

**TOWN OF PAYSON  
TOWN COUNCIL MEETING  
MINUTES OF THE REGULAR MEETING  
April 21, 2016**

**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 - Town Manager, Hector Figueroa - Town Attorney, Don Engler - Police Chief, Silvia Smith - Town Clerk, Cameron Davis - Parks, Recreation and Tourism Director, Emily Linkey - Library Director, and David Staub - Fire Chief.

**OTHERS PRESENT:** Tracie Bailey - Chief Deputy Town Clerk, Melanie Baird-Simmons - Human Resources Director, and Mary Bystricky - Town Prosecutor.

**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 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.

David Staub, Fire Chief, announced Saturday, April 23, 2016, was the Rim Country Fire Angels fundraiser pancake breakfast and yard sale from 7:00 a.m. to 12:00 Noon at 200 East Rancho Road. Breakfast would be served until 10:00 a.m. and was \$5.00 a plate.

Cameron Davis, Parks, Recreation and Tourism Director, announced the footage for the *Best of Small Town* would be ready sometime next week and would be on TV channels in the Valley. Mr. Davis felt it was a great video of the community. Cox Channel 7 would be in Payson the first week of May to do a commercial. The 23rd annual Beeline Cruise-in Car Show was April 30, 2016, in Green Valley Park from 8:00 a.m. to 4:00 p.m. Mr. Davis invited everyone to come to the car show. Mr. Davis reminded everyone the Mogollon Monster Mudda was quickly approaching and there were over 300 registrations. May 6, 7 and 8, 2016, was the Queen Creek Rodeo Association rodeo at the Event Center with 200 participants.

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.

Council Member Croy read into the record a proclamation declaring May 2016 as Motorcycle Safety Awareness Month in Payson. A member of the motorcycle club accepted the proclamation and thanked the Mayor and Council for everything they did for the Town and stated Don Engler, Police Chief, was doing a good job.

2. **Proclamation.** Council Member Carpenter read into the record a proclamation declaring May 7, 2016, as Wildfire Community Preparedness Day in Payson. Jim Tye was present to accept the proclamation.

Jim Tye thanked the Mayor and Council and noted Payson was located in a Wildland Urban Interface making forest fire more likely. Fire breaks have

been created all around Payson and could stop a crown fire. Mr. Tye invited everyone to come to Wildfire Preparedness Day on Saturday May 7, 2016, and learn how to be firewise.

3. **Proclamation.** Council Member Wilson read into the record a proclamation declaring May 5, 2016, as National Day of Prayer in Payson. Lois Johnson and Jann Durst were present to accept the proclamation.

Lois Johnson thanked the Mayor and Council and considered it a great privilege to live in the United States of America. Ms. Johnson invited everyone to come to Messinger Funeral Home on May 5, 2016, from 12:00 Noon to 5:00 p.m. to pray.

## **E. MINUTES**

1. **\*Council Meeting Minutes:**  
April 5, 2016, Special Meeting, Pages 1-6  
April 7, 2016, Regular Meeting, Pages 1-6  
**\*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. **\*Board of Adjustment Meeting Minutes:**  
October 14, 2015, Regular Meeting, Pages 229-231  
**\*CONSENT\* APPROVED**

## **F. HEARINGS AND APPEALS**

1. There were no items in this section.

## **G. RESOLUTIONS AND ORDINANCES**

1. **Resolution No. 2909.** Mayor Evans opened discussion/possible action concerning Resolution No. 2909 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING THE GILA COUNTY INTERGOVERNMENTAL AGREEMENT NO. 032716 WITH THE TOWN OF PAYSON FOR PARTIAL PAVING OF HOUSTON MESA ROAD AND AUTHORIZING THE MAYOR TO EXECUTE SUCH AGREEMENT.

LaRon Garrett, Town Manager, explained part of the C.C. Cragin waterline had to go down the roadway so that part of the roadway had to be replaced. The County had asked the Town to ask the contractor what it would cost to replace other parts of the road that were bad at the same time. The County would pay for that share of the work.

**Motion:** to Approve Resolution No. 2909 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING THE GILA COUNTY INTERGOVERNMENTAL AGREEMENT NO. 032716 WITH THE TOWN OF PAYSON FOR PARTIAL PAVING OF HOUSTON MESA ROAD AND AUTHORIZING THE MAYOR TO EXECUTE SUCH AGREEMENT.

Moved by Council Member John Wilson, seconded by Council Member Richard Croy.

Council Member Carpenter asked if this would cause any budgetary problems. Mr. Garrett replied no, there was enough room in the budget. Council Member Croy asked if this came out of the water budget. Mr. Garrett replied it came out of the water budget, but the County would pay for it and it would go back into the budget. Mayor Evans noted by working with the County it would make the road better. Mr. Garrett agreed it would be a much better road for the residents in the area. Mayor Evans called for the vote.

**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. **Resolution No. 2911.** Mayor Evans opened discussion/possible action concerning Resolution No. 2911 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AUTHORIZING AND APPROVING THE EXECUTION OF THIS RESOLUTION AND THE AUTHORIZED SIGNATORIES FOR THE SUBMISSION OF GRANT APPLICATIONS TO THE GOVERNOR'S OFFICE OF HIGHWAY SAFETY FOR FUNDS FOR SUMMER AND HOLIDAY OVERTIME FOR TRAFFIC ENFORCEMENT, RADAR TRAFFIC ENFORCEMENT DEVICES, AND A GPS ACCIDENT MEASUREMENT SYSTEM.

Don Engler, Police Chief, explained this was a routine grant request done on a yearly basis. It funded DUI enforcement mainly on holiday weekends and helped make the community safer on holidays. Chief Engler was requesting 175 hours of overtime and had completed a second proposal for a GPS measurement system to measure major accident scenes. There was no match from the Town on this grant.

**Motion:** to Approve Resolution No. 2911 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AUTHORIZING AND APPROVING THE EXECUTION OF THIS RESOLUTION AND THE AUTHORIZED SIGNATORIES FOR THE SUBMISSION OF GRANT APPLICATIONS TO THE GOVERNOR'S OFFICE OF HIGHWAY SAFETY FOR FUNDS

FOR SUMMER AND HOLIDAY OVERTIME FOR TRAFFIC ENFORCEMENT, RADAR TRAFFIC ENFORCEMENT DEVICES, AND A GPS ACCIDENT MEASUREMENT SYSTEM.

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.

3. **Resolution No. 2912.** Mayor Evans opened discussion/possible action concerning Resolution No. 2912 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 INTERGOVERNMENTAL AGREEMENT ("IGA") BETWEEN THE RIM COUNTRY EDUCATIONAL ALLIANCE ("RCEA"), THE TOWN OF STAR VALLEY, AN ARIZONA MUNICIPAL CORPORATION ("STAR VALLEY"), AND THE TOWN OF PAYSON, AN ARIZONA MUNICIPAL CORPORATION ("PAYSON"), COLLECTIVELY ("PARTIES") FOR PROVISION OF LEGAL SERVICES.

Hector Figueroa, Town Attorney, explained the first time this came to the Council it was the framework and to ask for direction. As a result of that presentation Mr. Figueroa started talking to parties who might be interested and had talked to Star Valley and had presented it to the Rim Country Educational Alliance (RCEA). RCEA had voted to approve it. This was the second part where the Council got to review the agreement. Star Valley would have it on their agenda on May 3, 2016. The reimbursement amount would be \$65. Mr. Figueroa explained the City of Flagstaff attorney had quit or he would have proposed to include Flagstaff. Mr. Figueroa would come back at a later time with an intergovernmental agreement (IGA) for Flagstaff. Council Member Higgins wanted to confirm any of the parties could terminate the agreement with a ninety day termination notice. Mr. Figueroa replied that was correct.

**Motion:** to Approve Resolution No. 2912 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 INTERGOVERNMENTAL AGREEMENT ("IGA") BETWEEN THE RIM COUNTRY EDUCATIONAL ALLIANCE ("RCEA"), THE TOWN OF STAR VALLEY, AN ARIZONA MUNICIPAL CORPORATION ("STAR VALLEY"), AND THE TOWN OF PAYSON, AN ARIZONA MUNICIPAL CORPORATION ("PAYSON"), COLLECTIVELY ("PARTIES") FOR PROVISION OF LEGAL SERVICES.

Moved by Council Member John Wilson, seconded by Council Member Chris Higgins.

**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.

4. **\*Resolution No. 2913.** Council approved, on the Consent Agenda, Resolution No. 2913 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND AUTHORIZING THE FIRE CHIEF TO EXECUTE THE ARIZONA STATE FORESTER'S COOPERATIVE FIRE RATE AGREEMENT NUMBER KR96-2000 ("AGREEMENT") BETWEEN THE ARIZONA STATE FORESTER, THE TOWN OF PAYSON, AND THE PAYSON FIRE DEPARTMENT, ("COOPERATOR").  
**\*CONSENT\* APPROVED**

Mayor Evans asked if this agreement has been approved. David Staub, Fire Chief, explained this agreement was for the State Forester's bi-annual rate. Council Member Carpenter had heard from the insurance pool that the State Forester Cooperative Agreement was coming. Hector Figueroa, Town Attorney, indicated the State Forester Cooperative Agreement was forthcoming.

## **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 cancel the Special Budget Meeting for May 19, 2016.  
**\*CONSENT\* APPROVED**
2. **Council Decision Request** filed by Melanie Baird-Simmons, Human Resources Manager, to continue utilizing The Segal Company as the Broker of Record for the Town's medical benefits with APEHP; change the Town's Broker of Record to Alliant Employee Benefits for dental and vision benefits.

Melanie Baird-Simmons, Human Resources Manager, explained this was to continue to use The Segal Company as the Broker of Record for the Town's medical benefits with APEHP and change the Town's Broker of Record to Alliant Employee Benefits for dental and vision benefits.

**Motion:** to continue utilizing The Segal Company as the Broker of Record for the Town's medical benefits with APEHP; change the Town's Broker of Record to Alliant Employee Benefits for dental and vision benefits. Moved by Council Member Chris Higgins, 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.

## **J. CLAIMS**

1. \* **Note: Scrivener's error**, last Check No. should have been 048831. Council approved, on the Consent Agenda, a list of checks paid from March 11, 2016, through March 25, 2016, Check Nos. 048547 through ~~048593~~, 048831, except Check No. 048748, and authorization to file the checks for audit.  
**\*CONSENT\* APPROVED**
2. \* **Check No. 048748**. Council approved, on the Consent Agenda, Check No. 048748 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**
3. \* **List of checks**. Council approved, on the Consent Agenda, a list of checks paid from April 8, 2016, through April 8, 2016, Check Nos. 048840 through 048959, except Check No. 048896, and authorization to file the checks for audit.  
**\*CONSENT\* APPROVED**
4. \* **Check No. 048896**. Council approved, on the Consent Agenda, Check No. 048896 and authorization to file the checks 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**

## **K. MISCELLANEOUS**

1. \*Council approved, on the Consent Agenda, the approval of **Patrick Underwood as Chair and Doug Martin as Vice-Chair** of the Board of Adjustment.  
**\*CONSENT\* APPROVED**

## **L. PUBLIC COMMENTS**

There were no public comments.

**ADJOURNMENT**

Mayor Evans adjourned the meeting at approximately 6:03 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 21 of April, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this \_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_

Tracie Bailey, Chief Deputy Town Clerk