

**TOWN OF PAYSON  
TOWN COUNCIL MEETING  
MINUTES OF THE REGULAR MEETING  
February 17, 2011**

**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**

An invocation was offered by Pastor Charles Proudfoot, Community Presbyterian Church.

**PLEDGE OF ALLEGIANCE**

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

**STAFF PRESENT:** Debra Galbraith - Town Manager, Tim Wright - Town Attorney, Don Engler - Police Chief, Silvia Smith - Town Clerk, and LaRon Garrett - Public Works Director.

**OTHERS PRESENT:** Gaye Stidham - Deputy Town Clerk, Colin P. Walker - Water Superintendent, Ray Erlandsen - Community Development Director, Hope Cribb - Finance Manager, Kaprice Bachtell - Recreation Specialist.

**A. PUBLIC COMMENTS (SPEAKER'S REQUEST FORM SUBMITTED)**

Stephen Sherfey distributed to Council maps of proposed water treatment plants for C.C. Cragin water. He noted the placement of Alternative WTP2 100 feet behind his house. Mr. Sherfey said a water treatment plant would take away his view of the Mogollon Rim, remove trees and deny animals their natural watering hole. He believed any of the other four locations were better because they were not near his house.

Don Welsh said he was a neighbor of Mr. Sherfey. He was also in opposition to the placement of water treatment plant #2.

Mayor Evans suggested because the item was not on the agenda, Mr. Sherfey should set up a time with staff to talk about the options.

**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 Council Member Ed Blair, seconded by Council Member John Wilson.

**Vote:** Motion carried 7 - 0

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

**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.

Mayor Evans welcomed the FLW Fishing Tournament to Payson. He reported that there were 50% to 60% more attending the event than last year. The weigh-in will be in the Walmart parking lot on Saturday afternoon, 4:00 p.m.

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)

There were no documents for review.

**D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS**

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

There were no further comments by the Mayor, Council Members or Town Staff.

2. Proclamation declaring March 2011 as Red Cross Month in Payson. Members of the American Red Cross Grand Canyon Chapter will be present to accept the proclamation.

Council Member Croy read the proclamation in full. Kathleen Kelly, American Red Cross Grand Canyon Chapter, thanked the Council for the proclamation. She said small towns don't have the same resources as larger towns and the Red Cross is needed to continue to help with the home fires, snow, flood and gas leak shelters. Payson High School raised funds for a shelter sign for the Red Cross. This will help people find the shelters during emergencies. Ms. Kelly thanked everyone for being a part of the Red Cross.

**E. MINUTES**

1. \* Council Meeting Minutes:  
02-03-11 Regular Council Meeting Minutes Pages 1 - 8  
\*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. \* Surface Transportation Advisory Board: 12-01-10 Regular Meeting Minutes Pages

**F. HEARINGS AND APPEALS**

1. 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. \* Discussion/possible action concerning Resolution No. 2590 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 AIRPORT DEVELOPMENT REIMBURSABLE GRANT AGREEMENT WITH THE STATE OF ARIZONA, DEPARTMENT OF TRANSPORTATION, MULTIMODAL PLANNING DIVISION, AERONAUTICS GROUP, FOR GRANT NUMBER E1F28. (ADOT AIRPORT DEVELOPMENT GRANT)  
\*CONSENT\* APPROVED
3. Second Reading and Public Hearing concerning Ordinance No. 797 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTIONS 33.97 AND 33.98 OF THE CODE OF THE TOWN OF PAYSON, MAKING VARIOUS AMENDMENTS TO THE PAYSON ADVISORY YOUTH COUNCIL. (PAYC AMENDMENTS)

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

**Motion:** to Approve Ordinance No. 797 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTIONS 33.97 AND 33.98 OF THE CODE OF THE TOWN OF PAYSON, MAKING VARIOUS AMENDMENTS TO THE PAYSON ADVISORY YOUTH COUNCIL. (PAYC AMENDMENTS)

Moved by Council Member John Wilson, seconded by Council Member Fred Carpenter.

**Vote:** Motion carried 7 - 0

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

4. Second Reading and Public Hearing concerning Ordinance No. 798 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING PORTIONS OF SECTION 50.59 OF THE CODE OF THE TOWN OF PAYSON AND AMENDING

SECTION 3 OF ORDINANCE 487, ALLOWING FOR THE LIMITED DEFERRAL OF RESIDENTIAL DEVELOPMENT IMPACT FEES.

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

**Motion:** to Approve Ordinance No. 798 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING PORTIONS OF SECTION 50.59 OF THE CODE OF THE TOWN OF PAYSON AND AMENDING SECTION 3 OF ORDINANCE 487, ALLOWING FOR THE LIMITED DEFERRAL OF RESIDENTIAL DEVELOPMENT IMPACT FEES.

Moved by Council Member John Wilson, seconded by Council Member Richard Croy.

Council Member Blair said he was at first opposed but, at the first hearing, the possibility of developers putting up property for security was eliminated. He described the Ordinance as win/win for developers and citizens since fees will be paid within 24 months. Attorney Wright explained any changes to a standard development agreement would come back to Council.

**Vote:** Motion carried 7 - 0

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

5. First Reading and Public Hearing concerning Ordinance No. 800 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTION 50.02(C) OF THE CODE OF THE TOWN OF PAYSON, RELATING TO THE DISCONTINUATION OF WATER SERVICE PENDING A TERMINATION OF SEWER SERVICES. (COORDINATING WATER SERVICE/SEWER SERVICE TERMINATION)

Mayor Evans opened public hearing. There was no public comment and Mayor Evans closed public hearing.

Council Member Blair said he had talked with the Water Superintendent Buzz Walker. Council Member Blair suggested delivering notice by certified letter rather than by posting a note on the door of the residence. He wanted to make sure that owners rather than renters were notified. Mr. Walker explained the Sanitary District had perhaps eight incidents a year for notification of the curtailment of sewer services. In the recent past that number has grown because of foreclosures. He was not certain if the Sanitary District sent certified notices, but they had a long-standing policy of notification that has passed the test of time. Currently, if a property does not have appropriate sewer service the Gila County Health Department directs the Water Department to shut off water service. This would basically be the same thing. Mr. Walker will take the Council's comments to the Sanitary District. The Town Manager has directed the Water Department to present a step-by-step policy for who does what when.

Vice-Mayor Hughes stated that if we turn off water because of a sewer disconnection, we must make sure the sewer is back on before the water is turned on.

Council Member Carpenter commented that in other municipalities he has served, water and sewer were on the same bill and administrated by the municipality. It was common practice if one service was discontinued, the other was also.

Council Member Wilson asked that the policy be flexible and not too specific concerning the manner of notice.

## **H. UNFINISHED BUSINESS**

There were no items in this section.

## **I. NEW BUSINESS**

1. Council Decision Request filed by Cameron Davis, Parks, Recreation and Tourism Director, presenting the request to waive Event Center use fees in the amount of approximately \$2,555.00 for the 2011 Montonera's Gymkhana Series.

Margaret Parker, representing the Mogollon Montoneras had given Council information concerning their request earlier in the week. She reported that six gymkhanas were presented each year by this local riding group. All the participants were from the area. No profit was made from the entry fees but were given back as prizes for the competition. She asked the Council to waive the fees this year noting they had not been required to pay fees in the past.

Council Member Connell asked if the event had ever paid fees over the last 40 years. Ms. Parker replied they had not.

Kaprice Bachtell, Recreation Specialist and Payson Event Center Coordinator, explained the Council Decision Request from Cameron Davis stating the fees are for repair and maintenance of the facilities and equipment.

Council Member Croy asked if membership fees were charged. Ms. Parker said participants pay \$5 per event or \$25 per family. Money and prizes are given to event participants. She said this is the first time they had seen how much the fees were. Council Member Croy stated that other people have projects too and are not asking for fees to be waived.

Council Member Wilson asked how many members the Montoneras had. Ms. Parker explained there were about 50. Council Member Wilson suggested increasing the fees so, divided among the membership, the fee costs would be covered. Ms. Parker said they had talked about it but the \$2,900 was more than they made in a year.

Mayor Evans suggested an increase in the entry fee to help cover the cost. He also asked how many of those participating were from outside the Town limits. Ms. Parker believed about 20% lived within the Town limits. She said they had tried to

raise donation funds for awards. Mayor Evans pledged \$500 match to any donations they received. Council Member Wilson offered the use of the Friend of Parks and Recreation to provide a tax deductible depository for donations. Ms. Parker explained the Montoneras have non-profit status.

Council Member Connell explained the Council was trying to be fair to all those who use the Event Center and not set a precedent for fee waivers.

Council Member Blair listed other organizations that absorb fees for facility use and compared the Montoneras to a local youth hockey organization.

**Motion:** to Disapprove a Council Decision Request filed by Cameron Davis, Parks, Recreation and Tourism Director, presenting the request to waive Event Center use fees in the amount of approximately \$2,555.00 for the 2011 Montonera's Gymkhana Series.

Moved by Council Member Ed Blair, seconded by Council Member Su Connell.

**Vote:** Motion carried 7 - 0

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

#### **J. CLAIMS**

1. \* List of checks paid from January 28, 2011 through February 09, 2011 Check Nos. 012972 through 013059, and authorization to file the checks for audit.  
\*CONSENT\* APPROVED

#### **K. MISCELLANEOUS**

1. \* Approval of Bob Dalby as Chair and Shirley Dye as Vice-Chair for the Transportation Advisory Board.  
\*CONSENT APPROVED\*
2. \* Approval of Bernie Lieder as Chair and Barbara Underwood as Vice-Chair for the Design Review Board.  
\*CONSENT APPROVED\*

#### **L. PUBLIC COMMENTS**

There were no further public comments.

#### **ADJOURNMENT**

Mayor Evans adjourned the meeting at approximately 6:10 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 17 of February, 2011. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_

Gaye Stidham, Deputy Town Clerk