



COUNCIL DECISION REQUEST

SUBJECT: Convert a portion of Earhart Parkway to a Taxiway/Roadway

MEETING DATE: 10-15-15

SUBMITTED BY: LaRon G. Garrett,  Town Manager

SUBMITTAL TO AGENDA
APPROVED BY TOWN MANAGER

AMOUNT BUDGETED: \$0

EXPENDITURE REQUIRED: \$0



EXHIBITS (If Applicable, To Be Attached): Letter of Request from Margie Oldenkamp, Map showing area of request, Copy of the Minutes from the September 11, 1997 Council Meeting

POSSIBLE MOTION

I move to approve converting Earhart Parkway adjacent to 1401 W. Bravo Taxiway to a roadway-taxiway with aircraft access and approve this area as a "No Parking" area contingent on the requestor complying with the conditions stated in this Council Decision Request.

SUMMARY OF THE BASIS FOR POSSIBLE MOTION:

In 1997 the Town Council approved converting Earhart Parkway to a roadway-taxiway with the following stipulations:

- The existing roadway is 32 feet wide from face of curb to face of curb. The surface shall be widened to 40 feet from face of curb to face of curb to meet the roadway-taxiway standards.
- There is sufficient right of way to widen the road to 40 feet. However, there are some existing above ground utilities that will also need to be relocated.
- The required improvements and utility relocations shall be paid for by the entity requesting this change with no cost to the Town of Payson.

At that time the requestor declined to follow through with the project and the improvements were never installed.

We have recently received a letter from Margie Oldenkamp requesting that the portion of Earhart Parkway adjacent to 1401 W. Bravo Taxiway be converted to a taxiway-roadway to allow aircraft access onto her property from Earhart Parkway. Due to the existing topography it is impractical to have aircraft access to this property from Bravo Taxiway. Earhart Parkway north of Bravo Taxiway is already constructed as a taxiway and accepted. The Public Works Department is in agreement with this conversion contingent on the above stipulations in addition to the following stipulations:

- That appropriate pavement tapers be installed to transition the street improvements to match the existing improvements south of 1401 W. Bravo Taxiway.
- The area to be used as a taxiway-roadway to be declared a no parking area and posted as such by the requestor.

PROS: This will allow a higher use for the property and provide additional economic benefit.

CONS: An additional portion of Earhart Parkway will have aircraft traffic mixed with vehicular traffic.

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COUNCIL DECISION REQUEST

FUNDING:

Acct:	Budget:	Available:	Expense:	Remaining:
Acct:	Budget:	Available:	Expense:	Remaining:
Acct:	Budget:	Available:	Expense:	Remaining:

FM: _____ Date: _____

From : Margie and David Oldenkamp 1305 E Eagletree Lane, Payson AZ. 85541

09/15/2015

To: LeRon Garrett – Town of Payson, Town Manager

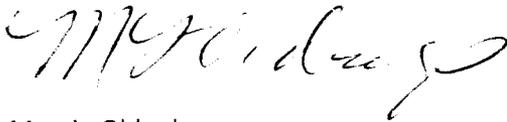
Ref: Earhart street – south of Bravo Taxiway – street widening for aircraft

We are the new owners of lot 16, Payson Industrial Park located at 1401 Bravo Taxiway.

We would like to request approval to widen the above street to accommodate taxiing aircraft. The present width is 32' and we would widen it to 40'. We would submit engineering drawings including the relocation of any above ground utilities. The widening would be along the east sided of lot #16.

The expense for the street and utilities would be at NO cost to the Town of Payson.

Thanks,



Margie Oldenkamp

928 468-8596 H 787 742-0352 cell

RECEIVED

SEP 15 2015

TOWN CLERK
TOWN OF PAYSON



In the future, he said, negotiations might or might not prove fruitful in regard to some sort of joint development agreement with a water source which did not impact existing water sources of the Town. This would be brought before Council at some future time for its consideration.

- A Mayor Stiffler wanted it understood that Council was not deviating from the policy on water. Vice Mayor Lubken asked the owner of the hotel if he was going to bring employees with him to work the hotel, to which he answered that they did not do that, that they tried to seek qualified people within the town, the majority of whom would be paid beyond minimum wage.

New Jobs
- B Steve Johnson, SRJ Homes, spoke in favor of a hotel, stating his experience with running a motel and that tourism was growing with the completion of the new highway (87). He also agreed with looking into the possibility of a joint venture.

Steve Johnson
- C Mayor Stiffler closed the public hearing. Mr. Underkofler stated that he was interested in the project because of the relationship of the project to the new rodeo grounds, in that he had been writing grant applications for the intersection improvements at State Route 87 and the extension of Green Valley Parkway. He asked the proponents to speak about what they would do about McLane Road. Mr. Fisher, the developer, first stated that they understood the water situation and wanted to help with a solution to the problem, since they were going to be doing business in Payson. Also, as part of their project, they proposed to put in the road to access the rodeo grounds.

Proposed Road
to Rodeo
Grounds
- D Vice Mayor Lubken moved to approved Application P-233-97 filed by Payson Overlook Project LLC, with the 10 stipulations from the Planning and Zoning Commission; motion was seconded by Clmn. Brewer; motion carried, 7-0.

App. P-233-97
APPROVED, 7-0
- E Clmn. Gaylord moved, seconded by Clmn. Murphy, to remove the letter received from Richard Henry, August 3, 1997, regarding reclassifying Red Baron Road and Earhart Parkway to be aircraft taxiways, from the table of the August 14, 1997, regular meeting. Motion carried, 7-0.

A i r c r a f t
Taxiways Letter
Removed From
Table, 7-0
- F Red Baron and Earhart Parkway Taxiways. Mayor Stiffler opened for discussion/possible action regarding a letter received from Richard Henry, requesting

Red Baron and
E a r h a r t
Taxiways

reclassification of Red Baron Road and Earhart Parkway to aircraft taxiways.

- A Mr. Underkofler gave a historical overview of the Sky Park Subdivision, which was developed by Richard Henry and others, west of Payson Airport. It was a private venture intended to be an industrial park which would complement the airport. The developers ran into financial difficulties and were not able to complete the subdivision improvements; roads, water, sewers and other amenities. The developers then came to the Town Council and asked them to establish a local improvement district to finish the subdivision improvements. The Council elected to establish a local improvement district and it was ratified by the property owners, and the Town finished the improvements and levied assessments against the property for the work. He continued that the original Conditions, Covenants and Restrictions (CC&Rs) of the subdivision, clearly provided that each lot could have aircraft parking. However, when the Town took over the subdivision improvements, the Town decided that aircraft could only have access to a certain portion of the lots, those that fronted on both sides of what was currently called the Bravo Taxiway. The remainder of the streets would be public streets with no aircraft access in the design of the remainder of the streets. Historical Background
- B Mr. Underkofler went on to say that Richard Henry applied for a building permit for a hangar, and there was a condition placed on his building permit that he could not (his location was on one of the streets not designed for aircraft movements) operate an aircraft under its own power; in this case, Red Baron and Earhart. The permit was approved on that condition. Later on, Mr. Henry had determined that it was safer to operate an aircraft under its own power, rather than having it towed by another vehicle. For many years Mr. Henry had been using Red Baron and Earhart for taxiway purposes. He was the only one, to Mr. Underkofler's knowledge, who had been doing that. The Town had authorized him to do that in terms of not doing anything about it. Cont'd...
- C Within the last year, Mr. Henry had applied for a building permit for another hangar on Red Baron Road and the Building Department had declined to approve the permit for the next hangar, pending resolution of the issue of aircraft operating on Earhart and Red Baron. Cont'd...
- D Mr. Underkofler said that the Airport Board, upon Conclusion of

reviewing the application, tabled it one month ago, and then reconsidered it last night. Their recommendation was to grant Richard Henry a variance so that he could get his building permit application considered, to lower the street signs so that they would not conflict with aircraft movement, to post warning signs to give notice to people that aircraft could be using Red Baron Road and Earhart Parkway, and also to make those streets "no parking," so that there would be enough space for traffic movement. Mr. Underkofler said that it was not Mr. Henry's intention to extend the taxiways into the cul-de-sac portion of Red Baron. The recommendation only applied to Red Baron Road between Earhart and Chenault, and that section of Earhart Parkway from Red Baron to Bravo Taxiway.

Airport Board

- A Clmn. Murphy said that it sounded as though all the neighbors agreed that it was not a problem except for making it a formal taxiway. Mr. Streichman said that it was an issue of what the Town wanted to permit. He further stated that if the Town thought it was a good and safe idea to allow the change, then the Town could take steps to allow it, if the streets would accommodate it, other than lowering the street signs. Clmn. Murphy asked who would pay for the street signs. Mr. Streichman said that he assumed the Town would. Mr. Underkofler stated that staff recommendation was, prior to the Airport Board action, that there was no objection to it, as long as all the costs were borne by the benefitted property owner(s), and that the roadway/taxiway width be widened. This required an 8-foot extension. The Airport Board did not feel that the extra width was necessary.

Discussion

- B Judy Baker, 504 N. Hogan, said that Council should know that there was more to the issue than met the eye. She said that regarding one of the letters, it had been presented to the other property owners in a totally different way than how it currently had been presented. She said that it might have been a verbal agreement at that time, but felt that if the property owners were contacted again, that Council would get a different point of view. There were individuals who owned businesses there which would be impacted by aircraft being on the road, in that deliveries could not be made to those businesses until the aircraft had gone through. She thought Council should be made aware. Clmn. Murphy said his comment was based on the same letter which he was told the rest of the property owners saw. Mrs. Baker said that the letter was a little erroneous. Mr. Underkofler read the letter of

Judy Baker -
Letters from
Mr. Henry

August 16, 1997, from Mr. Henry, to those property owners on the cul-de-sac.

- A Clmn. Murphy said that he had talked to some of the property owners and they did not have a problem with Mr. Henry using the roads, but did not want to see it made a formal taxiway. Mrs. Baker said it was presented in a different way and again stated that the business owners would be against it if it affected their businesses. Cont'd...
- B Clmn. Schum said he spent time talking to the property owners, between receipt of the first letter and second, and they had told him that they did not care if Mr. Henry used those streets. They thought Mr. Henry should be allowed to continue doing what he was doing, as long as the Town was not involved in any costs. Clmn. Schum
- C Clmn. Monschein thought the Public Works Engineer's letter, requiring 8-foot extension of the roads, should be considered, and he did not want to use taxpayer money to widen the road. Clmn. Schum added that he was sure that Mr. Rasmussen, among others, would object to doing anything different on the streets, other than making them commercial. Clmn. Monschein thought that the Town formally adopted the request, then the streets would have to be widened and the signs would need to be changed, and felt the Town would be under tremendous liability. Clmn. Monschein
- D Richard Jones, 1806 Fairway Lane, a property owner in Sky Park, Lot 13, at the corner of Red Baron and Earhart. He thought that the Town was astute in requiring the area to be used as an industrial park, with no taxiing allowed. He felt that Mr. Henry should have initially placed his business on a taxiway, instead of on Red Baron Road. He, too, had talked with property owners and it was their feeling that a taxiway was not in their best interests. He also objected to interruption of business due to aircraft on the road. He also stated that property owners were not going to want to pay for widening the roads or changes to the signs. He also stated that he had received no information regarding the proposed request by Mr. Henry. Mr. Murphy asked if Mr. Jones was opposed to Mr. Henry using the roads as a taxiway, as he had been doing. Mr. Jones answered that it depended on the amount of taxiing that would be done. He was mainly concerned about the cost to the property owners. Clmn. Murphy asked him how he felt about the Airport Board's recommendation. Mr. Jones answered that he thought Mr. Richard Jones -
Opposed to
T a x i w a y
Designation

Henry was proposing another building for additional aircraft.

- A Glen Hale, 805 N. McLane, said he owned property along Red Baron Road, opposite Mr. Henry's property, and that he had never been contacted by anyone concerning the widening of the roads as taxiways. He did not object to Mr. Henry taxiing airplanes there provided there was a speed limit on the aircraft. He added that if there was a variance granted, then the other neighbors would have the same option. Glen Hale
- B Richard Henry, 1501 Red Baron Road, said that the original concept of Sky Park was to provide an aviation industry. He felt the other industries there were compatible. He said he had talked with people on Red Baron Road, and recalled that the deed restrictions called for 30' setbacks on each road and taxiway, to allow 90' for his type of operation. He said that there had been some engineering problems in the beginning, but he had been moving aircraft back and forth for approximately five years and there had been no problems. He did not expect any changes needed to be made other than lowering some stop signs and providing some signs indicating that there was aircraft taxiing in the area. Taxiing aircraft was safer than towing it, he said. He told his students that the speed at which to taxi was a "brisk walk." Another hangar was to store small aircraft which had already been assembled, which would be taken to the runway to test fly. He said that he was not asking for any large changes in the roads, or utilities, and felt that there was ample room for a truck or other aircraft to pass, and room enough to pull over if needed. With all the construction going on in the area, they checked the roadway before putting an aircraft on the road. He felt it was not a problem and recommended going with the Airport Board's recommendations. Richard Henry
- C Clmn. Murphy asked how much Mr. Henry would utilize the road. Mr. Henry answered with an example of three months. Clmn. Murphy asked regarding eliminating parking. Mr. Henry answered that the 30' easement was put in place to allow taxiing, and felt that there was plenty of room on the lots to allow for parking. Questions for Mr. Henry
- D Mayor Stiffler asked if the Town was incurring additional liability if Council took formal action as requested. Mr. Streichman said that, although he had great respect for Mr. Henry and the Airport Board, he advised that if the Council allowed the roadways to be Additional Liability

taxiways and did not conform to the recommendations of the Public Works Engineer, then they would be buying additional liability which the Town did not need.

- A Clmn. Monschein moved that Council follow the Town's Public Works Engineer's recommendations, seconded by Clmn. Gaylord. Mr. Underkofler asked if the recommendation to restrict parking on that street made Mr. Garrett more comfortable. Mr. Garrett replied it did not and said that the reason he recommended the 40' was because it was the standard that had been used by the town for roadways/taxiways. He felt that there would be a liability problem should the Town start deviating from that standard. **Motion carried, 7-0.** Motion: Follow Public Works Engineer's Recommendations CARRIED, 7-0
- B The meeting took a break at 7:10 p.m. and reconvened at 7:18 p.m. with all Councilmembers present, except Clmn. Murphy. B r e a k . - Reconvenement
- C **Elks Lodge Liquor License.** Mayor Stiffler opened the public hearing regarding an application for a Special Event Liquor License filed by the Payson Elks Lodge, #2154, for October 11, 1997, from 10:00 a.m., to 1:00 p.m., at the Elks Lodge, 1206 N. Beeline Highway. Elks Liq. Lic. Application
- D There being no further comment, Mayor Stiffler closed the public hearing. Clmn. Monschein moved to approve the Special Event Liquor License Application filed by the Payson Elks Lodge for October 11, 1997, seconded by Clmn. Brewer; motion carried, 5-0-1. Mayor Stiffler abstained and Clmn. Murphy was not present. Elks Liq. Lic. APPROVED, 5-0-1 Mayor Stiffler Abstained - Clmn. Murphy Not Present

REPORTS

TOWN MANAGER - RICHARD L. UNDERKOFER

TOWN ATTORNEY - SAMUEL I. STREICHMAN

- E Council gave authorization, on the Consent Agenda, to forego verbal title reading of all resolutions and ordinances. Forego Title Readings * C O N S E N T * APPROVED
- F **Ordinance No. 509.** This was the Second Reading and Public Hearing concerning Ordinance No. 509, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, RELATING TO THE RECOVERY COSTS INCURRED FOR EMERGENCY RESPONSES. Ord. #509 - 2nd Reading/Public Hearing
- G There being no comments from Council or the public, Ord. # 5 0 9