

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
November 6, 2008**

CALL TO ORDER

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

INVOCATION

Rev. Charles Proudfoot, Community Presbyterian Church.

PLEDGE OF ALLEGIANCE

PRESENT: Mayor Kenny J. Evans, Vice-Mayor Su Connell, Council Member Ed Blair, Council Member John Wilson, Council Member Richard Croy, and Council Member Michael Hughes.

ABSENT: Council Member Mike Vogel.

STAFF PRESENT: Debra Galbraith - Town Manager, Sam Streichman - Town Attorney, Douglas Hill - Chief Fiscal Officer, Don Engler - Police Chief, Rick Manchester - Parks & Recreation Director, Cameron Davis - Tourism/Economic Vitality Director, and LaRon Garrett - Public Works Director.

OTHERS PRESENT: Gaye Stidham - Deputy Town Clerk, Tracie Bailey - Deputy Town Clerk, Tim Wright - Deputy Town Attorney, Ray Erlandsen - Zoning Administrator, Charlene Hunt - Events/Facilities Specialist, and Mary McMullen - Trails/Outdoor coordinator.

A. PUBLIC COMMENTS

Vice-Mayor Connell introduced Cindy Schofield, Community Development Block Grant Principle Planner. Ms. Schofield announced that the Central Arizona Association of Governments were beginning the 2009 grants process and that she would be out in the front lobby to answer questions. The grants were brought down through the Housing and Urban Development Fund.

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.

Motion: to approve all Items listed on the Consent Agenda.
Moved by Council Member John Wilson, seconded by Council Member Michael Hughes.

Vote: Motion carried 6 - 0

Yes: Mayor Kenny J. Evans, Vice-Mayor Su Connell, Council Member Ed Blair, Council Member John Wilson, Council Member Richard Croy, and Council Member Michael

NOV 20 2008 E.I.*

Hughes.

Absent: Council Member Mike Vogel.

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

Debra Galbraith, Town Manager, announced Mary McMullen, Trails/Outdoor Coordinator, had been elected as a member of the Arizona State Committee on Trails. The Committee serves in an advisory capacity to the Arizona State Parks Board. The overall mission of the Arizona State Trails program is to promote, develop and preserve non-motorized trail opportunities throughout the state. Ms. Galbraith congratulated Ms. McMullen.

Ms. Galbraith also announced that the Town had received a report on the recent inspection by Arizona Department of Environmental Quality regarding the drinking water in Payson. ADEQ found that the operation, maintenance, monitoring and reporting of the water system is in compliance with ADEQ Safe Drinking Water Rules. Ms. Galbraith thanked everyone in the Water Division for making this happen.

Ms. Galbraith announced the Electric Light Parade applications were due by November 21, 2008, and could be dropped off at the Office of Tourism and Economic Vitality at 600 South Green Valley Parkway. For more information call 928-468-6074.

Council Member Croy reminded everyone to come to the First Friday this Friday.

Council Member Wilson announced that the Presbyterian Church was having a spaghetti dinner for five dollars on Friday also.

Council Member Blair announced that on November 10, 2008 at 3:00 p.m. concerned citizens could attend the Planning and Zoning Commission meeting.

Vice-Mayor Connell announced that there were several committee openings and named the committees with vacancies and the other committees.

Mayor Evans stated the Historic Preservation and Conservation Commission was a State mandated board and encouraged citizens to put in an application.

D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS

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

Mayor Evans stated he had received a letter from Governor Napolitano congratulating the Boy Scouts for their many hours of work on their project at the Tonto Natural Bridge.

Mayor Evans moved the Veterans Recognition and American Patriotism Awareness Month Proclamation up on the agenda.

3. **Proclamation.** Mayor Evans read into the record a proclamation declaring November 2008 as Veterans Recognition and American Patriotism Awareness

Month. Kathy Siler, Payson High School Drama Department, was present to accept the proclamation.

5. **Proclamation.** Vice-Mayor Connell read into the record a proclamation declaring November 13 -16, 2008, as Rim Country Quilt Roundup Days. John Stanton and members of the Quilt Roundup Committee were present to accept the proclamation.
4. **Proclamation.** Council Member Wilson read into the record a proclamation declaring November 7, 8, and 9, 2008, as Buddy Poppy Days. Members of the Veterans of Foreign Wars were present to accept the proclamation.
2. **Proclamation.** Mayor Evans read into the record a proclamation declaring November 2008 as National Hospice Month. Kathleen Hughes, Community Liaison, RTA Hospice and Palliative Care, was present to accept the proclamation.

E. MINUTES

1. * Council Meeting Minutes:
.10.02.08 Regular Meeting Minutes Pages 1 -12
.10.16.08 Regular Meeting Minutes Pages 1 -11
.10.28.08 Special Meeting Minutes Pages 1-2
***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:
.07.14.08 Regular Meeting Minutes Pages 1 -6
***CONSENT* INFORMATION ONLY**
3. * Design Review Board Minutes:
.08.26.08 Regular Meeting Minutes Pages 70-71
***CONSENT* INFORMATION ONLY**

F. HEARINGS AND APPEALS

There were 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. * **Resolution No. 2450.** Council approved, on the Consent Agenda, Resolution No. 2450 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING A WATER LINE EASEMENT, ALL DESCRIBED ON EXHIBIT "1" ATTACHED HERETO COMPRISING A WATER LINE EASEMENT FOR THE EXPANSION OF THE PAYSON WATER SYSTEM.

***CONSENT* APPROVED**

3. *** Resolution No. 2451.** Council approved, on the Consent Agenda, Resolution No. 2451 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, COMMITTING TO CONTINUE PARTICIPATION AS AN ACCREDITED ARIZONA MAIN STREET COMMUNITY AND APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A LETTER OF INTENT FOR CONTINUED ACCREDITATION IN THE ARIZONA MAIN STREET PROGRAM FOR THE YEAR 2009.

***CONSENT* APPROVED**

4. **Resolution No. 2452.** Mayor Evans opened discussion/possible action concerning Resolution No. 2452 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADOPTING THE TOWN OF PAYSON PERSONNEL MANUAL.

Motion: to Approve Resolution No. 2452 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADOPTING THE TOWN OF PAYSON PERSONNEL MANUAL. Moved by Council Member John Wilson, seconded by Vice-Mayor Su Connell.

Mayor Evans pointed out there were some misspelled words in the document. The Mayor believed that section 4.3.1 should read 6/7 of the Council instead of 3/4.

Council Member Blair amended the motion to replace 3/4 with 6/7 . Council Member Wilson seconded the amendment.

Council Member Blair moved to add to the amendment "or Council Member" where it states "amendments may be proposed by the Town Manager". Tim Wright, Deputy Town Attorney, stated that this was already addressed under section 7.

Motion to amend failed due to lack of a second.

Mayor Evans called for the vote on the original motion as amended to approve Resolution No. 2452.

Vote: Motion carried 6 - 0

Yes: Mayor Kenny J. Evans, Vice-Mayor Su Connell, Council Member Ed Blair, Council Member John Wilson, Council Member Richard Croy, and Council Member Michael Hughes.

Absent: Council Member Mike Vogel.

5. **Ordinance No. 749.** Mayor Evans opened the First Reading and Public Hearing concerning Ordinance No. 749 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, REZONING CERTAIN REAL PROPERTY GENERALLY LOCATED AT 801 NORTH GRAHAM RANCH ROAD, GILA COUNTY ASSESSOR'S PARCEL NUMBER 302-23-036T, FROM R1-175 TO R1-90 (THE MELOCHE PROPERTY).

There were no public comments.

Ray Erlandsen, Zoning Administrator, briefly explained the rezoning request. Mr. Erlandsen stated it met all requirements and the Planning and Zoning Commission recommended approval with five conditions.

Council Member Hughes expressed his concerns regarding recommendation number 3. Council Member Hughes moved to remove 3.E and accompanying exhibit from Ordinance No. 749. Mayor Evans closed the the First Reading and Public Hearing. Motion died due to the lack of a second.

H. UNFINISHED BUSINESS

There were no items in this section.

I. NEW BUSINESS

1. *** Council Decision Request.** Council approved, on the Consent Agenda, a Council Decision Request filed by Silvia Smith, Town Clerk, to approve the 2009 calendar for council meetings as attached; said calendar subject to change as needed and required.

***CONSENT* APPROVED**

2. **Council Decision Request** filed by Rick Manchester, Parks and Recreation Director, to approve and adopt the revised Goat Camp Master Plan.

Rick Manchester, Parks and Recreation Director, explained that this was a revision of the old document to get approval from the State. Mary McMullen, Trails/Outdoor Coordinator, introduced the author of the revised Goat Camp Master Plan, Scott Wood, U.S. Forest Service Archeologist. Denise Ryan of the local Forest Service Office also worked on the project. Ms. McMullen asked council to approve the revised version.

Mr. Wood felt the new version was better suited for the Town to handle. The Forest Service supports this and will provide what ever help the Town needs with this project.

Mr. Manchester stated Ms. McMullen was the key person who had pursued this for the Parks and Recreation Department.

Motion: to Approve and adopt the revised Goat Camp Master Plan.
Moved by Council Member John Wilson, seconded by Vice-Mayor Su Connell.

Gene Sampson was active working with the Payson Area Trails System. Mr. Sampson felt there was a lot of support for this and that volunteers would be there for this project.

Vote: Motion carried 6 - 0

Yes: Mayor Kenny J. Evans, Vice-Mayor Su Connell, Council Member Ed Blair,

Council Member John Wilson, Council Member Richard Croy, and Council Member Michael Hughes.
Absent: Council Member Mike Vogel.

3. **Council Decision Request** filed by Rick Manchester, Parks and Recreation Director, (relating to construction and improvements to Goat Camp and improvements to the Jimmy Harris Trail) to:
 1. Accept the grant and authorize the Mayor to sign the Heritage Fund Grant contract and authorize staff to begin trail construction.
or
 2. Accept the trails grant with the caveat that the Town delays hard costs associated with the project for 12 months (start project fall 2009). Volunteers begin working on their portion and encumber expenses in an amount not to exceed \$25,000 for 24 months or until June 30, 2010. Leaving the final \$25,000 expenditure for two years out or starting with the July 2011 budget cycle.
or
 3. Do not authorize the Mayor to accept the grant or sign the contract.

Rick Manchester, Parks and Recreation Director, explained that the grant was a \$60,000 commitment from the Town. Debra Galbraith, Town Manager, stated this fund was restricted to use for park development fees, but right now the Town cannot use general funds to cover what is not covered by the fund.

Mary McMullen, Trails/Outdoor Coordinator, stated there was a set amount for expenditures. Mr. Manchester recommended starting the project in twelve months. Ms. Galbraith stated the Town would have to budget for it in the 09 budget. Matching funds could come from sponsorships also.

Vice-Mayor Connell felt this could be an economic engine. Ms. McMullen believed outdoor activities could bring in more people and that this would be a draw. Ms. McMullen stated that \$35,000 covers the Gila Community College trail.

Council Member Hughes asked if volunteer donations could go towards the \$60,000. Ms. McMullen stated that with approval for the grant she could get a campaign out and not have to use Town funds.

Council Member Wilson suggested that along with volunteers, the Friends of Payson Parks and Recreation could help fund the trails system.

Council Member Croy asked Ms. McMullen to give her contact information so citizens could make donations.

Council Member Blair asked if both Mr. Manchester and Ms. McMullen would lean toward option two on the agenda. Mr. Manchester replied yes and the Parks Board had voted for option two, six to one. Tax exempt donations are funneled through Friends of Parks and Recreation.

Motion: to accept the trails grant with the caveat that the Town delays hard costs associated with the project for 12 months (start project fall 2009). Volunteers begin

working on their portion and encumber expenses in an amount not to exceed \$25,000 for 24 months or until June 30, 2010. Leaving the final \$25,000 expenditure for two years out or starting with the July 2011 budget cycle.
Moved by Council Member Ed Blair, seconded by Council Member John Wilson.

Vote: Motion carried 6 - 0

Yes: Mayor Kenny J. Evans, Vice-Mayor Su Connell, Council Member Ed Blair, Council Member John Wilson, Council Member Richard Croy, and Council Member Michael Hughes.
Absent: Council Member Mike Vogel.

4. **TomCol contract.** Mayor Evans opened discussion/possible action regarding the contract between the Town of Payson and the TomCol Investments and pending escrow (Pioneer Title #00129638TB) for the purchase of 3.25 acres of land and the purchase of an option on 10.25 acres of land just South of the Payson Airport (Contract originally approved September 18, 2008) including but not limited to:
Status of the Escrow
Issues related to the Title Report
Funding the Escrow

Tim Wright, Deputy Town Attorney, explained the purchase agreement. There were two exceptions that caused the Town concern. Under the purchase agreement the Town could waive those exceptions, require removal of those exceptions or cancel the agreement.

Motion: to cancel the purchase contract in Escrow 00129638 pursuant to paragraph 5.3 of the Purchase Agreement.
Moved by Council Member John Wilson, seconded by Vice-Mayor Su Connell.

Vote: Motion carried 6 - 0

Yes: Mayor Kenny J. Evans, Vice-Mayor Su Connell, Council Member Ed Blair, Council Member John Wilson, Council Member Richard Croy, and Council Member Michael Hughes.
Absent: Council Member Mike Vogel.

5. **Council Decision Request** filed by Debra Galbraith, Town Manager, 1) to authorize staff to make purchases regardless of the amount that meet the following criteria:
- a. The item was part of the adopted budget and was presented to the Council during budget deliberations; AND
 - b. There is no contract over \$25,000 involved (contracts over \$25,000 HAVE to come before the Council). OR 2) to leave procedures as they are where all expenditures over \$25,000 come to the Council for approval.

Debra Galbraith, Town Manager, explained she was trying to get some written procedure.

Council Member Croy asked what would happen if there was no revenue.

Council Member Blair believed Council should give direction and liked the idea of items coming forward to Council. Council Member Blair felt leasing was a contract and that the Town should be loyal and buy local and that non-emergency items should be talked over.

Mayor Evans believed that leasing did not fit in the parameters of this CDR. The Town was simply making payments that were agreed upon. Ms. Galbraith stated what she was suggesting would not apply to leased vehicles. Staff researches items before they buy them. Ms. Galbraith would get the purchasing procedure in order.

Council Member Croy liked the idea that Council could see what was being spent. Ms. Galbraith stated staff would always go look at the budget before making a purchase. Council Member Croy felt that Council should be plugged in to what is going on.

Council Member Blair requested a special page for purchases over a certain amount be added to the list of checks so Council could see the big purchases. Ms. Galbraith stated staff would do that. Council Member Wilson asked Ms. Galbraith to put that in her Town Managers report.

Jim Garner believed that during the budget hearing there was not much public input and that in the past citizens did not get to discuss what was in the budget. Mr. Garner felt things change from the time of the budget process to the purchase and suggested that when Council is going through the budget process, staff make a note whether it will or will not have to come back to Council.

Ms. Galbraith suggested leaving it as it was. Mayor Evans did not agree with that and believed there needed to be a clear policy. Council Member Wilson believed the application of this was so limited that there would not be many items involved.

Motion: to authorize staff to make purchases regardless of the amount that meet the following criteria:

- a. The item was part of the adopted budget and was presented to the Council during budget deliberations; AND
- b. There is no contract over \$25,000 involved (contracts over \$25,000 HAVE to come before the Council).

Moved by Council Member John Wilson, seconded by Council Member Michael Hughes.

Ms. Galbraith believed it would be easier to bring items back to Council then to pick and choose what items get marked to bring back or not bring back. Ms. Galbraith felt staff could target certain items.

Vice-Mayor Connell felt if an item had been discussed and put into the budget it should not have to come back to the Council for discussion.

Mayor Evans called for the vote.

Vote: Motion carried 5 - 1

Yes: Mayor Kenny J. Evans, Vice-Mayor Su Connell, Council Member John Wilson, Council Member Richard Croy, and Council Member Michael Hughes.
No: Council Member Ed Blair.
Absent: Council Member Mike Vogel.

J. CLAIMS

1. * **List of checks.** Council approved, on the Consent Agenda, a list of checks paid from 10/8/08 through 10/22/08, Check Nos. 003479 through 003713, and authorization to file the checks for audit.
***CONSENT* APPROVED**

K. MISCELLANEOUS

There were no items in this section.

L. PUBLIC COMMENTS

Mayor Evans announced the Chamber, the Town, Payson Regional Economic Development Corporation, and the Gila Community College Small Business Development Director had met to work out a solution for this community at this time to help them survive in these tough times. Guerrilla marketing tactics would be used to deal with the economic crisis. Mayor Evans announced that Noveber 19, 2008, at 6:00 p.m. in the Payson High School auditorium there would be a small business forum: "Guerilla Tactics for Surviving in Tough Economic Times".

Council Member Wilson stated non-profits had also been invited to this seminar because non-profits are vital to our economy and this seminar would help them learn.

ADJOURNMENT

Mayor Edwards adjourned the meeting at approximately 7:15 p.m.

APPROVED:

_____ Date: _____

Kenny J. Evans, 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 6 of November, 2008. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this ____ day of _____, 2008.

Tracie Bailey, Deputy Town Clerk