

**COMMON COUNCIL OF THE TOWN OF PAYSON  
AGENDA OF THE REGULAR MEETING  
MARCH 01, 2007**

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

**INVOCATION (Participation Voluntary)** Charles Proudfoot  
Community Presbyterian 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\_\_  
RM\_\_ 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.

**E. MINUTES**

**1.\* Council Meeting Minutes:**

- . 02-01-07 Regular Meeting Pages 1-7
- . 02-08-07 Special Meeting (CSP) Pages 1-2
- . 02-08-07 Special Meeting (C.C. Cragin) Pages 1-2

**\*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:**

- . 01-24-07 Regular Meeting Pages 396-397

**\*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. 2243**, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE FIRST AMENDMENT TO THE CHILSON RANCH DEVELOPMENT AGREEMENT.

3. Discussion/possible action concerning **Resolution No. 2244**, captioned as follows: **\*\*A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADDING CHAPTER 156 TO THE CODE OF THE TOWN OF PAYSON, CREATING A DESIGN REVIEW BOARD, AND DECLARING SUCH AMENDMENT TO BE A PUBLIC RECORD.**

**\*\*Amended 2/27/07 9:30 a.m.**

4. **Second Reading and Public Hearing** concerning **Ordinance No. 705**, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, CREATING PAYSON'S DESIGN REVIEW BOARD BY ADDING CHAPTER 156 TO THE CODE OF THE TOWN OF PAYSON. **Second Reading and Public Hearing.**

5. ~~\*\*Discussion/possible action concerning **Resolution No. 2249**, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING THE CITIZEN WATER CONSERVATION TASK FORCE REPORT DATED AUGUST 2006 AND DIRECTING A REVIEW AND EVALUATION FOR IMPLEMENTATION OF THE RECOMMENDATIONS MADE IN SUCH REPORT. MOVED TO 3/15/07 MEETING~~

**\*\*Amended 2/27/07 9:30 a.m.**

6. Discussion/possible action concerning **Resolution No. 2250**, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THREE AGREEMENTS FOR FUNDING IN LIEU OF DEEPENING OF WELL SITE (CROY, REISDORF, WILLSON).
- 7.\* Discussion/possible action concerning **Resolution No. 2251**, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AUTHORIZING THE SUBMISSION OF APPLICATION(S) FOR FISCAL YEAR 2007 STATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AND STATE SPECIAL PROJECT FUNDS, CERTIFYING THAT SAID APPLICATION(S) MEET THE COMMUNITY'S PREVIOUSLY IDENTIFIED HOUSING AND COMMUNITY DEVELOPMENT NEEDS AND THE REQUIREMENTS OF THE STATE CDBG PROGRAM, AND AUTHORIZING ALL ACTIONS NECESSARY TO COMPLETE THE ACTIVITIES OUTLINED IN SAID APPLICATION(S).
- 8.\* Discussion/possible action concerning **Resolution No. 2252**, 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 ADMINISTRATIVE SERVICES

CONTRACT WITH CENTRAL ARIZONA ASSOCIATION OF GOVERNMENTS FOR ADMINISTERING THE TOWN OF PAYSON'S FISCAL YEAR 2007 CDBG/HOME PROGRAM.

9. Discussion/possible action concerning **Resolution No. 2253**, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A FUNDING AGREEMENT WITH THE ARIZONA DEPARTMENT OF HOUSING FOR OWNER OCCUPIED HOUSING REHABILITATION, BEING CONTRACT NO. 316-07.
  
10. Discussion/possible action concerning **Resolution No. 2257**, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, COMMITTING LOCAL FUNDS AS LEVERAGE FOR FISCAL YEAR 2007 COMMUNITY DEVELOPMENT BLOCK GRANT AND STATE SPECIAL PROJECT APPLICATION(S).
  
- 11.\* Discussion/possible action concerning **Resolution No. 2254**, 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", (FOREST EDGE SUBDIVISION, PAYSON, ARIZONA, TERRA PAYSON L.L.C., OWNER, ASSESSOR'S PARCEL NO. 304-01-315G).
  
- 12.\* Discussion/possible action concerning **Resolution No. 2255**, 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", (BOULDER CREEK SUBDIVISION, PAYSON, ARIZONA, SPIRIT ROCK INVESTMENTS L.L.C., OWNER, ASSESSOR'S PARCEL NO. 304-01-315F).
  
- 13.\* Discussion/possible action concerning **Resolution No. 2256**, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A GENERAL SERVICES AGREEMENT FOR AIRPORT PLANNING SERVICES WITH COFFMAN ASSOCIATES, INC., FOR THE PURPOSE OF PROVIDING PROFESSIONAL AIRPORT CONSULTING SERVICES.
  
14. Second Reading and Public Hearing concerning **Ordinance No. 706**, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE

OFFICIAL ZONING MAP FOR THE TOWN OF PAYSON, AMENDING ORDINANCE NO. 466 AND AMENDING THE ZONING CODE FOR THE TOWN OF PAYSON BY REZONING CERTAIN REAL PROPERTY GENERALLY LOCATED AT 2009 NORTH MCLANE ROAD, BEING GILA COUNTY ASSESSOR'S PARCEL NUMBERS 302-35-07(A) & 302-35-252, AS MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM R1-175 TO R1-6 AND R3 (MOGOLLON RIDGE) Second Reading and Public Hearing.

15. First Reading and Public Hearing concerning **Ordinance No. 709**, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING CHAPTER 110 (BUSINESS LICENSING) OF THE CODE OF THE TOWN OF PAYSON AND ADOPTING SUCH AMENDMENTS BY REFERENCE. First Reading and Public Hearing.
16. First Reading and Public Hearing concerning **Ordinance No. 710**, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING ORDINANCE NUMBER 487, INCREASING THE PARKS FACILITIES AND STREETS DEVELOPMENT IMPACT FEES AND IMPOSING A PUBLIC SAFETY DEVELOPMENT IMPACT FEE. First Reading and Public Hearing.

## H. UNFINISHED BUSINESS

1. Council Decision Request filed by Mary McMullen, Recreation Coordinator, to approve adoption of the [Payson Area Trails System \(PATS\)](#), formerly referred to in its planning stages as the Community Trails Network.

## I. NEW BUSINESS

- 1.\* Council Decision Request filed by Glenn W. Smith, Chief Fiscal Officer, to approve the payment of \$25,000 in LTAF II funds to the [Payson Multi-Purpose Senior Center](#) to fund the acquisition of a new van and related expenses to provide daily local transportation for Payson seniors and handicapped. The Senior Center must provide a separate report on the use of these funds by Jun 30, 2007.

**\*CONSENT\* APPROVAL**

- 2.\* Council Decision Request filed by Jerry Owen, Community Development Director, to approve the [Final Plat for the 600 E. Highway 260 Condominiums Subdivision](#) as submitted subject to the six (6) conditions recommended by the Planning and Zoning Commission.

**\*CONSENT\* APPROVAL**

- 3.\* Council Decision Request filed by LaRon G. Garrett, Public Works Engineer, to approve the removal of Note No. 1 of the [Graham Ranch](#)

Circle Subdivision Plat recorded as Map No. 661, Gila County Recorders Office.

**\*CONSENT\* APPROVAL**

- 4.\* Council Decision Request filed by Jerry Owen, Community Development Director, to adopt the attached Notice of [Intention to Increase Water Development Fees](#) and to direct Town staff to 1.) Cause the Notice of Intention to be published on March 9, 2007; 2.) Schedule the public hearing on the Notice of Intention for May 17, 2007; and 3.) Make the Economist.com report and the Notice of Intention available for public review at the Clerk's Office."

**\*CONSENT\* APPROVAL**

5. Council Decision Request filed by Jerry Owen, Community Development Director, to approve the Preliminary Plat for the [Forest Edge Subdivision](#) as submitted subject to the thirteen (13) conditions recommended by the Planning and Zoning Commission.
6. Council Decision Request filed by Jerry Owen, Community Development Director, to approve the Preliminary Plat for the [Doll Baby Ranch Estates Subdivision](#) as submitted subject to the fourteen (14) conditions recommended by the Planning and Zoning Commission.
7. Council Decision Request filed by Jerry Owen, Community Development Director, to approve the Preliminary Plat for the [Bison Cove Condominiums Subdivision](#) as submitted subject to the sixteen (16) conditions recommended by the Planning and Zoning Commission.

**J. CLAIMS**

- 1.\* List of Checks paid 02/14/07, Check Nos. 40656 through 40795, and authorization to file the checks for audit.

**K. MISCELLANEOUS**

- 1.\* Approval of Dick Mumma as Chair and Bill Day as Vice-Chair of the [Airport Advisory Committee for 2007](#).

**\*CONSENT\* APPROVAL**

- 2.\* Approval of Jon Barber as Chair and Ralph Bossert as Vice-Chair of the [Building Advisory Board](#).

**\*CONSENT\* APPROVAL**

- 3.\* Approval of Dick Wolfe as Chair and Minette Richardson as Vice-Chair of the [Green Valley Area Redevelopment Committee](#).

**\*CONSENT\* APPROVAL**

- 4.\* Approval of Kadi Tenney as Chair and Bruce Wilson as Vice-Chair of the [Parks and Recreation Advisory Board](#).

**\*CONSENT\* APPROVAL**

- 5.\* Approval of Jim Scheidt as Chair and Hal Baas as Vice-Chair of the [Planning and Zoning Commission](#).

**\*CONSENT\* APPROVAL**

- 6.\* Approval of Bruce Van Camp as Chair and Diane Sexton as Vice-Chair for 2007 of the [Surface Transportation Advisory Committee](#).

**\*CONSENT\* APPROVAL**

**Note: The Board of Adjustments, Historic Preservation and Conservation Commission, and Personnel Board have not yet met to elect Chair and Vice-Chair.**

7. 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.**