

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
April 19, 2007**

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

CALL TO ORDER

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

ABSENT: Council Member Andy Romance.

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: Gaye Stidham, Deputy Town Clerk; Tessie Flores, Deputy Town Clerk; Mike Ploughe, Hydrogeologist; Commander Don Engler; Carol McCauley, Main Street/Redevelopment Manager; Debbie Galbriath, CFO Designate.

INVOCATION

Joe Hittle, Pastor, Calvary Chapel

PLEDGE OF ALLEGIANCE

Motion: to approve moving Item H.1 to the next regular council meeting.
Moved by Mayor Bob Edwards, seconded by Council Member Mike Vogel.

Vote: Motion carried 6 - 0

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

Clmn. Blair asked that Item H.2 be taken after Item E on the agenda.

A. PUBLIC COMMENTS

Wayne VanHorne spoke concerning rental property management and tax responsibility. He asked the Legal Department to review ordinances pertaining to rental properties.

Shirley Collin disputed what she saw as a discrepancy between the terms safe yield and sustainable yield. She did not believe that water could be pumped from the Tower Well and not have an impact on the neighborhood wells. She demanded immediate answers to her questions.

Bob McQueen believed that Ordinance 695 expiring in January of 2008 would keep

developers from building until something else is in place. He asked the Council to delete all ordinances and let the marketplace control the growth.

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.

Motion: to approve the CONSENT AGENDA.

Moved by Mayor Bob Edwards, seconded by Council Member John Wilson.

Vote: Motion carried 6 - 0

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

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

Manager Carpenter updated the Council concerning the 4th annual Payson Citizens Leadership Academy schedule, Meadow Street improvement project and McLane Road project north of Airport Road.

Vice Mayor Fruth read a statement explaining the requirements of the new business license ordinance.

Clmn. Wilson informed those present that the Payson High School Drama Club would be presenting Cinderella tonight, tomorrow and Saturday.

Manager Carpenter introduced Debra Galbraith, CFO designate.

Mayor Edwards noted that his wife made a presentation to a Rotary Club concerning the 125th celebration. At the meeting she won a drawing and donated the winnings to the 125th celebration. He commended Harry Hart (In and Out Cleaners) for their support in the landscaping at the entrance to Payson. Mayor Edwards introduced John Naughton, the new publisher of the Roundup newspaper.

D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS

1. Comments, Commendations, and Presentations by Mayor, Council Members, and/or Town Staff.
2. **Proclamation.** Clmn. Blair read a proclamation declaring May 13 - May 20, 2007 as National Nursing Home Week in Payson.
3. **Proclamation.** Clmn. Wilson read a proclamation declaring May 3, 2007 as National Day of Prayer in Payson. Joe Hittle, Pastor of Calvary Chapel of Payson, was present to accept the proclamation.
4. **Presentation.** Mike Ploughe, Hydrogeologist, presented the Water Resources Status Report.

Gary Bedsworth asked for more clarification concerning forecasting diminishing water supplies for the Western U.S.

E. MINUTES

1. * Council Meeting Minutes
.02-15-07 Special Meeting Pages 1-3
.03-31-07 Special Meeting Pages 12197-12198
CONSENT APPROVED
2. * Airport Advisory Committee Minutes: .12-05-06 Regular Meeting Pages 62-63
CONSENT
3. * Planning and Zoning Commission Minutes:
.03-12-07 Regular Meeting Pages 1-6
CONSENT
4. * Surface Transportation Advisory Committee Minutes:
.02-07-07 Regular Meeting Pages 115-118
.03-07-07 Regular Meeting Pages 119-122
CONSENT
5. * Building Advisory Board Minutes:
.03-27-07 Regular Meeting Pages 404-405
CONSENT

H. UNFINISHED BUSINESS

1. **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.

MOVED TO NEXT SCHEDULED COUNCIL MEETING

2. **Council Decision Request** filed by Donald B. Engler, Police Commander, to direct the legal staff of the Town of Payson to draft an Intergovernmental Agreement between the Town of Payson and the Town of Star Valley regarding law enforcement services for that community and to authorize legal counsel to prepare the agreement for a total of 3-5 years.

Motion: to approve a Council Decision Request filed by Donald B. Engler, Police Commander, to direct the legal staff of the Town of Payson to draft an Intergovernmental Agreement between the Town of Payson and the Town of Star Valley regarding law enforcement services for that community and to authorize legal counsel to prepare the agreement for a total of 3-5 years encompassing Option #4. (\$210,000.00 which would include two police officers and two vehicles for service to that community and a 23% support services expenditure which would include the cost of dispatching services, records keeping services and police supervision. The total amount of Option #4 for the first year is \$258,300.00 and would be increased yearly based on a percentage relationship of 7.1% of the operating expense budget of the Town of Payson Police Department. The proposed agreement would also have the clause to provide coverage protection for the Town of Payson and any single call that generates more than 100 man-hours be charged at a rate of \$45.00 per hour.)

Moved by Mayor Bob Edwards, seconded by Council Member Ed Blair.

Rick Croy spoke in opposition to providing police services to the Town of Star Valley.

Robert Henley supported options #1 and #2.

Charles Shillingberg suggested a fixed price with variable options.

Vote: Motion failed 4 - 2

Yes: Mayor Bob Edwards, Council Member Ed Blair, Council Member Su Connell, and Council Member Mike Vogel.

No: Vice-Mayor Tim Fruth, and Council Member John Wilson.

F. HEARINGS AND APPEALS

1. **Public Hearing.** Mayor Edwards opened the Public Hearing concerning an application for a Special Event Liquor License filed by Ann M. Stoner, agent, Payson Pro-Rodeo Committee, for the Spring Rodeo event to take place at the Payson Event Center on Friday, May 18, 2007, 5:00 p.m. to 10:00 p.m. and Saturday, May 19, 2007, 5:00 p.m. to 10:00 p.m. There were no comments from the public. Mayor Edwards closed the Public Hearing.

Motion: to Approve an application for a Special Event Liquor License filed by Ann M. Stoner, agent, Payson Pro-Rodeo Committee, for the Spring Rodeo event to take place at the Payson Event Center on Friday, May 18, 2007, 5:00 p.m. to 10:00 p.m. and Saturday, May 19, 2007, 5:00 p.m. to 10:00 p.m.

Moved by Vice-Mayor Tim Fruth, seconded by Council Member Su Connell.

Vote: Motion carried 5 - 0

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

Absent: Council Member Ed Blair.

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. **Resolution No. 2258** captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADDING SECTIONS 33.55 THROUGH 33.59 TO CHAPTER 33 OF THE CODE OF THE TOWN OF PAYSON, CREATING PAYSON'S DESIGN REVIEW BOARD, AMENDING SECTIONS 15-02-013(F) (5) AND (6) AND 15-02-014(D) AND (E) OF THE UNIFIED DEVELOPMENT CODE OF THE TOWN OF PAYSON, AND DECLARING SUCH AMENDMENTS TO BE A PUBLIC RECORD.

Resolution No. 2258 and Ordinance No. 712 were taken together.

3. Mayor Edwards opened the second reading and public hearing concerning **Ordinance No. 713**, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, CREATING PAYSON'S DESIGN REVIEW BOARD AND AMENDING THE DESIGN REVIEW APPLICATION PROCESS.

Jerry Owen noted that the Green Valley Redevelopment Area Committee had requested to be involved in any changes effecting the Green Valley Redevelopment Area standards. The Committee had also asked that allowing out-of-town representatives on the proposed board be removed.

Motion: to Approve Resolution No. 2258, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADDING SECTIONS 33.55 THROUGH 33.59 TO CHAPTER 33 OF THE CODE OF THE TOWN OF PAYSON, CREATING PAYSON'S DESIGN REVIEW BOARD, AMENDING SECTIONS 15-02-01(F)(5) AND (6) AND 15-02-014(D) AND (E) OF THE UNIFIED DEVELOPMENT CODE OF THE TOWN OF PAYSON, AND DECLARING SUCH AMENDMENTS TO BE A PUBLIC RECORD and Ordinance No. 713, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, CREATING PAYSON'S DESIGN REVIEW BOARD AND AMENDING THE DESIGN REVIEW APPLICATION PROCESS.

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

Vote: Motion carried 6 - 0

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

4. * **Resolution No. 2267** 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 DEED ATTACHED HERETO AS EXHIBIT "1", PERTAINING TO THE PAYSON ROAD IMPROVEMENT PROJECT.
***CONSENT* APPROVED**
5. * **Resolution No. 2268**, 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 DEED ATTACHED HERETO AS EXHIBIT "1", PERTAINING TO THE PAYSON ROAD IMPROVEMENT PROJECT.
***CONSENT* APPROVED**
6. * **Resolution No. 2269**, 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 DEED ATTACHED HERETO AS EXHIBIT "1", PERTAINING TO THE PAYSON ROAD IMPROVEMENT PROJECT.
***CONSENT* APPROVED**

7. * **Resolution No. 2279** 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 DEED ATTACHED HERETO AS EXHIBIT "1", PERTAINING TO THE PAYSON ROAD IMPROVEMENT PROJECT.
***CONSENT* APPROVED**
8. * **Resolution No. 2271** 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 DEED ATTACHED HERETO AS EXHIBIT "1", PERTAINING TO THE PAYSON ROAD IMPROVEMENT PROJECT.
***CONSENT* APPROVED**
9. Mayor Edwards opened the discussion/possible action concerning **Resolution No. 2273** captioned as follows: A RESOLUTION OF THE TOWN OF PAYSON, ARIZONA, CONSENTING TO THE FORMATION OF THE CANYON RIVER RANCH DOMESTIC WATER IMPROVEMENT DISTRICT.

Motion: to Approve Resolution No. 2273 captioned as follows: A RESOLUTION OF THE TOWN OF PAYSON, ARIZONA, CONSENTING TO THE FORMATION OF THE CANYON RIVER RANCH DOMESTIC WATER IMPROVEMENT DISTRICT.

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

Vote: Motion carried 6 - 0

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

10. Mayor Edwards opened the second reading and public hearing concerning **Ordinance No. 711** 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 1002 WEST AIRPORT ROAD, BEING GILA COUNTY ASSESSOR'S PARCEL NUMBER 302-23-055, AS MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM R1-175 TO M-2 (TOWN'S MAINTENANCE FACILITY).

Motion: to Approve Ordinance No. 711 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 1002 WEST AIRPORT ROAD, BEING GILA COUNTY ASSESSOR'S PARCEL NUMBER 302-23-055, AS MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM R1-175 TO M-2 (TOWN'S MAINTENANCE FACILITY).

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

Vote: Motion carried 5 - 1

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

No: Mayor Bob Edwards.

11. Mayor Edwards opened the second reading and public hearing concerning **Ordinance No. 712** 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 401 SOUTH RIM CLUB PARKWAY, BEING GILA COUNTY ASSESSOR'S PARCEL NUMBER 304-01-330, AS MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM R1-175 TO R1-18(401 SOUTH RIM CLUB PARKWAY).

Ralph Bossert with Tetra Tech and Mark Voss the owner of the property were available for questions.

Motion: to Approve Ordinance No. 712 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 401 SOUTH RIM CLUB PARKWAY, BEING GILA COUNTY ASSESSOR'S PARCEL NUMBER 304-01-330, AS MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM R1-175 TO R1-18(401 SOUTH RIM CLUB PARKWAY).

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

Vote: Motion carried 6 - 0

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

I. NEW BUSINESS

1. **Council Decision Request** filed by Jerry Owen, Community Development Director, to approve the Preliminary Plat for The Cove at Sawmill Crossing Condominium Subdivision subject to the conditions recommended by the Planning and Zoning Commission. After discussion, Clmn. Blair suggested changing the name of the project to Frontier Cove and explained the developer had agreed to the change.

Motion: to Approve a Council Decision Request filed by Jerry Owen, Community Development Director, to approve the Preliminary Plat for Frontier Cove Condominium Subdivision subject to the conditions recommended by the Planning and Zoning Commission with amendments to #12 (The developer shall contribute

\$1,000 per unit for affordable/workforce housing prior to issuance of any permits for site work) and #14 (The Engineers Estimate of Costs for the half-street improvements to Frontier Street shall be paid to the Town prior to issuance of any permits for site work) of those recommended conditions.

Moved by Vice-Mayor Tim Fruth, seconded by Council Member Mike Vogel.

Vote: Motion carried 6 - 0

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

2. * **Council Decision Request** filed by Rick Manchester, Parks & Recreation Director, to approve the fireworks display contract in the amount of \$10,000 with Fireworks Productions of Arizona, Ltd. for the annual fireworks display at the Green Valley Park. Event will be held on July 4, 2007.

***CONSENT* APPROVED**

3. **Council Decision Request** filed by Jerry Owen, Community Development Director, to authorize Council contingency funds in an amount not to exceed \$15,000 for the Payson Signage Study and authorize the Mayor to execute the contract and any necessary documents.

James Garner spoke in support of the study.

Motion: to Approve a Council Decision Request filed by Jerry Owen, Community Development Director, to authorize Council contingency funds in an amount not to exceed \$15,000 for the Payson Signage Study and authorize the Mayor to execute the contract and any necessary documents.

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

Vote: Motion carried 6 - 0

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

- J. **CLAIMS List of checks paid from 3/22/2007 through 3/30/2007, Check Nos. 41190 1.* through 41347, and authorization to file the checks for audit.**

***CONSENT* APPROVED**

K. MISCELLANEOUS

1. * Appointment of Melvin J. Sorensen to the Parks and Recreation Advisory Committee, term to expire December 31, 2007. ***CONSENT* APPROVED**

2. * Appointment of Richard Croy to the Housing Advisory Commission, term to expire December 31, 2009.

***CONSENT* APPROVED**

3. * Appointment of Cliff Potts to the Housing Advisory Commission, term to expire

December 31, 2008.

***CONSENT* APPROVED**

4. * Appointment of Bruce Hopkins to the Housing Advisory Commission, term to expire December 31, 2009.
***CONSENT* APPROVED**
5. * Appointment of Mike Foil to the Housing Advisory Commission, term to expire December 31, 2008.
***CONSENT* APPROVED**
6. * Appointment of Michael Hughes to the Housing Advisory Commission, term to expire December 31, 2009.
***CONSENT* APPROVED**
7. * Appointment of Kevin Alderson to the Housing Advisory Commission, term to expire December 31, 2007.
***CONSENT* APPROVED**
8. * Appointment of Dave Coombes to the Housing Advisory Commission, term to expire December 31, 2007.
***CONSENT* APPROVED**

L. PUBLIC COMMENTS

There were no comments from the public.

Mayor Edwards adjourned the meeting at approximately 7:41 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 19 of April, 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