

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
June 7, 2007**

CALL TO ORDER

Mayor Edwards called the meeting to order at approximately 5:30 p.m. in the Town Hall Council Chambers.

INVOCATION

PLEDGE OF ALLEGIANCE

PRESENT: Mayor Bob Edwards, Vice-Mayor Tim Fruth, Council Member Ed Blair, Council Member Su Connell, Council Member Andy Romance, Council Member Mike Vogel, and Council Member John Wilson.

STAFF PRESENT: Fred Carpenter, Town Manager, Sam Streichman, Town Attorney, Jerry Owen, Community Development Director, Rick Manchester, Parks & Recreation Director, Debra Galbraith, Chief Fiscal Officer, Marty deMasi, Fire Chief, Gordon H. Gartner, Police Chief, Silvia Smith, Town Clerk, Colin Walker, Water Superintendent, and LaRon Garrett, Town Engineer.

OTHERS PRESENT: Gaye Stidham, Deputy Town Clerk; Tim Wright, Deputy Town Attorney; Mary McMullen, Recreation Coordinator; Sgt. Todd Bramlet; Kim Becker, Police Department Executive Assistant.

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

Jim Garner reported on the success of the Aero Fair. He thanked the volunteers who made it a success with special thanks to Town departments who helped with the advertising. budget and volunteer police officers. He also thanked the different non-profit organizations and the FAA for their support.

Penny Pew, aide to Congressman Renzi, reported that a health fair for 50+ would be held Wednesday, June 27, 2007 at the Senior Circle building to discuss pre and post retirement. There will be a Medicare representative to help with prescription plans and volunteer nurses for blood pressure screenings and dental screenings. The Blind Federation will be available to help with diabetic problems. She suggested contacting her in Show Low with any questions.

B. CONSENT AGENDA Items listed on the agenda with an asterisk which are considered to be routine in nature and which will be enacted by one motion. No separate discussion of these items shall be held unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and will be considered in its normal sequence on the main agenda.

Motion: to approve all items listed on the consent agenda except Item H.3 at the request of Council Member Vogel.

Moved by Council Member John Wilson, seconded by Council Member Su Connell.

Vote: Motion carried 7 - 0

Yes: Mayor Bob Edwards, Vice-Mayor Tim Fruth, Council Member Ed Blair, Council Member Su Connell, Council Member Andy Romance, Council Member Mike Vogel, and Council Member John Wilson.

C. CURRENT EVENTS PRESENTATION BY THE TOWN MANAGER, MAYOR, AND/OR COUNCIL MEMBER

Manager Carpenter reported that contractors had completed the paving of Meadow Street between Main and Frontier Streets. The rubberized chip seal project was also completed today for Longhorn between Beeline and McLane and bids for rubberized chip seal on W. Airport Road from the end of the current project to Vista Road and on Vista Road south to Country Club Drive will be ready next week. Applications for the 4th annual Payson Citizens Leadership Academy will be taken until 5:00 p.m. on July 31, 2007.

D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS

1. Comments, Commendations, and Presentations by Mayor, Council Members, and/or Town Staff.

Council Member Blair invited citizens to the Monday, 3:00 p.m. Planning and Zoning Commission meeting to voice their opinions especially concerning changing building height limits from 35 feet to 45 feet in the Highway 260/87 corridor.

Mayor Edwards wished Chief Gartner his best upon his retirement on June 30, 2007. Mayor Edwards noted that Chief Gartner had offered to volunteer as a civilian. He commended Allison Murphy and Sean DeWitt for their handling of a 911 call concerning a Marine veteran. Mayor Edwards also commended the fire crews and Red Cross crews for keeping us safe. He noted that Vice-Mayor Fruth would act as Mayor in his absence for the next two weeks.

2. Public Recognition of the Payson Little League and National Bank of Arizona for their donations.

Mary McMullin, Recreation Coordinator, recognized the Payson Little League for their donation of bleachers at the Rumsey Kiwanas field and National Bank for the score board at Rumsey #3 danted. Keven Alderson, National Bank, accepted certificates of appreciation for both organizaitons.

3. Presentation of a Town of Payson image document by the Image Task Force.

Roy Bergold thanked his fellows committee members who worked together to present the image statement. He gave an updated version to Council. Mr. Bergold said that Payson was a mountain town with a western heritage. Fun in Payson is our middle name.

Motion: to Approve the image statement as presented by the Image Task Force, "a Mountain Town with a Western Heritage - fun in Payson is our middle name".

Moved by Council Member Mike Vogel, seconded by Council Member John Wilson.

Vice-Mayor Fruth asked the statement be accepted tentatively and put on the website first during the next week for citizen comment and presented for approval at the next meeting. Council Member Vogel amended his motion and Council Member Wilson seconded the amendment.

Vote: Motion carried 7 - 0

Yes: Mayor Bob Edwards, Vice-Mayor Tim Fruth, Council Member Ed Blair, Council Member Su Connell, Council Member Andy Romance, Council Member Mike Vogel, and Council Member John Wilson.

Motion: to Approve accepting tentatively the image statement as presented and to put the statement on the website during the next week for citizen comment and presented for approval at the next meeting.

Moved by Council Member Mike Vogel, seconded by Council Member John Wilson.

Vote: Motion carried 7 - 0

Yes: Mayor Bob Edwards, Vice-Mayor Tim Fruth, Council Member Ed Blair, Council Member Su Connell, Council Member Andy Romance, Council Member Mike Vogel, and Council Member John Wilson.

E. MINUTES

1. * Council Meeting Minutes: 05-03-07 Regular Meeting Pages 1-8, 05-22-07 Special Meeting Pages 12199-12200
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: 03-31-07 Special Meeting Page 3026, 04-09-07 Regular Meeting Pages 1-8
CONSENT
3. * Building Advisory Committee Minutes: 04-24-07 Regular Meeting Page 408-409
CONSENT

Parks and Recreation Advisory Board Minutes: 04-25-07 Special Meeting Page 1-2
CONSENT

F. HEARINGS AND APPEALS There are no items in this section.

G. RESOLUTIONS AND ORDINANCES

1. * As Council, staff, and the audience have the titles to all resolutions and

ordinances, authorization to forego verbal title readings. *CONSENT* APPROVED

2. Discussion/possible action concerning Resolution No. 2278, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTION 15-07-002.H OF CHAPTER 154 OF THE COE OF THE TOWN OF PAYSON (THE UNIFIED DEVELOPMENT CODE) RELATING TO HILLSIDE GRADING REQUIREMENTS, AND DECLARING SUCH AMENDMENT TO BE A PUBLIC RECORD. (Taken with Ordinance No. 717)
3. Second Reading and Public Hearing concerning Ordinance No. 717, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTION 15-07-002.H OF CHAPTER 154 OF THE CODE OF THE TOWN OF PAYSON (THE UNIFIED DEVELOPMENT CODE) RELATING TO HILLSIDE GRADING REQUIREMENTS.

Mayor Edwards opened the Public Hearing. There were no comments from the public and he closed the Public Hearing.

Motion: to Approve Resolution No. 2278, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTION 15-07-002.H OF CHAPTER 154 OF THE CODE OF THE TOWN OF PAYSON (THE UNIFIED DEVELOPMENT CODE) RELATING TO HILLSIDE GRADING REQUIREMENTS, AND DECLARING SUCH AMENDMENT TO BE A PUBLIC RECORD and Ordinance No. 717, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTION 15-07-002.H OF CHAPTER 154 OF THE CODE OF THE TOWN OF PAYSON (THE UNIFIED DEVELOPMENT CODE) RELATING TO HILLSIDE GRADING REQUIREMENTS AND DECLARING SUCH AMENDMENT TO BE A PUBLIC RECORD.

Moved by Council Member John Wilson, seconded by Council Member Mike Vogel.

Council Member Romance noted that the Ordinance required a registered engineer for design. Mr. Garrett explained the need for engineering because of the technical issues with slopes. Council Member Romance asked to amend the motion changing Section H.4-A. by removing the exception for firewise protection area. H.4-A to read, "No clearing, grubbing or brushing is allowed on "Hillside" Properties without a grading permit." Council Member Vogel and Council Member Wilson concurred and amended the motion.

Motion: to Approve Resolution No. 2278, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTION 15-07-002.H OF CHAPTER 154 OF THE CODE OF THE TOWN OF PAYSON (THE UNIFIED DEVELOPMENT CODE) RELATING TO HILLSIDE GRADING REQUIREMENTS, AND DECLARING SUCH AMENDMENT TO BE A PUBLIC RECORD and Ordinance No. 717, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON

COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTION 15-07-002.H OF CHAPTER 154 OF THE CODE OF THE TOWN OF PAYSON (THE UNIFIED DEVELOPMENT CODE) RELATING TO HILLSIDE GRADING REQUIREMENTS AND DECLARING SUCH AMENDMENT TO BE A PUBLIC RECORD. **Amending Section Section H.4-A. by removing the exception for firewise protection area. H.4-A to read, "No clearing, grubbing or brushing is allowed on "Hillside" Properties without a grading permit."**

Moved by Council Member Mike Vogel, seconded by Council Member John Wilson.

Vote: Motion carried 7 - 0

Yes: Mayor Bob Edwards, Vice-Mayor Tim Fruth, Council Member Ed Blair, Council Member Su Connell, Council Member Andy Romance, Council Member Mike Vogel, and Council Member John Wilson.

4. * Discussion/possible action concerning Resolution No. 2279, captioned as follows:
A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, TO APPROVE, PURSUANT TO A.R.S. SECTION 48-262(f), AN ANNEXATION OF ADDITIONAL TERRITORY INTO THE NORTHERN GILA COUNTY SANITARY DISTRICT OF THOSE CERTAIN PARCELS OF REAL PROPERTY AS DENOMINATED ON THE ATTACHED EXHIBIT "A". (401 S. RIM CLUB PARKWAY, PAYSON, ARIZONA, MARK W. VOSS, OWNER, ASSESSOR'S PARCEL NO. 304-01-330.) *CONSENT* APPROVED
5. * Discussion/possible action concerning Resolution No. 2280, captioned as follows:
A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING THE DRAINAGE EASEMENTS DESCRIBED IN THE DOCUMENTS ATTACHED HERETO AS EXHIBITS "1" AND "2". *CONSENT* APPROVED
6. * Discussion/possible action concerning Resolution No. 2281, captioned as follows:
A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING THE DRAINAGE EASEMENT DESCRIBED IN THE DOCUMENT ATTACHED HERETO AS EXHIBIT "1". *CONSENT* APPROVED
7. * Discussion/possible action concerning Resolution No. 2282, captioned as follows:
A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING THE DRAINAGE EASEMENT DESCRIBED IN THE DOCUMENT ATTACHED HERETO AS EXHIBIT "1". *CONSENT* APPROVED
8. * Discussion/possible action concerning Resolution No. 2283, captioned as follows:
A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT TO CONSTRUCT SUBDIVISION IMPROVEMENTS FOR FALCON LOOKOUT SUBDIVISION PHASE 1. *CONSENT* APPROVED

9. * Discussion/possible action concerning Resolution No. 2284, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING DEBRA A. GALBRAITH, CHIEF FISCAL OFFICER OF THE TOWN OF PAYSON, TO EXECUTE A CERTIFICATION OF BANKING RESOLUTIONS, AUTHORIZING BANKING SERVICES WITH JPMORGAN CHASE BANK, N.A., AND BANK SUBSIDIARIES THEREOF, AND DESIGNATING SIGNATORIES RELATING TO THE VARIOUS ACCOUNTS TO BE MAINTAINED AT JPMORGAN CHASE BANK, AND DECLARING AN EMERGENCY. *CONSENT* APPROVED

10. Mayor Edwards opened the First Reading and Public Hearing concerning Ordinance No. 716, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, REMOVING THE SUNSET CLAUSES FROM ORDINANCE 695 AND ORDINANCE 696.

Mayor Edwards opened the Public Hearing. There were no comments from the public. Mayor Edwards closed the Public Hearing.

11. First Reading and Public Hearing concerning Ordinance No. 718, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADOPTING AN INCREASE IN THE WATER DEVELOPMENT FEE.

Mayor Edwards announced that the Second Reading and Public Hearing will be July 5, 2007.

Mayor Edwards opened the Public Hearing. There were no comments from the public and Mayor Edwards closed the Public Hearing. Council Member Romance commented that development fees did not have a negative impact on the town and they would be put to good use. He would like to see some of these fees earmarked for surface water resources, specifically the C.C. Cragin Project.

Mayor Edwards disagreed feeling restrictions would tie our hands. The funds are very restrictive and can only be used for water development and we still have the freedom to use it in other places.

Council Members Connell and Vogel agreed with Council Member Romance. Council Member Wilson and Vice-Mayor Fruth voiced their agreement with Mayor Edwards.

James Garner reminded the Council that in the past road development fees were designated for specific projects and they had a hard time changing. He believed any restrictions in the designation of the funds would keep the Town from using it somewhere else.

12. * Discussion/possible action regarding a request by the applicant to move the second reading and public hearing of Ordinance No. 715 (Mogollon Views Rezoning, 900, 1100, 1101 N. Tyler Parkway) to the June 21, 2007, regular Council meeting. *CONSENT* APPROVED

H. UNFINISHED BUSINESS

1. Council Decision Request filed by Fred Carpenter, Town Manager, to ratify the Town Manager's selection, as recommended by the Police Chief **Selection Committee, of Commander Donald P. Engler as Chief of Police, effective June 30, 2007.

Mayor Edwards congratulated Commander Engler stating he competed with four very tough candidates. Mayor Edwards noted that the key to Commander's selection was the viable vision for the future of the Police Department he provided to the selection committee.

Motion: to Approve ratification of the Town Manager's selection of Commander Don Engler as recommended by the Police Chief Selection Committee.

Moved by Council Member Mike Vogel, seconded by Council Member Ed Blair.

Vote: Motion carried 7 - 0

Yes: Mayor Bob Edwards, Vice-Mayor Tim Fruth, Council Member Ed Blair, Council Member Su Connell, Council Member Andy Romance, Council Member Mike Vogel, and Council Member John Wilson.

Commander Engler said he appreciated the vote of confidence by the Council. He was overwhelmed by the support from the community, Town employees and the Payson Police Department. He thanked his family for their support and said he would do his best to meet everyone's expectations.

2. Council Decision Request filed by Fred Carpenter, Town Manager, to direct staff to issue a call for bids for lease of Payson Municipal Airport to an independent non-profit corporation.

Manager Carpenter explained he felt the lease was feasible although it would need FAA approval and he had yet to receive written confirmation from them. He recommended going forward. Council Member Romance believed it was somewhat unfair to lease bidders to not know if FAA and ADOT approved of the lease. He suggested moving ahead but not awarding any lease until written approval was received.

Motion: to Approve directing staff to issue a call for bids for lease of Payson Municipal Airport to an independent non-profit corporation.

Moved by Council Member John Wilson, seconded by Council Member Mike Vogel.

Vote: Motion carried 7 - 0

Yes: Mayor Bob Edwards, Vice-Mayor Tim Fruth, Council Member Ed Blair, Council Member Su Connell, Council Member Andy Romance, Council Member Mike Vogel, and Council Member John Wilson.

3. * Council Decision Request filed by Michael Ploughe, Hydrogeologist, to accept the "Well testing results and status of the Croy, Willson, and Reisdorf wells."

Motion: to Approve directing staff to take the well testing results and come back to Council with a recommendation.

Moved by Mayor Bob Edwards, seconded by Council Member Mike Vogel.

Vote: Motion carried 7 - 0

Yes: Mayor Bob Edwards, Vice-Mayor Tim Fruth, Council Member Ed Blair, Council Member Su Connell, Council Member Andy Romance, Council Member Mike Vogel, and Council Member John Wilson.

I. NEW BUSINESS

1. Council Decision Request filed by Rick Manchester, Parks and Recreation Director, to authorize the Parks and Recreation Director to advertise for bids and distribute specifications to qualified contractors to complete the reconstruction of the west two Rumsey courts and resurfacing only of the two east Rumsey courts.

Motion: to Approve a Council Decision Request filed by Rick Manchester, Parks and Recreation Director, to authorize the Parks and Recreation Director to advertise for bids and distribute specifications to qualified contractors to complete the reconstruction of the west two Rumsey courts and resurfacing only of the two east Rumsey courts.

Moved by Vice-Mayor Tim Fruth, seconded by Council Member John Wilson.

Vote: Motion carried 7 - 0

Yes: Mayor Bob Edwards, Vice-Mayor Tim Fruth, Council Member Ed Blair, Council Member Su Connell, Council Member Andy Romance, Council Member Mike Vogel, and Council Member John Wilson.

2. Council Decision Request filed by Jerry Owen, Community Development Director, to approve the Preliminary Plat for the 500 S. Rim Club Parkway Subdivision subject to the conditions recommended by the Planning and Zoning Commission.

Motion: to Approve a Council Decision Request filed by Jerry Owen, Community Development Director, to approve the Preliminary Plat for the 500 S. Rim Club Parkway Subdivision subject to the conditions recommended by the Planning and Zoning Commission.

Moved by Vice-Mayor Tim Fruth, seconded by Council Member John Wilson.

Vote: Motion carried 7 - 0

Yes: Mayor Bob Edwards, Vice-Mayor Tim Fruth, Council Member Ed Blair, Council Member Su Connell, Council Member Andy Romance, Council Member Mike Vogel, and Council Member John Wilson.

3. Council Decision Request filed by Jerry Owen, Community Director, to approve the Preliminary Plat for the 210 W. Longhorn Road Commercial Condominium subdivision subject to the conditions recommended by the Planning and Zoning Commission.

Motion: to Approve a Council Decision Request filed by Jerry Owen, Community Director, to approve the Preliminary Plat for the 210 W. Longhorn Road Commercial Condominium subdivision subject to the conditions recommended by the Planning and Zoning Commission.

Moved by Council Member Su Connell, seconded by Council Member John Wilson.

Vote: Motion carried 7 - 0

Yes: Mayor Bob Edwards, Vice-Mayor Tim Fruth, Council Member Ed Blair, Council Member Su Connell, Council Member Andy Romance, Council Member Mike Vogel, and Council Member John Wilson.

J. CLAIMS

1. * List of checks paid from 04-03-07 through 05-31-07, Check Nos. 41733 through 42120, and authorization to file the checks for audit. *CONSENT* APPROVED

K. MISCELLANEOUS

1. * Appointment of Glenn W. Smith to the Payson Industrial Development Authority, term to expire 06-13-2013. *CONSENT* APPROVED
2. * Reappointment of Daniel C. Young to the Payson Industrial Development Authority Board, term to expire 06-13-2013. *CONSENT* APPROVED
3. * Appointment of the following to the Town of Payson Design Review Board: Mareena Cords, term to expire 12-31-10 Bernard Lieder, term to expire 12-31-10 Levi Amon, term to expire 12-31-10 Debra *Deborah Hughes, term to expire 12-31-09 *corrected 6-4-06 Barbara Underwood, term to expire 12-31-09 Jeanie Langham, term to expire 12-31-08 Bill Ensign, term to expire 12-31-08 *CONSENT* APPROVED

L. PUBLIC COMMENTS

Council Member Vogel asked that the next Council agenda include the stop sign issue on Phoenix Street. He asked Mr. Garrett to address the humps, provide statistics on 3-way stops and contact the schools concerning this issues.

ADJOURNMENT: The meeting adjourned at approximately 6:40 p.m.

_____ Date: _____

Bob Edwards, 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 June, 2007. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this ____ day of _____, 2007.

Gaye Stidham, Deputy Town Clerk