

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
January 8, 2009**

CALL TO ORDER: Mayor Evans called the meeting to order at approximately 5:30 p.m. in the Town Hall Council Chambers.

INVOCATION: Simone Lake, Minister of Prayer at Pine's Church on Randall Place, led those present in an invocation.

PLEDGE OF ALLEGIANCE

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

STAFF PRESENT: Debra Galbraith - Town Manager, Sam Streichman - Town Attorney, LaRon Garrett - Town Engineer, Colin P. Walker - Water Superintendent, Don Engler - Police Chief, Marti deMasi - Fire Chief, Cameron Davis - Tourism/Economic Vitality Director, and Ray Erlandsen, Zoning Administrator.

OTHERS PRESENT: Tim Wright - Deputy Town Attorney, Gaye Stidham - Deputy Town Clerk, Nelson Beck - Parks Supervisor, Bethany Beck - Housing Program Manager, Mary McMullen - Trails/Outdoor Coordinator.

A. PUBLIC COMMENTS

There were no comments from the public.

- 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.

Motion: to approve the Consent Agenda.

Moved by Vice-Mayor Su Connell, seconded by Council Member John Wilson.

Vote: Motion carried 7 - 0

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

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

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LaRon Garrett, Public Works Director, explained the repairs needed on Main Street because of last month's water line break. The Street Department had been waiting on the weather to begin repairing the subgrade. However, repairing the asphalt would need to be done by an outside contractor and the cost would require the bidding process. Mr. Garrett will advertise for bids next week.

Chief Engler announced that Officer Michael Hansen had been designated officer of the quarter by the Gila County Attorney's office. This designation is given for an officer's exceptional leading of investigations and preparation of police reports in regard to those investigations.

D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS

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

Mayor Evans announced that Clmn. Wilson's birthday was the day before and wished him many happy returns. Clmn. Wilson took the opportunity to say that the Friends of Parks and Recreation is taking donations to help finance Parks and Recreation sports programs. He noted that these donations were tax deductible. Mayor Evans spoke his appreciation for the Friends.

Mayor Evans expressed his gratitude for Su Connell's service as Vice-Mayor over the previous 6 months.

2. Proclamation declaring January 2009 as National Mentoring Month. Robert Henley, Big Brothers and Big Sisters of Payson, will be present to accept the proclamation.

Clmn. Vogel read the proclamation. Robert Henley of Big Brothers and Big Sisters accepted the proclamation. Mr. Henley introduced Big Brothers and Big Sisters board members Bobby Davis, Amy Hill and Ginger Sparks. He was proud of the high school age big brothers and sisters and introduced high schoolers Nick, Rachael and Amy. Ms. Sparks introduced Ilene Daniels, Carol Drury and D.J. Craig along with their little sisters and brother. Mr. Henley reminded those present that they can support Big Brothers and Big Sisters through volunteering and donations including donating to their clothing bins around town.

Clmn. Vogel, a Big Brother, said when he was first asked to participate in the program he told them he didn't have the time. He said he has found that the important thing is helping these kids and noted that it is the small things that make a difference in their lives. He encouraged others to become involved.

3. Discussion/possible action regarding a presentation by Tom Loeffler,

S.T.A.C. (Surface Transportation Advisory Committee) Chair concerning a recommendation for traffic calming on the Mud Springs Road and Phoenix Street corridor.

Tom Loeffler, Chair of the Surface Transportation Committee (S.T.A.C.), reported that a year ago the chambers were full of people as the Town Council reviewed traffic calming devices for Phoenix Street and Mud Springs Road. Citizens in the area were concerned that by improving the road it would become a by-pass route on weekends. The S.T.A.C. hosted 2 public meetings and several meetings with HOAs to solicit comments and concerns. Phoenix Street and Mud Springs Road improvements have been a topic on 7 S.T.A.C. agendas. The concerns voiced by those participating regarded parking, crossing the street for mail, lack of sidewalks, backing onto the roadway, stop signs, the cost to the Town and the speed and volume of traffic. S.T.A.C. recommended a 3-tiered approach that had been presented during the November meetings. The first tier is the least restraining and would not be implemented until funds were available and after an extension of Mud Springs Road was complete. Mr. Loeffler said that although PATS was not part of their charge, it was considered during their study. Placing the trails system on the paved road conflicted in areas with parking and bicycles being able to move with the traffic.

Mary McMullen, Parks & Recreation Trails/Outdoor Coordinator, explained that she had discussed with Mr. Garrett the removal of curbs to make the street wide enough for the trail and the drainage difficulties that might cause. Mr. Loeffler said that the citizens in the area did not want PATS in their area if it eliminated their street parking. Ms. McMullen said it was a challenge but a trail system on Phoenix and Mud Springs was vital as it connected other trails. Clmn. Connell was concerned that PATS might be stymied and encouraged work on a solution.

Motion: to receive the presentation by Tom Loeffler, S.T.A.C. (Surface Transportation Advisory Committee) Chair concerning a recommendation for traffic calming on the Mud Springs Road and Phoenix Street corridor. Moved by Council Member Ed Blair, seconded by Council Member Mike Vogel.

Clmn. Vogel asked that the trail system be completed in one project and connect to the next rather than starting nowhere and going nowhere. Mr. Garrett said that could be done.

Vote: Motion carried 7 - 0

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

4. Selection of Vice-Mayor.

Mayor Evans asked for Council recommendations.

Motion: to Recommend Clmn. Blair to be the next Vice-Mayor.
Moved by Council Member Mike Vogel, seconded by Council Member John Wilson.

Vote: Motion carried 7 - 0

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

E. MINUTES

1. * Council Meeting Minutes:
 - 11.20.08 Special Meeting Minutes Pages 1 - 3
 - 11.20.08 Regular Meeting Minutes Pages 1 - 19
 - 12.11.08 Special Meeting Minutes Pages 1 - 2
 - 12.11.08 Regular Meeting Minutes Pages 1 - 14
 - 12.19.08 Community Event 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. * Design Review Board Minutes: 1 0.28.08 Regular Meeting Minutes Pages 78 - 79 ***CONSENT* INFORMATION ONLY**
3. * Housing Advisory Commission Minutes: 09.25.08 Regular Meeting Minutes Pages 34 - 35 ***CONSENT* INFORMATION ONLY**
4. * Parks and Recreation Advisory Board Minutes: 11.12.08 Regular Meeting Minutes Pages 1 - 3 ***CONSENT* INFORMATION ONLY**
5. * Surface Transportation Advisory Committee Minutes: 11.12.08 Regular Meeting Minutes Pages 181 - 183 ***CONSENT* INFORMATION ONLY**

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. 2464, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE LICENSE FEES FOR DOGS. *CONSENT* APPROVED
3. * Discussion/possible action concerning Resolution No. 2465, 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 QUIT CLAIM DEED TRANSFERRING TITLE TO A 5 FOOT BY 45 FOOT PORTION OF RIGHT OF WAY LOCATED IN THE 701 BLOCK OF EAST PHOENIX STREET TO ROBERT C. AND SHERIE W. BALDRIDGE. *CONSENT* APPROVED
4. * Discussion/possible action concerning Resolution No. 2466, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING DEBRA A. GALBRAITH, TOWN MANAGER OF THE TOWN OF PAYSON, AND JANICE HOPELY, ACCOUNTANT II OF THE TOWN OF PAYSON, TO EXECUTE A CERTIFICATION OF BANKING RESOLUTIONS, AUTHORIZING BANKING SERVICES WITH JPMORGAN CHASE BANK, N.A., AND BANK SUBSIDIARIES THEREOF, AND DESIGNATING SIGNATORIES RELATING TO THE VARIOUS ACCOUNTS TO BE MAINTAINED AT JPMORGAN CHASE BANK, AND DECLARING AN EMERGENCY. *CONSENT* APPROVED
5. Discussion/possible action concerning Resolution No. 2467, captioned as follows: A RESOLUTION OF MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FISCAL YEAR 2009-2010 STATE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS, CERTIFYING THAT SAID APPLICATION MEETS THE COMMUNITY'S PREVIOUSLY IDENTIFIED HOUSING AND COMMUNITY DEVELOPMENT NEEDS AND THE REQUIREMENTS OF THE STATE CDBG PROGRAM, AND AUTHORIZING ALL ACTIONS NECESSARY TO IMPLEMENT AND COMPLETE THE ACTIVITIES OUTLINED IN SAID APPLICATION.

Motion: to Approve Resolution No. 2467, captioned as follows: A RESOLUTION OF MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FISCAL YEAR 2009-2010 STATE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS, CERTIFYING THAT SAID APPLICATION MEETS THE COMMUNITY'S PREVIOUSLY IDENTIFIED HOUSING AND COMMUNITY DEVELOPMENT NEEDS

AND THE REQUIREMENTS OF THE STATE CDBG PROGRAM, AND AUTHORIZING ALL ACTIONS NECESSARY TO IMPLEMENT AND COMPLETE THE ACTIVITIES OUTLINED IN SAID APPLICATION. Moved by Council Member John Wilson, seconded by Council Member Mike Vogel.

Bethany Beck, Town of Payson Housing Coordinator, introduced Cindy Schoefield from CAAG. Ms. Beck said, in the absence of a grants coordinator, she would be handling CDBG grants. She explained to the Council the process and scope of the projects designated for these funds. She said that the Senior Center project will come first and then housing projects. Ms. Beck also explained that any citizen receiving these grant funds for housing is required to sign documents that place a lien on the house that is forgiven over time. If the owner does not remain compliant with the Town Code concerning the upkeep of the property the Town reserves the right to call the loan.

Vote: Motion carried 7 - 0

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

6. Second Reading and Public Hearing concerning Ordinance No. 751, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADDING SECTION 15-09-005(B)(5) TO CHAPTER 154 (THE UNIFIED DEVELOPMENT CODE) OF THE CODE OF THE TOWN OF PAYSON. (TEMPORARY USE PERMIT FEES)

Ray Erlandesen, Zoning Administrator, explained the sliding fee schedule proposed for Temporary Use Permits. He said the change in the cost of the permit fee is an attempt to capture sales tax. He explained that the application fee would remain \$50.

Motion: to Approve Ordinance No. 751, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADDING SECTION 15-09-005(B)(5) TO CHAPTER 154 (THE UNIFIED DEVELOPMENT CODE) OF THE CODE OF THE TOWN OF PAYSON. (TEMPORARY USE PERMIT FEES)

Moved by Council Member Mike Vogel, seconded by Council Member John Wilson.

Mayor Evans opened the public meeting concerning Ordinance No. 751. There were no comments from the public and he closed the public meeting.

Vote: Motion carried 7 - 0

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

7. First Reading and Public Hearing concerning Ordinance No. 752, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE UNIFIED DEVELOPMENT CODE RELATING TO ACCESSORY LIVING QUARTERS, INCLUDING ACCESSORY DWELLING UNITS, GUEST HOUSES, AND GUEST QUARTERS AND ADOPTING SUCH AMENDMENTS BY REFERENCE (ACCESSORY DWELLING UNITS).

Mayor Evans opened the public hearing concerning Ordinance No. 752.

Shirley Dye with the Elk Ridge HOA asked how cc&rs would be addressed. Mayor Evans replied that cc&rs are not overridden by Town code.

Ray Erlanden, Zoning Administrator, explained that within the permitting process for an accessory dwelling, HOAs have the opportunity to review plans. If the HOA does not allow the proposal, it may be that the permit may not be issued. He said that the Town would not enforce any HOA regulations or cc&rs but only give the information that a permit has been requested.

Mayor Evans closed the public hearing.

8. First Reading and Public Hearing concerning Ordinance No. 753, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTION 93.40 OF THE CODE OF THE TOWN OF PAYSON, EXPANDING THE AREAS WITHIN THE TOWN PARKS THAT MAY BE RESERVED.

Nelson Beck, Parks Supervisor, gave a brief explanation of the proposed expansion of reservable areas in Town parks.

Mayor Evans opened the public hearing. There were no comments from the public and Mayor Evans closed the public hearing.

9. First Reading and Public Hearing concerning Ordinance No. 754, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADOPTING AMENDED SECTION 50.57(B) OF THE CODE OF THE TOWN OF ** PAYSON RELATING TO THE EQUIVALENT RESIDENTIAL UNIT CALCULATIONS FOR RESIDENTIAL AND COMMERCIAL DEVELOPMENTS. (ERU CALCULATIONS)

Tim Wright, Deputy Town Attorney, directed the Council's attention to a memo from Colin Walker, Assistant Public Works Director, noting

corrections to be made in the Resolution.

Mayor Evans opened the public hearing. There were no comments from public and Mayor Evans closed the public hearing.

H. UNFINISHED BUSINESS

1. * Council Decision Request filed by LaRon G. Garrett, Public Works Director, to approve the public subdivision construction of the Longhorn Condominium Subdivision, including traffic control devices, subject to the developer's two year warranty of improvements, and to accept the public subdivision improvements for town maintenance under such warranty.
CONSENT APPROVED

I. NEW BUSINESS

1. * Council Decision Request filed by Silvia Smith, Town Clerk, to approve the ** schedule change of the regular town council meetings from October 1, 2009 to October 8, 2009 and October 15, 2009 to October 22, 2009 and July 16 to July 23, 2009.*CONSENT* APPROVED
2. Council Decision Request filed by the Legal Department to direct the Legal Department to prepare a code change to define the terms Boards, Committee, and Commissions and implement changes to the Town's existing Boards, Committees, and Commissions to conform with such definitions.

Clmn. Croy and Clmn. Connell asked for some clarification as to how approval of this Council Decision Request would translate into an ordinance.

Tim Wright, Deputy Town Attorney, said that the ordinance will come to them at a future meeting with the elements of the table prepared for the Council Decision Request. The ordinance will receive 2 readings before a vote.

Motion: to Approve a Council Decision Request filed by the Legal Department to direct the Legal Department to prepare a code change to define the terms Boards, Committee, and Commissions and implement changes to the Town's existing Boards, Committees, and Commissions to conform with such definitions.

Moved by Council Member John Wilson, seconded by Council Member Mike Vogel.

Vote: Motion carried 7 - 0

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

J. CLAIMS

- 1. * List of checks paid from 11/26/08 through 12/18/08, Check Nos. 004161 through 004357, and authorization to file the checks for audit.
CONSENT APPROVAED

K. MISCELLANEOUS

L. PUBLIC COMMENTS

Clmn. Vogel asked that the Town send a letter of thanks to Congressman Renzi and a separate letter to Penny Pew. Clmn. Vogel commended the Congressman and Ms. Pew on their quick response to any problem presented to them by the citizens of Payson. He asked these letters be placed on the next agenda for approval by the Council.

Clmn. Connell thanked everyone for their help with her responsibilities as Vice-Mayor over the last 6 months.

ADJOURNMENT: Mayor Evans adjourned the regular meeting at approximately 6:50 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 8 of January, 2009. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this ____ day of _____, 2009.

Gaye Stidham, Deputy Town Clerk