

**TOWN OF PAYSON  
TOWN COUNCIL MEETING  
MINUTES OF THE REGULAR MEETING  
May 19, 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 Steve DeSanto, Shepherd of the Pines EV Lutheran Church.

**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, Sheila DeSchaaf - Planning and Development Director, Bobby Davis - Economic Development Specialist, Mary Bystricky - Town Prosecutor, Justin Beeson - Police Officer, Daniel Malloy - Fire Fighter, and Wyatt Bramble - Fire Fighter.

**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.

Emily Linkey, Library Director, reminded everyone June 1, 2016, the summer reading programs started and the schedules were available at the library.

Council Member Wilson announced his great grandson's wife had a baby girl tonight and she was his 30th great grandchild.

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. **Proclamation.** Council Member Carpenter read into the record a proclamation declaring Sunday, May 29, 2016, and Monday, May 30, 2016, as "Memorial Days: Never Forget, Ever Honor...More Than Ever." Council Member Connell accepted the proclamation.

Council Member Connell accepted the proclamation on behalf of the Patriotic Committee and encouraged everyone to go to the Memorial Day events on Sunday, May 29, 2016, at 9:00 a.m. at the Pioneer Cemetery in Payson and 10:00 a.m. at the Mountain Meadows Cemetery in Round Valley and on May 30, 2016, at 10:00 a.m. the Tribute in Green Valley Park.

3. **Proclamation.** Council Member Connell read into the record a proclamation declaring the Blue Iris be the Official Town Flower in Payson, Arizona. Sally Lohman, President, and other members of the High Country Garden Club were present to accept the proclamation.

Sally Lohman thanked the Mayor and Council and was proud and honored to accept the proclamation. Ms. Lohman indicated moving forward the Garden Club hoped to plant the blue iris around the town.

4. **Proclamation.** Council Member Croy read into the record a proclamation declaring May 27 - 29, 2016, as Buddy Poppy Days. Jon Putman, Post Commander, Payson, Pine-Strawberry VFW, and other members of the VFW were present to accept the proclamation.

Jon Putman thanked the Mayor and Council and noted all donations went directly to the veterans.

5. **Proclamation.** Vice-Mayor Hughes read into the record a proclamation declaring May 15 - 21, 2016, as Police Week and May 15, 2016, as Peace Officers' Memorial Day. Payson Police Chief Don Engler and officers with the Gila County Sheriff's Department, Department of Public Safety, Arizona Game and Fish, and the Tonto Apache Tribe were present to accept the proclamation.

Police Chief Don Engler asked for a moment of silence for the officer lost in Phoenix today. Chief Engler noted law enforcement was working on a nationwide program called the low 100 to keep law enforcement officers lost under 100 a year. Many officers have made the ultimate sacrifice already. This year 75 officers have already been lost. Chief Engler appreciated the kind words of the Council.

6. **Proclamation.** Council Member Wilson read into the record a proclamation declaring May 15 - 21, 2016, as Emergency Medical Services Week in Payson. Members of Payson Fire Department, Hellsgate Fire District, Pine-Strawberry Fire District, Beaver Valley Fire District, Whispering Pines Fire District, Christopher Kohls Fire District, Lifeline Ambulance, Native Air, Air Evac, and Banner Payson Medical Center were present to accept the proclamation.

David Staub, Payson Fire Chief, thanked the Mayor and Council and noted the systems that work best were the first responders backed up by an ambulance company.

7. **Proclamation.** Council Member Higgins read into the record a proclamation declaring May 27, 2016, as The Pack-It-In, Pack-It-Out Awareness Day in Payson. Jim Clayton and Members of the North Zone Volunteers were present to accept the proclamation.

A Forest Service employee thanked the Mayor and Council for the opportunity for the Forest Service to say thank you to their volunteers. The volunteers have worked tirelessly to help keep the forest clean by initiating The Pack It In, Pack It Out program.

8. **Proclamation.** Mayor Evans read into the record a proclamation declaring the Week of May 22 - 28, 2016, as Economic Development Week in Payson. Bobby Davis, Economic Development Specialist, was present to accept the proclamation.

Bobby Davis thanked the Mayor and Council and the 26 manufacturing companies that were in Payson.

#### **E. MINUTES**

1. \*Council Meeting Minutes:  
May 10, 2016, 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.)

2. \*Planning and Zoning Commission Minutes:  
March 7, 2016, Regular Meeting Pages 1-2  
**\*CONSENT\* INFORMATION ONLY**
3. \*Airport Commission Minutes:  
January 25, 2016, Regular Meeting Pages 1-5  
**\*CONSENT\* INFORMATION ONLY**

#### **F. HEARINGS AND APPEALS**

1. There were no items in this section.

#### **G. RESOLUTIONS AND ORDINANCES**

1. **Resolution No. 2916.** Mayor Evans opened discussion/possible action concerning Resolution No. 2916 captioned as follows: A RESOLUTION OF THE MAYOR AND 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.

David Staub, Fire Chief, explained this was an update to the agreement. The State reimbursed the Town for money spent helping protect lands and the agreement was being updated.

**Motion:** to Approve Resolution No. 2916 captioned as follows: A RESOLUTION OF THE MAYOR AND 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.

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

2. **Resolution No. 2920.** Mayor Evans opened discussion/possible action concerning Resolution No. 2920 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ("TOWN") AWARDING THE BID AND AUTHORIZING THE CONTRACT ON THE C.C. CRAGIN RAW WATER PENSTOCK PHASE 2 PROJECT WITH JOHANSEN CONSTRUCTION, INC. ("CONTRACTOR"), AND THE TOWN OF PAYSON, AN ARIZONA MUNICIPAL CORPORATION, ("TOWN").

LaRon Garrett, Town Manager, indicated the Town had received eight bids on this project. This was the last pipeline for the C. C. Cragin project and this was the low bidder. Council Member Carpenter inquired what the engineer's estimate was. Mr. Garrett replied six and a half to seven million.

**Motion:** to Approve Resolution No. 2920 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ("TOWN") AWARDING THE BID AND AUTHORIZING THE CONTRACT ON THE C.C. CRAGIN RAW WATER PENSTOCK PHASE 2 PROJECT WITH JOHANSEN CONSTRUCTION, INC. ("CONTRACTOR"), AND THE TOWN OF PAYSON, AN ARIZONA MUNICIPAL CORPORATION, ("TOWN"). 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. 2921.** Mayor Evans opened discussion/possible action concerning Resolution No. 2921 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE NORTH MANZANITA DRIVE RECONSTRUCTION CONTRACT BETWEEN JNL CONTRACTING, INC. ("CONTRACTOR"), AND THE TOWN OF PAYSON, AN ARIZONA MUNICIPAL CORPORATION, ("TOWN").

LaRon Garrett, Town Manager, noted this was the low bidder to reconstruct North Manzanita Drive.

**Motion:** to Approve Resolution No. 2921 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE NORTH MANZANITA DRIVE RECONSTRUCTION CONTRACT BETWEEN JNL CONTRACTING, INC. ("CONTRACTOR"), AND THE TOWN OF PAYSON, AN ARIZONA MUNICIPAL CORPORATION, ("TOWN"). 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.

4. **Resolution No. 2922.** Mayor Evans opened discussion/possible action concerning Resolution No. 2922 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ("TOWN") AWARDED THE BID AND AUTHORIZING THE CONTRACT ON THE AQUIFER STORAGE AND RECOVERY HYDRAULIC VALVES WITH CACTUS CONTROLS, INC. ("CONTRACTOR"), AND THE TOWN OF PAYSON, AN ARIZONA MUNICIPAL CORPORATION, ("TOWN").

LaRon Garrett, Town Manager, explained these were special hydraulic valves for the well and cost around \$50,000 each. Mayor Evans noted they were specially built and needed time to order. Mr. Garrett replied yes, that was correct.

**Motion:** to Approve Resolution No. 2922 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ("TOWN") AWARDED THE BID AND AUTHORIZING THE CONTRACT ON THE AQUIFER STORAGE AND RECOVERY HYDRAULIC VALVES WITH CACTUS CONTROLS, INC. ("CONTRACTOR"), AND THE TOWN OF PAYSON, AN ARIZONA MUNICIPAL CORPORATION, ("TOWN"). 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 Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris Higgins, and Council Member John Wilson.

5.

**Ordinance No. 878.** First Public Hearing regarding Ordinance No. 878 captioned as follows: AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, AMENDING ORDINANCE 466, THE ZONING MAP, AND THE ZONING CODE FOR THE TOWN OF PAYSON BY REZONING CERTAIN REAL PROPERTY GENERALLY LOCATED AT 208 E. BONITA STREET, AS MORE PARTICULARLY DESCRIBED ON EXHIBIT A, FROM C-1 COMMERCIAL ONE (NEIGHBORHOOD SERVICES DISTRICT) TO R-3, (MULTIPLE FAMILY RESIDENTIAL), AND PROVIDING PROP 207 NOTICE TO APPLICANT.

Mayor Evans opened the Public Hearing. Sheila DeSchaaf, Planning and Development Director, explained this was an application filed by the owner to change the zoning for the purpose of refinancing the property. The General Plan called for mixed use in this area and staff recommended approval. Three conditions were recommended; that the property has an easement for the street and a slope and drainage easement be granted and temporary construction easements. There were no public comments. Mayor Evans closed the Public Hearing.

6. **Ordinance No. 879.** First Public Hearing regarding Ordinance No. 879 captioned as follows: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING PAYSON TOWN CODE SECTION 154-02-003 TO THE UNIFIED DEVELOPMENT CODE RELATING TO THE MOBILE STORAGE DEFINITION TO ALLOW FOR REFRIGERATED UNITS BY RESTAURANTS AND GROCERY STORES, ESTABLISHING A SUNSET CLAUSE AND DECLARING SUCH AMENDMENT AND ADDITION TO BE A PUBLIC RECORD.

Mayor Evans opened the Public Hearing. Sheila DeSchaaf, Planning and Development Director, indicated this would allow commercial retailers that were restaurants and grocery stores to use mobile storage units and allow them to connect the units to power. There were no public comments. Mayor Evans closed the Public Hearing.

7. **Ordinance No. 880.** First Public Hearing regarding Ordinance No. 880 captioned as follows: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING PAYSON TOWN CODE SECTION 154-02-004 TO THE UNIFIED DEVELOPMENT CODE RELATING TO THE KEEPING OF LIVESTOCK TO REMOVE THE FRONT YARD EXCLUSION, ESTABLISHING A SUNSET CLAUSE AND DECLARING SUCH AMENDMENT AND ADDITION TO BE A PUBLIC RECORD.

Mayor Evans opened the Public Hearing. Sheila DeSchaaf, Planning and Development Director, explained currently residents needed to have an acre and would still need an acre to have livestock, but this would allow livestock in the front yard. Some houses sat at the back of the property and this

amended it to allow more freedom. Mayor Evans asked if someone had raised issues. Ms. DeSchaaf replied yes, staff has been working with the property owner to resolve this. In some cases lots backed two different streets. Council Member Carpenter asked if this would override any Home Owner's Association rules. Ms. DeSchaaf replied no, those rules would still be in place. There were no public comments. Mayor Evans closed the Public Hearing.

8. First Public Hearing re: an application filed by the Town of Payson to amend Unified Development Code Section 154-02-003 concerning exempt accessory structures.
  - A. **Resolution No. 2919** - A RESOLUTION OF THE MAYOR AND COUNCIL OF PAYSON, ARIZONA, AMENDING PAYSON TOWN CODE SECTION 154-02-003 UNIFIED DEVELOPMENT CODE, GENERAL DEVELOPMENT STANDARDS AND ZONING PROVISIONS, AND DECLARING SUCH AMENDMENTS AND ADDITION TO BE A PUBLIC RECORD.
  - B. **Ordinance No. 881** - AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING PAYSON TOWN CODE SECTION 154-02-003, UNIFIED DEVELOPMENT CODE, GENERAL DEVELOPMENT STANDARDS AND ZONING PROVISIONS.

Mayor Evans opened the Public Hearing. Sheila DeSchaaf, Planning and Development Director, indicated this was a cleanup of the building code. When the exempt accessory structure requirement went from 144 square feet to 200 square feet the exempt structure was not allowed in the front yard. This was to allow carports and similar open-sided structures exempt from the building code within front yard setbacks. There were no public comments. Mayor Evans closed the Public Hearing.

9. First Public Hearing re: an application filed by the Town of Payson to amend Unified Development Code Section 154-04-002 to allow commercial parking lots in R3, Multifamily Residential zoning districts.
  - A. **Resolution No. 2917** - A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING PAYSON TOWN CODE SECTION 154-04-002 UNIFIED DEVELOPMENT CODE OFF-STREET PARKING AND LOADING GENERAL REQUIREMENTS TO ALLOW COMMERCIAL PARKING LOTS IN R-3 MULTIPLE FAMILY RESIDENTIAL ZONING DISTRICTS, AND UPDATING THE OFF-SITE PARKING PROVISIONS AND APPROVAL PROCESS, AND DECLARING SUCH AMENDMENT AND ADDITION TO BE A PUBLIC RECORD.
  - B.

**Ordinance No. 882** - AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING PAYSON TOWN CODE SECTION 154-04-002 UNIFIED DEVELOPMENT CODE OFF-STREET PARKING AND LOADING GENERAL REQUIREMENTS.

Mayor Evans opened the Public Hearing. Sheila DeSchaaf, Planning and Development Director, noted this was an amendment to the Code to cleanup prohibition of commercial parking lots in neighborhoods and would allow commercial parking lots in R-3 Multiple family residential zoning districts. There were no public comments. Mayor Evans closed the Public Hearing.

10. First Public Hearing re: an application filed by the Town of Payson to amend Unified Development Code Section 154-04-004D, 154-07-002A, and 154-11-002 concerning Residential Lot Development Standards.

- A. **Resolution No. 2918** - A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING PAYSON TOWN CODE SECTIONS 154-02-004D, 154-07-002A, AND 154-11-002 UNIFIED DEVELOPMENT CODE, RESIDENTIAL LOT DEVELOPMENT STANDARDS, SUBDIVISION DESIGN PRINCIPALS AND STANDARDS GENERAL REQUIREMENTS, AND DEVELOPMENT MASTER PLAN DEFINITION, AND DECLARING SUCH AMENDMENTS AND ADDITION TO BE A PUBLIC RECORD.

- B. **Ordinance No. 883** - AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING PAYSON TOWN CODE SECTION 154-02-004D UNIFIED DEVELOPMENT CODE RESIDENTIAL LOT DEVELOPMENT STANDARDS, SECTION 154-07-002A SUBDIVISION DESIGN PRINCIPALS AND STANDARDS GENERAL REQUIREMENTS, AND SECTION 154-11-002 DEFINITIONS.

Mayor Evans opened the Public Hearing. Sheila DeSchaaf, Planning and Development Director, indicated this provided flexibility in lot development standards and in a new subdivision plan it would allow the developer to vary from traditional lot standards. Mayor Evans inquired if it would change the total number of lots or only the size of the lots. Ms. DeSchaaf replied it would not change the number of lots. There were no public comments. Mayor Evans closed the Public Hearing.

**H. UNFINISHED BUSINESS**

1. There were no items in this section.

**I. NEW BUSINESS**

1. There were no items in this section.

**J. CLAIMS**

- 1. **\*List of checks.** Council approved, on the Consent Agenda, a list of checks paid from May 6, 2016, through May 6, 2016, Check Nos. 049116 through 049237, and authorization to file the checks for audit.  
**\*CONSENT\* APPROVED**

**K. MISCELLANEOUS**

- 1. There were no items in this section.

**L. PUBLIC COMMENTS**

There were no public comments.

**ADJOURNMENT**

Mayor Evans adjourned the meeting at approximately 6:22 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 19 of May, 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