

**COMMON COUNCIL OF THE TOWN OF PAYSON  
AGENDA OF THE REGULAR MEETING  
SEPTEMBER 21, 2006**

**CALL TO ORDER:** 5:30 p.m. in the Town Hall Council Chambers, 303 North Beeline Highway, Payson, Arizona.

**INVOCATION (Participation Voluntary)** Ken Curl, Payson Christian Church

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** BE\_\_ TF\_\_ EB\_\_ SC\_\_ AR\_\_ MV\_\_ JW\_\_

**STAFF PRESENT:** FC\_\_ SIS\_\_ GS\_\_ MD\_\_ CPW\_\_ GHG\_\_ SS\_\_ JO\_\_ LG\_\_ TM\_\_  
WS\_\_ RS\_\_

**OTHERS PRESENT:** \_\_\_\_\_

*The Council may discuss, consider or take action on any item listed on this agenda.*

*Council reserves the right to consider any matter out of sequence.*

To accommodate all those who wish to address the Town Council and to facilitate the expeditious consideration of the agenda, it is requested that each person wishing to address the Mayor and Common Council under an agenda item limit his or her comments to a maximum of three minutes.

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

1. Communications and comments or suggestions from citizens present who have submitted a Speaker's Request Form to the Mayor, Town Clerk, or designee, prior to the meeting being convened, concerning matters other than those listed on the agenda for consideration, shall be heard by the Council. All remarks shall be addressed to the Council as a whole and not to any member thereof. Members of the Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01(G), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date. No public discussion of comments under this section is permitted, except that other members of the public may, at the discretion of the Mayor, present follow-up comments on a matter raised by a Speaker's Form.

**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.

**C. CURRENT EVENTS PRESENTATION BY THE TOWN MANAGER, MAYOR,**

## **AND/OR COUNCIL MEMBER**

1. Brief summary oral presentation of current events by Town Manager, Mayor, and/or Council Members. The Arizona Open Meeting Law Reform Act specifies the Town Council may not take action on any matter mentioned during this presentation unless the specific matter is properly noticed for legal action.

## **D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS**

1. Comments, Commendations, and Presentations by Mayor, Council Members, and/or Town Staff.
2. **Proclamation** declaring October 2006 as **Domestic Violence Awareness Month**. Members of Time Out, Inc., will be present to accept the proclamation.

## **E. MINUTES**

- 1.\* **Council Meeting Minutes:**
    - . 08-03-06 Special Meeting 5:00 p.m. Pages 1-3
    - . 08-03-06 Special Meeting 5:30 p.m. Pages 1-10
- \*CONSENT\* APPROVAL**

**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.\* **Airport Advisory Committee Minutes:**
  - . 08-08-06 Regular Meeting Pages 53-57

**\*CONSENT\***
- 3.\* **Planning and Zoning Commission Minutes:**
  - . 07-10-06 Regular Meeting Pages 1-9

**\*CONSENT\***
- 4.\* **Surface Transportation Advisory Committee Minutes:**
  - . 07-05-06 Regular Meeting Pages 96-99

**\*CONSENT\***
- 5.\* **Green Valley Redevelopment Area Committee Minutes:**
  - . 05-11-06 Special Meeting Pages 518-519
  - . 06-01-06 Regular Meeting Pages 520-522
  - . 06-15-06 Special Meeting Pages 523-524

**\*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\* APPROVAL

2. Discussion/possible action concerning **Resolution No. 2216**, 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 WITH ST. VINCENT DEPAUL SOCIETY, ST. PHILLIP THE APOSTLE CONFERENCE, A NON-PROFIT ORGANIZATION, FOR DISBURSEMENT OF PUBLIC PURPOSE FUNDS.
3. **Public Hearing** and Discussion/Possible Action:
  - a. **Abandonment Request** Town of Payson Right of Way on N. Fawn Drive Cul-de-sac and the Green Valley Parkway Public Roadway and Public Utility Easement.
  - b. **Resolution No. 2217**, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING THE ABANDONMENT OF A PORTION OF RIGHT-OF-WAY (PORTION OF A CUL-DE-SAC) AT THE SOUTH END OF NORTH FAWN DRIVE AND APPROVING THE ABANDONMENT OF A PUBLIC ROADWAY AND UTILITY EASEMENT FOR THE FUTURE ALIGNMENT OF GREEN VALLEY PARKWAY.
4. **Resolution No. 2218**, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING THE FINAL PLAT AND APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT TO CONSTRUCT SUBDIVISION IMPROVEMENTS FOR MANZANITA HILLS PHASE 6 SUBDIVISION.

## H. UNFINISHED BUSINESS

There are no items in this section.

## I. NEW BUSINESS

1. **Council Decision Request** filed by Fred Carpenter, Town Manager, to approve the expenditure of \$3,000 from contingency to support establishment of the Camp Verde to Payson Mail Trail.
2. **Council Decision Request** filed by LaRon G. Garrett, Public Works Engineer, to direct staff to prepare an ordinance to include the proposed regulations allowing private signage and landscaping in public rights of way.
3. **Council Decision Request** filed by LaRon G. Garrett, Public Works

Engineer, to approve the purchase of 1 3/4-Ton, 4-Wheel Drive Pickup Truck and 1 1-Ton, 4 Wheel Drive Pickup Truck from Courtesy Chevrolet using the Arizona State Purchasing Contract for a cost of \$48,452.44, and the approval of using \$12,200 from the Council Contingency Fund to have these two vehicles converted to operate on propane.

4. **Council Decision Request** filed by Buzz Walker, Public Works Director, to authorize the purchase of one Two Wheel Drive Compact Pickup and one Four Wheel Drive Compact Pickup from Courtesy Chevrolet in the amount of \$41,354.13 and to allocate the cost to the Water Enterprise Fund.
5. **Council Decision Request** filed by Buzz Walker, Public Works Director, to enter into an agreement with SWCA Environmental Consultants for a redesign of the Water Department Water Information Management System in the amount of \$43,300.00 and to allocate the cost to the Water Enterprise Fund.

## J. CLAIMS

- 1.\* List of checks paid from 8/31/06 through 9/14/06, Check Nos. 38709 through 38891, **except Check Nos. 38713, 38755, and 38784**, and authorization to file the checks for audit.  
**\*CONSENT\* APPROVAL**
- 2.\* Check No. 38713 paid 9/1/06, and authorization to file the check for audit. **(Note: due to a perceived and/or conflict of interest, Mayor Edwards will be considered to have abstained from voting on this item.)**  
**\*CONSENT\* APPROVAL**
- 3.\* Check No. 38755 paid 9/14/06, and authorization to file the check for audit. **(Note: due to a perceived and/or conflict of interest, Clmn. Blair will be considered to have abstained from voting on this item.)**  
**\*CONSENT\* APPROVAL**
- 4.\* Check No. 38784 paid 9/14/06, and authorization to file the check for audit. **(Note: due to a perceived and/or conflict of interest, Vice Mayor Fruth will be considered to have abstained from voting on this item.)**  
**\*CONSENT\* APPROVAL**

## K. MISCELLANEOUS

1. Should the need arise, Council reserves the right to suspend the order of the agenda for consideration of a motion to recess/adjourn to executive session, pursuant to ARS 38-431.03 et seq, to discuss any item(s) listed on the regular meeting agenda that would be authorized for executive session under ARS 38-431.03.

## L. PUBLIC COMMENTS

1. Public Comments: Note: Communication and comments or suggestions from citizens present who have not submitted a Speaker's Request Form, on matters other than those listed on the agenda for consideration, shall be heard by the Council. All remarks shall be addressed to the Council as a whole and not to any member thereof. The Council cannot discuss nor take action upon comments received; however, the Council may direct staff to address the issue and/or it may be referred to a later agenda. No public discussion of comments under this section is permitted.

## CLASSIFICATIONS FOR EXECUTIVE SESSION

Note: Should an executive session be convened on any item(s) listed on the regular meeting agenda, Council will review, discuss, or receive advice of Counsel, which will be considered under the respectively approved classifications listed below:

- a. ARS 38-431.03.A.1 Personnel Matters. Discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body, except that, with the exception of salary discussions, an officer, appointee or employee may demand that the discussion or consideration occur at a public meeting. The public body shall provide the officer, appointee, or employee with written notice of the executive session as is appropriate but not less than twenty-four hours for the officer, appointee or employee to determine whether the discussion or consideration should occur at a public meeting.
- b. ARS 38-431.03.A.2 – Discussion or consideration of records exempt by law from public inspection; including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.
- c. ARS 38-431.03.A.3 – Discussion or consultation for legal advice with the attorney or attorneys of the public body.
- d. ARS 38-431.03.A.4 – Discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation.
- e. ARS 38-431.03.A.5 – Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations with employee organizations regarding the salaries, salary schedules or compensation paid in the form of fringe benefits of employees of the public body.
- f. ARS 38-431.03.A.6 – Discussion, consultation or consideration for international and interstate negotiations by a city or town, or its designated representatives, with members of a tribal council, or its designated

representatives, of an Indian reservation located within or adjacent to the city or town.

- g. ARS 38-431.03.A.7 – Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiation for the purchase, sale or lease of real property.

Public Comments: Note: Communication and comments or suggestions from citizens present who have not submitted a Speaker's Request Form, on matters other than those listed on the agenda for consideration, shall be heard by the Council. All remarks shall be addressed to the Council as a whole and not to any member thereof. The Council cannot discuss nor take action upon comments received; however, the Council may direct staff to address the issue and/or it may be referred to a later agenda. No public discussion of comments under this section is permitted.

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THE TOWN OF PAYSON ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO PERSONS WITH DISABILITIES. WITH 48 HOURS ADVANCE NOTICE, SPECIAL ASSISTANCE CAN ALSO BE PROVIDED FOR SIGHT AND/OR HEARING IMPAIRED PERSONS AT PUBLIC MEETINGS. PLEASE CALL 474-5242 (VOICE) OR 472-6449 (TDD) TO REQUEST AN ACCOMMODATION TO PARTICIPATE IN THIS MEETING.

**NOTE: The information discussed in the Executive Session and the minutes of the Executive Session are confidential.**