

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
July 7, 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

Mayor Evans offered the invocation.

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, Don Engler - Police Chief, Silvia Smith - Town Clerk, Cameron Davis - Parks, Recreation and Tourism Director, and David Staub - Fire Chief.

OTHERS PRESENT: Tracie Bailey - Chief Deputy Town Clerk, Mary Bystricky - Town Prosecutor, Bobby Davis, Economic Development Specialist, Doni Wilbanks - Planning Specialist I, and Melanie Baird-Simmons - Human Resources Manager.

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 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.

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.

Cameron Davis, Parks, Recreation and Tourism Director, announced the Town had a great 4th of July. There were around fifteen to sixteen thousand people at Green Valley Park. There were no major incidents to report. Mr. Davis had a lot of great feedback. This weekend was the 2016 Arizona ASA "B" State Championships softball tournament. There were twenty seven teams signed up. Mr. Davis invited everyone to come out tomorrow afternoon through Sunday to watch the tournament. August 5, 2016, was the 2nd Annual Sun Devil Pep Rally from 5:00 p.m. to 9:00 p.m. at Green Valley Park. Sparky and the Spirit Squad would be there. Camp Tontozona was August 3-6, 2016. The scrimmage would be on Saturday, August 6, 2016, at 10:00 a.m. The Glow in the Bowl Fun Run was August 6, 2016, at Green Valley Park. Mayor Evans noted a newspaper in Mexico was advertising the Payson Book Fair.

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.

E. MINUTES

1. ***Council Meeting Minutes:**
June 16, 2016 Special Meeting Pages 1-4
June 16, 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. *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 Raymond Wesley Still, agent for Payson Rodeo Committee, Inc. for a fundraiser to be held at The Oxbow Inn and Saloon, 607 W. Main Street, Payson, Arizona, August 18 through August 20, 2016, 8:00 a.m. to 2:00 a.m. ***CONSENT* APPROVED**
2. **Second Public Hearing** regarding the 2016 Community Development Block Grant.

Mayor Evans opened the Public Hearing. Doni Wilbanks, Planning Specialist I, indicated this was the second hearing that was required for the Community Development Block Grant (CDBG) application. The Public Hearing was to give members of the public the chance to comment. There were no public comments. Mayor Evans closed the Public Hearing.

G. RESOLUTIONS AND ORDINANCES

Mayor Evans moved Items G.6 and G.7 up on the agenda.

6. **Resolution No. 2933.** Mayor Evans opened discussion/possible action concerning Resolution No. 2933 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADOPTING A RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN FOR FISCAL YEAR 2016/2017, AS REQUIRED UNDER SECTION 104(d) OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED.

Motion: to Approve Resolution No. 2933 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADOPTING A RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN FOR FISCAL YEAR 2016/2017, AS REQUIRED UNDER SECTION 104(d) OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED.

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.

7. **Resolution No. 2934.** Mayor Evans opened discussion/possible action concerning Resolution No. 2934 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AUTHORIZING THE SUBMISSION OF AN APPLICATION

FOR FISCAL YEAR 2016-2017 STATE COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") FUNDS, CERTIFYING THAT SAID APPLICATION MEETS THE COMMUNITY'S PREVIOUSLY IDENTIFIED HOUSING AND COMMUNITY DEVELOPMENT NEEDS AND THE REQUIREMENTS OF THE STATE CDBG PROGRAM, AND AUTHORIZING ALL ACTIONS NECESSARY TO IMPLEMENT AND COMPLETE THE ACTIVITIES OUTLINED IN SAID APPLICATION.

Motion: to Approve Resolution No. 2934 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FISCAL YEAR 2016-2017 STATE COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") FUNDS, CERTIFYING THAT SAID APPLICATION MEETS THE COMMUNITY'S PREVIOUSLY IDENTIFIED HOUSING AND COMMUNITY DEVELOPMENT NEEDS AND THE REQUIREMENTS OF THE STATE CDBG PROGRAM, AND AUTHORIZING ALL ACTIONS NECESSARY TO IMPLEMENT AND COMPLETE THE ACTIVITIES OUTLINED IN SAID APPLICATION.

Moved by Council Member John Wilson, seconded by Council Member Fred Carpenter.

Council Member Carpenter asked how much money was available and how many projects the Town has done over the last fifteen to twenty years. Mayor Evans noted the total CDBG funding available was \$287,483. Doni Wilbanks, Planning Specialist I, indicated the Town has done fifty nine houses since 2000 and would complete around five more houses with this application. 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.

1. **Resolution No. 2927.** Mayor Evans opened discussion/possible action concerning Resolution No. 2927 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING THE INTERGOVERNMENTAL AGREEMENT ("AGREEMENT") BETWEEN THE TOWN OF PAYSON, ON BEHALF OF THE TOWN OF PAYSON POLICE DEPARTMENT ("TPPD") AND GILA COUNTY, ON BEHALF OF THE GILA COUNTY SHERIFF'S OFFICE ("GCSO") FOR CENTRALIZED DISPATCH SERVICES TO THE GCSO AND AUTHORIZING THE MAYOR TO EXECUTE SUCH AGREEMENT.

Motion: to Approve Resolution No. 2927 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING THE INTERGOVERNMENTAL

AGREEMENT ("AGREEMENT") BETWEEN THE TOWN OF PAYSON, ON BEHALF OF THE TOWN OF PAYSON POLICE DEPARTMENT ("TPPD") AND GILA COUNTY, ON BEHALF OF THE GILA COUNTY SHERIFF'S OFFICE ("GCSO") FOR CENTRALIZED DISPATCH SERVICES TO THE GCSO AND AUTHORIZING THE MAYOR TO EXECUTE SUCH AGREEMENT.

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.

2. **Resolution No. 2928.** Mayor Evans opened discussion/possible action concerning Resolution No. 2928 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING THE INTERGOVERNMENTAL AGREEMENT ("AGREEMENT") BETWEEN THE TOWN OF PAYSON, ON BEHALF OF THE TOWN OF PAYSON POLICE DEPARTMENT ("TPPD") AND THE TONTO APACHE TRIBE, ON BEHALF OF THE TONTO APACHE TRIBAL POLICE DEPARTMENT ("TATPD"), FOR CENTRALIZED DISPATCH SERVICES TO THE TATPD AND AUTHORIZING THE MAYOR TO EXECUTE SUCH AGREEMENT.

Council Member Carpenter inquired who has been providing services for the Tonto Apache Tribe. Don Engler, Police Chief, replied the Gila County Sheriff's Office. Council Member Carpenter asked if there were any questions regarding the sovereign nation of the Tribe. Chief Engler explained the Police Department had provided dispatching services for the Tribe in the past. There was language in the contract regarding the sovereignty of the Tribe.

Motion: to Approve Resolution No. 2928 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING THE INTERGOVERNMENTAL AGREEMENT ("AGREEMENT") BETWEEN THE TOWN OF PAYSON, ON BEHALF OF THE TOWN OF PAYSON POLICE DEPARTMENT ("TPPD") AND THE TONTO APACHE TRIBE, ON BEHALF OF THE TONTO APACHE TRIBAL POLICE DEPARTMENT ("TATPD"), FOR CENTRALIZED DISPATCH SERVICES TO THE TATPD AND AUTHORIZING THE MAYOR TO EXECUTE SUCH AGREEMENT.
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.

3. **Resolution No. 2930.** Mayor Evans opened discussion/possible action concerning Resolution No. 2930 captioned as follows: A RESOLUTION OF THE MAYOR AND 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.

LaRon Garrett, Town Manager, explained this was the annual agreement for the County funds for the library. Mayor Evans asked if there were any changes. Mr. Garrett replied no.

Motion: to Approve Resolution No. 2930 captioned as follows: A RESOLUTION OF THE MAYOR AND 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.

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. 2931.** Mayor Evans opened discussion/possible action concerning Resolution No. 2931 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE STUDENT PLACEMENT AGREEMENT ("AGREEMENT") BETWEEN THE CALIFORNIA STATE UNIVERSITY ("UNIVERSITY"), ON BEHALF OF ITS COLLEGE OF CONTINUING EDUCATION ("CCE") AND THE TOWN OF PAYSON, THE PAYSON FIRE DEPARTMENT, ("FACILITY") TO PLACE STUDENTS IN A FIELD EXPERIENCE TRAINING PROGRAM IN THE PARAMEDIC FIELD.

David Staub, Fire Chief, explained the purpose of the agreement. As a person became a paramedic there was class time, clinical time and vehicular time. This agreement was unique and was for one individual who moved

back to Payson from California to finish his degree. It would not cost the Town anything.

Motion: to Approve Resolution No. 2931 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE STUDENT PLACEMENT AGREEMENT ("AGREEMENT") BETWEEN THE CALIFORNIA STATE UNIVERSITY ("UNIVERSITY"), ON BEHALF OF ITS COLLEGE OF CONTINUING EDUCATION ("CCE") AND THE TOWN OF PAYSON, THE PAYSON FIRE DEPARTMENT, ("FACILITY") TO PLACE STUDENTS IN A FIELD EXPERIENCE TRAINING PROGRAM IN THE PARAMEDIC FIELD.

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.

5. **Resolution No. 2932.** Mayor Evans opened discussion/possible action concerning Resolution No. 2932 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ("TOWN"), APPROVING THE TERMINATION OF VARIOUS 457 DEFERRED COMPENSATION PLANS FORMALLY ADOPTED PURSUANT TO RESOLUTIONS NOS. 2071, 2110 AND 2394 BY FORMALLY RESCINDING SAID RESOLUTIONS, AND AUTHORIZING THE TOWN MANAGER AND THE HUMAN RESOURCE MANAGER TO TAKE ADMINISTRATIVE ACTION TO ACCOMPLISH SUCH TERMINATION.

LaRon Garrett, Town Manager, noted this was to reduce the number of 457 Deferred Compensation Plans from five to two. Melanie Baird-Simmons, Human Resources Manager, explained for a town this size to have five plans was cumbersome and costly. Council Member Carpenter asked if any employee wanted to join a plan could they join one of the two plans. Ms. Baird-Simmons replied yes.

Motion: to Approve Resolution No. 2932 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ("TOWN"), APPROVING THE TERMINATION OF VARIOUS 457 DEFERRED COMPENSATION PLANS FORMALLY ADOPTED PURSUANT TO RESOLUTIONS NOS. 2071, 2110 AND 2394 BY FORMALLY RESCINDING SAID RESOLUTIONS, AND AUTHORIZING THE TOWN MANAGER AND THE HUMAN RESOURCE MANAGER TO TAKE ADMINISTRATIVE ACTION TO ACCOMPLISH SUCH TERMINATION.

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.

8. ***Resolution No. 2935.** Council approved, on the Consent Agenda, Resolution No. 2935 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH PAYSON CHAMBER OF COMMERCE, INC., FOR DISBURSEMENT OF PUBLIC PURPOSE FUNDS.
***CONSENT* APPROVED**
9. ***Resolution No. 2936.** Council approved, on the Consent Agenda, Resolution No. 2936 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE HUMANE SOCIETY OF CENTRAL ARIZONA, INC., FOR FISCAL YEAR 2016-2017.
***CONSENT* APPROVED**
10. ***Resolution No. 2937.** Council approved, on the Consent Agenda, Resolution No. 2937 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE PAYSON MULTIPURPOSE SENIOR CENTER DEVELOPMENT ASSOCIATION, INC., FOR DISBURSEMENT OF PUBLIC PURPOSE FUNDS.
***CONSENT* APPROVED**
11. ***Resolution No. 2938.** Council approved, on the Consent Agenda, Resolution No. 2938 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT FOR STAFFING SERVICES ("AGREEMENT") BY AND BETWEEN THE TOWN OF PAYSON, AN ARIZONA MUNICIPAL CORPORATION ("CLIENT"), AND EDUCATIONAL SERVICES, INC., AN ARIZONA CORPORATION ("CONTRACTOR"), RELATING TO EMPLOYEE-STAFFING SERVICES.
***CONSENT* APPROVED**
12. ***Resolution No. 2941.** Council approved, on the Consent Agenda, Resolution No. 2941 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING THE SLOPE EASEMENT DESCRIBED IN THE

DOCUMENT ATTACHED HERETO AS EXHIBIT "1" IN CONJUNCTION WITH THE BONITA STREET PHASE 2 PROJECT.

***CONSENT* APPROVED**

13. ***Resolution No. 2942.** Council approved, on the Consent Agenda, Resolution No. 2942 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING THE TEMPORARY CONSTRUCTION EASEMENT DESCRIBED IN THE DOCUMENT ATTACHED HERETO AS EXHIBIT "1" IN CONJUNCTION WITH THE BONITA STREET PHASE 2 PROJECT.

***CONSENT* APPROVED**

14. ***Resolution No. 2943.** Council approved, on the Consent Agenda, Resolution No. 2943 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING TITLE TO CERTAIN REAL PROPERTY DESCRIBED IN THE WARRANTY CLAIM DEED ATTACHED HERETO AS EXHIBIT "1", PERTAINING TO THE BONITA STREET PHASE 2 IMPROVEMENT PROJECT.

***CONSENT* APPROVED**

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 June 17, 2016, through June 23, 2016, Check Nos. 049490 through 049713, except Check Nos. 049516, 049528, 049641, 049699, and authorization to file the checks for audit.

***CONSENT* APPROVED**

2. ***Check No. 049516.** Council approved, on the Consent Agenda, Check No. 049516 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. 049528.** Council approved, on the Consent Agenda, Check No. 049528 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**

4. ***Check Nos. 049641 and 049699.** Council approved, on the Consent Agenda, Check Nos. 049641 and 049699 and authorization to file the checks for audit. (Note: due to a perceived and/or possible conflict of interest, Council Member Higgins was considered to have abstained from voting on this item.)
***CONSENT APPROVED**

K. MISCELLANEOUS

1. *There were no items in this section.

L. PUBLIC COMMENTS

1. There were no public comments.

ADJOURNMENT

Mayor Evans adjourned the meeting at approximately 5:51 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 7 of July, 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