

**COMMON COUNCIL OF THE TOWN OF PAYSON
AGENDA OF THE REGULAR MEETING
AUGUST 5, 2010**

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

INVOCATION (Participation Voluntary)

Bishop Rodney Ross, Mogollon Ward of the Church of Jesus Christ of Latter Day Saints

PLEDGE OF ALLEGIANCE

ROLL CALL: KE __ MH __ EB__ FC__SC __ RC __ JW __

Council Member Connell may be present telephonically.

Council Member Hughes will be present telephonically.

STAFF PRESENT: DG__ TW__ MD__ DBE__ SS__ LG__ TM__ CD__

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 presentation of current events by the Town Manager, Mayor, and/or Council Members. The Arizona Open Meeting Law specifies that the Town Council may not discuss or take action on any matter mentioned during this presentation or on the attached materials unless the specific matter is properly noticed for legal action.
2. Documents, materials and information for Council review. (The Council will not discuss or take action on the attached; they are provided for information only) [Memo re: Personnel Disciplinary Appeal](#)

D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS

1. Comments, Commendations, and Presentations by Mayor, Council Members, and/or Town Staff.
2. **Proclamation** declaring August 19th - 22nd, 2010 as Rodeo Days. John Landino and members of the Payson Rodeo Committee will be present to accept the proclamation.

E. MINUTES

1.* Council Meeting Minutes:

07-15-10 Regular Council Meeting Pages 1 - 10

***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.* Design Review Board Meeting Minutes:

06-22-10 Regular Council Meeting Pages 144 - 145

CONSENT

F. HEARINGS AND APPEALS

1. **This is a Public Hearing** concerning an application for a Special Event Liquor License from Ernie Padilla, agent, Payson Pro Rodeo Committee, for a fund raiser for scholarship funds to be held Friday, August 20, 2010 from 12:01 p.m. to 2:00 a.m. and Saturday, August 21, 2010 from 12:01 p.m. to 2:00 a.m. at 607 West Main Street, Payson, Arizona. **This is a Public Hearing.** (Application on file in the Town Clerk's office)
2. **This is a Public Hearing** concerning an application for a Special Event Liquor License from Debra Mahoney, Payson Rodeo Committee, for a fundraiser for scholarship funds to be held Friday, August 20, 2010 from 12:01 p.m. to 12:00 a.m., Saturday, August 21, 2010 from 12:01 p.m. to 12:00 a.m. and Sunday, August 22, 2010 from 12:01 p.m. to 12:00 a.m. at the Payson Event Center, 1400 S. Beeline Highway, Payson, Arizona. **This is a Public Hearing.** (Application on file in the Town Clerk's office)

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. 2565**, 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 AGREEMENT WITH PAYSON CHAMBER OF COMMERCE, INC., FOR DISBURSEMENT OF PUBLIC PURPOSE FUNDS.
***CONSENT* APPROVAL**
- 3.* Discussion/possible action concerning **Resolution No. 2566**, 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 LIBRARY SERVICE AGREEMENT WITH THE GILA COUNTY LIBRARY DISTRICT FOR FISCAL YEAR 2010-2011.
***CONSENT* APPROVAL**
4. **This is a Public Hearing**/Discussion/possible action concerning **Resolution No. 2570**, captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADOPTING AN INCREASE IN LONG TERM WATER RATES. **This is a Public Hearing.**
- 5.* Discussion/possible action concerning **Resolution No. 2571**, 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 GRANT APPLICATION TO THE ARIZONA DEPARTMENT OF TRANSPORTATION FOR TRANSPORTATION ENHANCEMENT GRANT FUNDING FOR PEDESTRIAN IMPROVEMENTS IN GREEN VALLEY PARK, AND PROVIDING FOR 5.7 PERCENT MATCHING FUNDS.

***CONSENT* APPROVAL**

6. **Second Reading and Public Hearing** concerning **Ordinance No. 784**, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA AMENDING ORDINANCE 466, THE ZONING MAP AND THE ZONING CODE FOR THE TOWN OF PAYSON BY REZONING CERTAIN REAL PROPERTY GENERALLY LOCATED ON EITHER SIDE OF AIRPORT ROAD, EAST OF VISTA ROAD AND WEST OF THE PAYSON AIRPORT, BEING GILA COUNTY ASSESSOR'S PARCEL NUMBERS 302-39-006A, 30-39-006B, AND 302-39-006C, AS MORE PARTICULARLY DESCRIBED ON EXHIBIT 1, ATTACHED HERETO, FROM R1-175 TO R3, R1-8, R1-18, C-2, C-3, AND M-3. (MONTEZUMA CASTLE LAND EXCHANGE REZONING) **Second Reading and Public Hearing**
7. **First Reading and Public Hearing** concerning **Ordinance No. 785**, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THAT PORTION OF THE UNIFIED DEVELOPMENT CODE (SECTIONS 15-03-001 AND 15-03-002) RELATING TO LANDSCAPING, SCREENING, BUFFERING AND LIGHTING. **First Reading and Public Hearing.**
8. **First Reading and Public Hearing** concerning **Ordinance no. 787**, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTION 50.82(B) OF THE CODE OF THE TOWN OF PAYSON RELATING TO WATER CONSERVATION PLUMBING STANDARDS. **First Reading and Public Hearing.**

H. UNFINISHED BUSINESS

There are no items in this section.

I. NEW BUSINESS

- 1.* **Council Decision Request** filed by Buzz Walker, Water Superintendent, to authorize the expenditure not to exceed \$35,000.00 for the installation of a twelve-inch water main under the proposed roundabout at Airport Road and to allocate the cost to the Water Enterprise Fund.
***CONSENT* APPROVAL**

2. [Council Decision Request](#) filed by Michael Ploughe, Water Resources Manager-Hydrogeologist, to approve the contract with HydroSystems Inc. relating to the Aquifer Storage and Recovery Project and authorize the Mayor to sign all necessary contract documents.
3. [Council Decision Request](#) filed by Tim Wright, Town Attorney, to seek Council direction concerning the Town's noise regulations.
4. [Council Decision Request](#) filed by Debra A. Galbraith, Town Manager, to allow the Mayor and Council Members, at their discretion, to direct a portion of their expenditure budget to the cost of the Town employee Holiday Party.

J. CLAIMS

- 1.* List of checks paid from 07/02/10 through 07/23/10, Check Nos. 010669 through 010945, and authorization to file the checks for audit.

***CONSENT* APPROVAL**

K. MISCELLANEOUS

- 1.* 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.

ADJOURNMENT

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 - 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.

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.

CERTIFICATION OF POSTING

The undersigned hereby certifies that a copy of the attached notice was duly posted at the following location: Payson Town Hall bulletin board, 303 N. Beeline Highway, Payson, Arizona, on the ____ day of _____, 2010, at _____, in accordance with the statement filed by the Town of Payson with the Payson Town Clerk.

By: _____
Silvia Smith, Town Clerk