

**TOWN OF PAYSON  
TOWN COUNCIL MEETING  
MINUTES OF THE REGULAR MEETING  
January 4, 2007**

**CALL TO ORDER**

Mayor Edwards called the meeting to order at approximately 5:30 p.m. in the Town Hall Council Chambers, 303 North Beeline Highway, Payson, Arizona.

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

Councilman Blair

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

**STAFF PRESENT:** Fred Carpenter, Town Manager, Sam Streichman, Town Attorney, Glenn Smith, Chief Fiscal Officer, LaRon Garrett, Public Works Engineer, and Jerry Owen, Community Development Director.

**OTHERS PRESENT:** Tracie Bailey, Deputy Town Clerk; Tessie Flores, Deputy Town Clerk; Tim Wright, Deputy Town Attorney; Beth Beck, Housing Program Manager; Mary McMullen, Recreation Coordinator; Sean Tanner, Building Inspector; Michele Maupin, Secretary; Ray LaHaye, Chief Building Official; Commander Don Engler; and Donna Meinerts, Comptroller.

**A. PUBLIC COMMENTS**

Penny Pew, Congressman Renzi's representative, gave an update on Fossil Creek.

Barbara Underwood, Planning and Zoning Commissioner, gave a brief background on herself. Ms. Underwood believed she was qualified to serve on Planning and Zoning.

Rick Croy stated he has been involved in the community and is head of the Affordable Housing Task Force. Mr. Croy asked the Council to consider the needs of all people in Payson and focus on Smart growth.

Ernie Schmidt stated he was asked to serve on the Surface Transportation Advisory Committee for one more year. Mr. Schmidt has strived to create some kind of north and south traffic pattern. There were two vacancies on the Surface Transportation Advisory Board.

Mayor Edwards moved Item I.4 and I.5 up.

**4. Council Decision Request** filed by Fred Carpenter, Town Manager, to allocate \$2,800 from contingency to support the annual Hashknife Pony Express ride from Holbrook through Payson to Scottsdale as part of the Parada del Sol.

FEB 01 2007 E.I.\*

**Motion:** to approve the Council Decision Request filed by Fred Carpenter, Town Manager, to allocate \$2,800 from contingency to support the annual Hashknife Pony Express ride from Holbrook through Payson to Scottsdale as part of the Parada del Sol. Moved by Council Member John Wilson, seconded by Council Member Susan Connell.

**Vote:** Motion carried 7 - 0

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

5. **Council Decision Request** filed by Jerry Owen, Community Development Director, to approve the Preliminary Plat for the McLane Park Subdivision as submitted subject to the fourteen (14) conditions recommended by the Planning and Zoning Commission.

**Motion:** to approve to postpone to the February 15, 2007 Regular Council 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, Andy Romance, Council Member, Mike Vogel, Council Member John Wilson, and Council Member Susan Connell.

## **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.**

Councilman Vogel asked that Items K.15, K.16, and K.24 be pulled from the Consent Agenda.

**Motion:** to approve all Items listed on the Consent Agenda except Items K.15, K.16 and K.24.

Moved by Council Member John Wilson, 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 Susan "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**

1.

Fred Carpenter, Town Manager, announced that the next Corporate Strategic Plan meeting was scheduled for Thursday, January 11, 2007 at the Council Chambers beginning at 9:00 am. The meeting would be televised on TV 4 and carried live on the website at [paysonaz.us](http://paysonaz.us). Staff will report on the status of objectives in this year's plan and the recently completed 2005/2006 plan. Council will also hear input from the public on potential objectives for the 2007/2008 plan. To

submit an objective for consideration go to the Town's website or obtain a form at Town Hall or the library. Tuesday, January 9, 2007 beginning at 5:30 p.m. Council will hear an update on the geology of the Payson area as respects groundwater. On Thursday, January 11, 2007 at 4:00 p.m. Council will discuss issues relating to illegal immigration and impacts on the Town. Both meetings will be televised on TV 4 and the website.

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

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

Mayor Edwards announced that Marguerite Noble had passed away on January 1, 2007 and asked for a moment of silence in her memory.

Mayor Edwards wished John Wilson a Happy Birthday and gave him a birthday card.

Vice-Mayor Fruth announced that he will be out of town for the Tuesday Special Council meeting and the Corporate Strategic Plan meeting and Special Council meeting on Thursday.

2. **Presentation.** Introduction of new Town of Payson employees.

LaRon Garrett, Town Engineer, introduced Michele Maupin, Secretary.

Ray LaHaye, Chief Building Official, introduced Sean Tanner, Building Inspector.

3. **Presentation** of the Update on the Trails Master Plan and Community Trails Network Plan Development by Mary McMullen, Recreation Coordinator.

Mary McMullen, Recreation Coordinator, gave a brief slide presentation on the Trails Master Plan.

Penny Pew, Congressman Renzi's Representative, stated she will look into funding help for the trails system.

**E. MINUTES**

1. \* Council Meeting Minutes:  
11-16-06 Regular Meeting Pages 1-13  
12-07-06 Special Meeting Pages 1-4  
**\*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. \* Building Advisory Board Minutes:  
11-08-06 Regular Meeting Pages 390-391  
**\*CONSENT\***

3. \* Planning and Zoning Commission Minutes:  
11-13-06 Regular Meeting Pages 1-5  
\*CONSENT\*

## F. HEARINGS AND APPEALS

1. **Public Hearing** concerning the FY 2007 application for Community Development Block Grant (CDBG) Funds (Heather Patel, CDBG Director CAAG).

Heather Patel, CDBG Director CAAG, gave a brief presentation.

Deborah Barber, President of the Payson Senior Center Board, believed seniors are important to the community and thanked the Council for their support.

## 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

3. **Consideration of a motion** to remove from the table of the December 14, 2006, regular Council meeting Resolution No. 2239, for discussion/possible action.

**Motion:** to Approve to remove from the table of the December 14, 2006, regular Council meeting Resolution No. 2239, for discussion/possible action.

Moved by Council Member Ed Blair, 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, Andy Romance, Council Member, Mike Vogel, Council Member John Wilson, and Council Member Susan Connell.

4. **Resolution No. 2239.** Mayor Edwards opened discussion/possible action concerning Resolution No. 2239, 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 FALCON LOOKOUT PHASE 1 SUBDIVISION.

Ralph Bossert spoke regarding the nine conditions the Town has asked for. Mr. Bossert believed that the conditions are being met.

Mark Miller, Woodhill Home Owner's Association, expressed his concern regarding drainage.

Charles Lee, Phoenix, felt some issues were still unanswered. Mr. Lee asked the Council to postpone approval until all of the issues have been addressed. Mr. Lee felt Mr. Bossert had a conflict of interest working for the Town and being the

architect for this project.

Joe Miller expressed his concerns regarding destruction of trees and vegetation on steep slopes.

Rick Croy asked how long the existing code has been in place and if there have been any problems in the past.

Gene Sampson asked if there have been any problems at other properties using the same drainage.

Ralph Bossert was concerned about the issue of a conflict of interest. Mr. Bossert stated there would be a temporary fence to catch debris during construction.

Joe Miller asked where the construction fence would be and if the fence would cause removal of trees. Mr. Bossert replied the fence would be in front of the lots and would not cause removal of trees.

**Motion:** to Approve Resolution No. 2239, 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 FALCON LOOKOUT PHASE 1 SUBDIVISION.

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

**Vote:** Motion carried 6 - 1

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

No: Council Member Ed Blair.

5. \* **Resolution No. 2240.** Council approved, on the Consent Agenda, Resolution No. 2240, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE APPOINTMENT OF DR. AL POSKANZER AS A TEMPORARY MEMBER OF THE TOWN OF PAYSON PERSONNEL BOARD.  
**\*CONSENT\* APPROVED**
6. \* **Resolution No. 2241.** Council approved, on the Consent Agenda, Resolution No. 2241, 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 INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA, DEPARTMENT OF BUILDING AND FIRE SAFETY, OFFICE OF MANUFACTURED HOUSING, RELATIVE TO THE ENFORCEMENT OF INSTALLATION STANDARDS FOR MANUFACTURED HOMES AND FACTORY-BUILT BUILDINGS.  
**\*CONSENT\* APPROVED**

Mayor Edwards introduced the people appointed to the various Boards and Committees.

Mayor Edwards moved Items K.15, K.16, and K.24 up on the agenda.

The Mayor recessed the meeting at approximately 7:32 p.m. The Mayor reconvened the meeting at approximately 7:42 p.m.

**K.24.\* Appointment of Diana Sexton** to the Surface Transportation Advisory Committee, replacing Al Lyons, term to expire 12/31/08. **PULLED FROM \*CONSENT\* APPROVAL**

Diane Sexton stated that she is an elector of the Town of Payson.

**Motion:** to approve the Appointment of Diana Sexton to the Surface Transportation Advisory Committee, replacing Al Lyons, term to expire 12/31/08.

Moved by Mayor Bob Edwards, 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, Andy Romance, Council Member, Mike Vogel, Council Member John Wilson, and Council Member Susan Connell.

**15.\* Appointment of Joel Mona** to the Planning and Zoning Commission, term to expire 12/31/09. **PULLED FROM \*CONSENT\* APPROVAL**

Barbara Underwood read out loud the questions on the questionnaire that Planning and Zoning Commission members had been asked to fill out.

Rick Croy felt that the form should have been shared with all the Council Members. Mr. Croy asked that the Council withhold voting on these positions until all of the Council has seen the questionnaires.

**Motion:** to approve the appointment of Joel Mona to the Planning and Zoning Commission, term to expire 12/31/09.

Moved by Vice-Mayor Tim Fruth, 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, Andy Romance, Council Member, Mike Vogel, Council Member John Wilson, and Council Member Susan Connell.

**16.\* Appointment of Gary Bedsworth** to the Planning and Zoning Commission, term to expire 12/31/09. **PULLED FROM \*CONSENT\* APPROVAL**

Hal Baas recommended to the Council, if they have concerns about the balance on the Planning and Zoning Commission, they should review last years votes.

James Schiedt stated he has never filled out a form to be on the Planning and Zoning Commission. Mr. Schiedt felt people did not know their responsibility on the Planning

and Zoning Commission until they have been on the Commission for a awhile.

**Motion:** to approve to table the appointment of Gary Bedsworth to the Planning and Zoning Commission, term to expire 12/31/09.

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, Andy Romance, Council Member, Mike Vogel, Council Member John Wilson, and Council Member Susan Connell.

## H. UNFINISHED BUSINESS

There were no items for this section.

## I. NEW BUSINESS

1. **\* Council Decision Request.** Council approved, on the Consent Agenda, a Council Decision Request filed by Jerry Owen, Community Development Director, to approve the amendment to Section 4.1, Meetings of the Planning & Zoning Commission Manual as recommended by the Planning and Zoning Commission.  
**\*CONSENT\* APPROVED**

Mayor Edwards moved Item I.3 up.

3. **Council Decision Request** filed by Jerry Owen, Community Development Director, to approve the Preliminary Plat for the Boulder Ridge Subdivision as submitted subject to the twelve (12) conditions recommended by the Planning and Zoning Commission.

Jerry Owen, Community Development Director, explained the preliminary plat and the conditions recommended by the Planning and Zoning Commission.

Kevin Sokol stated he believed that this should not be a gated community.

**Motion:** to Approve to approve the Preliminary Plat for the Boulder Ridge Subdivision as submitted subject to the twelve (12) conditions recommended by the Planning and Zoning Commission and amending condition number six to read public road and amending condition number three and ten to also comply with the community trails system.

Moved by Vice-Mayor Tim Fruth, 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, Andy Romance, Council Member, Mike Vogel, Council Member John Wilson, and Council Member Susan Connell.

2. **Council Decision Request** filed by LaRon G. Garrett, Town Engineer, to approve the Town of Payson Speed Hump Policy and direct staff to implement said policy.

Jim Garner felt the policy was well done.

Bruce Van Camp stated the Surface Transportation Advisory Committee worked hard on this proposal. Mr. Van Camp had gone to Chandler to look at their speed humps and felt this was a good policy.

**Motion:** to Approve the Town of Payson Speed Hump Policy without section 3.1 and 3.2 and amend the cost section to read over 12 mph the Town will pay 100 percent of the cost of the speed hump and direct staff to implement said policy. Moved by Vice-Mayor Tim Fruth, seconded by Council Member John Wilson.

Jim Garner reiterated that he felt this was a good policy.

**Vote:** Motion carried 7 - 0

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

Rick Croy asked the Council to look at the assessed value of homes in the area to determine if they could pay for the speed hump or not.

6. **Holiday et. al., vs., Town of Payson.** Mayor Edwards opened discussion/possible action concerning Holiday et. al., vs., Town of Payson, Gila County Superior Court Case CV2006-299.

The Mayor explained the law suit.

**Motion:** to Approve to defend the Town concerning Holiday et. al., vs., Town of Payson, Gila County Superior Court Case CV2006-299.

Moved by Council Member John Wilson, 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, Andy Romance, Council Member, Mike Vogel, Council Member John Wilson, and Council Member Susan Connell.

## **J. CLAIMS**

1. \* **List of Checks.** Council approved, on the Consent Agenda, a list of checks paid from 12/01/06 through 12/14/06, Check Nos. 39877 through 40063, and authorization to file the checks for audit.  
\***CONSENT\* APPROVED**

## **K. MISCELLANEOUS**

1. \* Council approved, on the Consent Agenda, the **reappointment of Gary Spragins** to the Airport Advisory Committee, term to expire 12/31/09.  
\***CONSENT\* APPROVED**

2. \* Council approved, on the Consent Agenda, the **reappointment of Clyde (Dick) Walker** to the Airport Advisory Committee, term to expire 12/31/09.  
**\*CONSENT\* APPROVED**
3. \* Council approved, on the Consent Agenda, the **appointment of Dennis Satterfield** to the Airport Advisory Committee, term to expire 12/31/09.  
**\*CONSENT\* APPROVED**
4. \* Council approved, on the Consent Agenda, the **reappointment of Roger Schwartz** to the Board of Adjustments, term to expire 12/31/09.  
**\*CONSENT\* APPROVED**
5. \* Council approved, on the Consent Agenda, the **reappointment of Robert Sumegi** to the Board of Adjustments, term to expire 12/31/09.  
**\*CONSENT\* APPROVED**
6. \* Council approved, on the Consent Agenda, the acceptance of **resignation of Peter Pingel** from the Historic Preservation and Conservation Commission.  
**\*CONSENT\* APPROVED**
7. \* Council approved, on the Consent Agenda, the **appointment of Peter Pingel** to the Board of Adjustments, term to expire 12/31/09.  
**\*CONSENT\* APPROVED**
8. \* Council approved, on the Consent Agenda, the **reappointment of Ralph Bossert** to the Building Advisory Board, term to expire 12/31/09.  
**\*CONSENT\* APPROVED**
9. \* Council approved, on the Consent Agenda, the **reappointment of Herman Holz** to the Building Advisory Board, term to expire 12/31/09.  
**\*CONSENT\* APPROVED**
10. \* Council approved, on the Consent Agenda, the **appointment of Ken Volz** to the Green Valley Redevelopment Area Committee, replacing Judy Buettner, term to expire 12/31/08.  
**\*CONSENT\* APPROVED**
11. \* Council approved, on the Consent Agenda, the **reappointment of Robert Ingram** to the Parks and Recreation Advisory Board, term to expire 12/31/09.  
**\*CONSENT\* APPROVED**
12. \* Council approved, on the Consent Agenda, the **reappointment of Bill Sahno** to the Parks and Recreation Advisory Board, term to expire 12-31-09.  
**\*CONSENT\* APPROVED**
13. \* Council approved, on the Consent Agenda, the **appointment of Dave Rutter** to the Parks and Recreation Advisory Board, replacing John Clark, term to expire 12/31/08.  
**\*CONSENT\* APPROVED**

14. \* Council approved, on the Consent Agenda, the **reappointment of Kenneth McKeone** to the Personnel Board, term to expire 12/31/09.  
**\*CONSENT\* APPROVED**
17. \* Council approved, on the Consent Agenda, the reappointment of **Walter Gregory** to the Public Safety Personnel Retirement Board (Fire), term to expire 12/31/09.  
**\*CONSENT\* APPROVED**
18. \* Council approved, on the Consent Agenda, the reappointment of **Guy Austin** to the Public Safety Personnel Retirement Board (Fire), term to expire 12/31/09.  
**\*CONSENT\* APPROVED**
19. \* Council approved, on the Consent Agenda, the reappointment of **Walter Gregory** to the Public Safety Personnel Retirement Board (Police), term to expire 12/31/09.  
**\*CONSENT\* APPROVED**
20. \* Council approved, on the Consent Agenda, the appointment of **Matt Van Camp** to the Public Safety Personnel Retirement Board (Police), term to expire 12/31/09.  
**\*CONSENT\* APPROVED**
21. \* Council approved, on the Consent Agenda, the appointment of **Jack Jasper** to the Surface Transportation Advisory Committee, term to expire 12/31/09.  
**\*CONSENT\* APPROVED**
22. \* Council approved, on the Consent Agenda, the appointment of **Tom Loeffler** to the Surface Transportation Advisory Committee, term to expire 12/31/09.  
**\*CONSENT\* APPROVED**
23. \* Council approved, on the Consent Agenda, the reappointment of **Ernie Schmidt** to the Surface Transportation Advisory Committee, term to expire 12/31/09.  
**\*CONSENT\* APPROVED**

**L. PUBLIC COMMENTS**

There were no public comments.

**ADJOURNED**

Mayor Edwards adjourned the meeting at approximately 8:46 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 special meeting of the Town Council of the Town of Payson held on this day the 4 of January, 2007. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2007.

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Tracie Bailey, Deputy Town Clerk