more self sufficient. Council Member Croy believed the citizens of Payson would lose revenue.

Council Member Higgins asked the owner of MPG East to come forward and explain what improvements have been installed by MPG East. Margie Oldenkamp, owner of MPG East, explained they had converted the trucks to fill tanks for \$145,000, including a taxi way that was \$65,000, that went directly to the Town. They had installed a concrete wall in front of the tanks for fire safety, installed a card reader, a kiosk, and an eye wash station. Ms. Oldenkamp explained that was the initial investment. This year larger planes had come in and they had to install more concrete. Ms. Oldenkamp believed at this time there was an immediate need for the helicopter who paid the Town \$40 a month to stay out in the open. Ms. Oldenkamp noted they

planned to install a lit pad and asphalt was not cheaper than concrete and it would not last as long. Ms. Oldenkamp noted there were future plans for the fence to be relocated and there was an option that this could go back to the Town immediately after three years. Ms. Oldenkamp stated if the helicopter stayed she would pay the rent. Ms. Oldenkamp believed this would be beneficial to the Town. Ms. Oldenkamp stated whether the Council approved this or not she would do it and felt this would show support for the helicopter.

Council Member Wilson noted the Town was giving up a benefit of a little under \$4,000 and receiving a benefit of \$24,000. Council Member Wilson believed the Town was receiving value for this.

Council Member Croy noted he did not disagree with Ms. Oldenkamp, but felt the Council would be setting a precedent for this. Council Member Croy felt it was not about the money, but he was concerned how the Council would say no to the next person. Ms. Oldenkamp felt that giving a little on the Town's part was not bad. Council Member Croy replied he did not disagree, it was just setting a precedent. Ms. Oldenkamp explained she did this to support the Town, it was not a business decision. Council Member Higgins hoped the Council did start setting a precedent to work with businesses more.

Motion: to approve the request to waive the land rental cost for the new aircraft and vehicle parking areas installed by MPG East from October 1, 2015, through September 30, 2018, as requested by MPG East.
Moved by Council Member John Wilson, seconded by Council Member Fred Carpenter.

Vote: Motion carried 6 - 1

Yes: Mayor Kenny J. Evans, Vice-Mayor Michael Hughes, Council Member Fred Carpenter, Council Member Su Connell, Council Member Chris Higgins, and Council Member John Wilson.

No: Council Member Richard Croy.

2. **Council Decision Request** filed by Michael Hughes, Vice-Mayor, to appoint LaRon Garrett as Town Manager of the Town of Payson effective October 1, 2015 and direct the Town Attorney and the two Council Members on the Budget Committee to negotiate a contract for review and approval by the Town Council

Council Member Carpenter noted although Mr. Garrett had not been a Town Manager before he has worked closely with previous Town Managers. Council Member Carpenter believed LaRon Garrett was a man of outstanding character and had his whole support.

Motion: to appoint LaRon Garrett as Town Manager of the Town of Payson effective October 1, 2015 and direct the Town Attorney and the two Council

Members on the Budget Committee to negotiate a contract for review and approval by the Town Council
Moved by Council Member Fred Carpenter, seconded by Council Member John Wilson.

Council Member Carpenter noted the contract he had as Town Manager for Payson would be a good starting point. Vice-Mayor Hughes noted he had brought this forward because at the end of the month the Town would not have a Town Manager on staff. Mr. Garrett has been Acting Town Manager since May 27, 2015 and has done a good job. Mayor Evans believed Mr. Garrett had the best corporate memory of the Town.

Vote: Motion carried 7 - 0

Yes: Mayor Kenny J. Evans, Vice-Mayor Michael Hughes, Council Member Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris Higgins, and Council Member John Wilson.

J. CLAIMS

1. ***List of checks.** Council approved, on the Consent Agenda, a List of checks paid from August 28, 2015 through September 4, 2015, Check Nos.06695 through 06837, except check numbers 046758 and 046763, and authorization to file the checks for audit.
***CONSENT* APPROVED**
2. ***Check No. 046758.** Council approved, on the Consent Agenda, Check No. 046758 and authorization to file the check for audit. (Note: due to a perceived and/or possible conflict of interest, Council Member Carpenter was considered to have abstained from voting on this item).
***CONSENT* APPROVED**
3. ***Check No. 046763.** Council approved, on the Consent Agenda, Check No. 046763 and authorization to file the check for audit. (Note: due to a perceived and/or possible conflict of interest, Council Member Croy was considered to have abstained from voting on this item).
***CONSENT* APPROVED**

K. MISCELLANEOUS

1. *Council approved, on the Consent Agenda, the **appointment of Kara Percell** as an alternate member of the Payson Area Advisory Youth Council.
***CONSENT* APPROVED**

L. PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

Mayor Evans adjourned the meeting at approximately 6:30 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 17 of September, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this ____ day of _____, 2015.

Tracie Bailey, Chief Deputy Town Clerk