

**COMMON COUNCIL OF THE TOWN OF PAYSON  
AGENDA OF THE REGULAR MEETING**

**MAY 19, 2011**

**AMENDED**

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

**INVOCATION (Participation Voluntary)**

~~Simone Lake, Associate Pastor, Church on  
Randall Drive~~

**AMENDED**

Dr. Joe Faulkner, Senior Pastor,  
Ponderosa Baptist Church

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** KE \_\_ MH \_\_ EB \_\_ FC \_\_ SC \_\_ RC \_\_ JW \_\_

**STAFF PRESENT:** DG \_\_ TW \_\_ MD \_\_ DBE \_\_ SS \_\_ LG \_\_ TM \_\_ CD \_\_

**OTHERS PRESENT:** \_\_\_\_\_

*The Council may discuss, consider or take action on any item 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)

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

1. Comments, Commendations, and Presentations by Mayor, Council Members, and/or Town Staff.
2. **Proclamation** declaring May 27, 28 and 29, 2011 as **Buddy Poppy Days**. Dwayne Cunningham, Post Commander, and other members of the VFW Post 2829 will be present to accept the proclamation.

**E. MINUTES**

**1.\* Council Meeting Minutes:**

05-03-11 Special Meeting Minutes Pages 1 - 7  
05-05-11 Special Meeting Minutes Pages 1 - 2  
05-05-11 Regular Meeting Minutes Pages 1 - 9

**\*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.\* Transportation Advisory Board Minutes:**

04-06-11 Regular Meeting Minutes Pages 249 - 253

**\*CONSENT\* INFORMATION ONLY**

**3.\* Payson Advisory Youth Council Minutes:**

04-14-11 Regular Meeting Minutes Pages 1-4

**\*CONSENT\* INFORMATION ONLY**

**F. HEARINGS AND APPEALS**

1. **This is a Public Hearing** concerning an application for a Series 12 Liquor License filed by Cynthia Jean Kofile, agent for MoJoe's Cafe, 307 South Beeline Highway, Suite J, Payson, Arizona. **This is a Public Hearing.** (Application is on file in the Town Clerk's office.)
2. **This is a Public Hearing** concerning an application for a **Special Event Liquor License** filed by Judy Baker, agent, Mogollon Health Alliance for the 5th Annual Gracie Lee Haught Memorial Ropin' to be held at the Payson Event Center, 1400 S Beeline Highway, Payson, Arizona, Friday, June 17, 2011 from 9:00 a.m. to 12:00 p.m., Saturday, June 18, 2011 from 9:00 a.m. to 12:00 p.m., and Sunday, June 19, 2011 from 9:00 a.m. to 12:00 p.m. **This is a Public Hearing.**

**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. **Second Reading and Public Hearing** concerning **Ordinance No. 803** captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA AMENDING ORDINANCE NO. 466 THE ZONING MAP AND THE ZONING CODE FOR THE TOWN OF PAYSON BY REZONING CERTAIN REAL PROPERTY GENERALLY LOCATED AT 1601 E. UNDERWOOD LANE, BEING GILA COUNTY ASSESSOR'S PARCEL NUMBER 302-84-023, AS MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM R1-90 TO R1-44 (TUSCANY ESTATES) **Second Reading and Public Hearing** (Memo to Ordinance No. 803) (Note: complete packet is available in the Town Clerk's Office)
3. **First Reading and Public Hearing** concerning **Ordinance No. 806** captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADDING SECTION 15-02-016 AND AMENDING SECTIONS 15-02-003 AND 15-11-002 OF CHAPTER 154 (THE UNIFIED DEVELOPMENT CODE) OF THE CODE OF THE TOWN OF PAYSON, CREATING AN EDUCATIONAL FACILITIES ZONING DISTRICT. (EDUCATION FACILITIES ZONING DISTRICT) **First Reading and Public Hearing**  
**ADDED** (Staff Memo to Ordinance No. 806) (Added 05-17-11, 9:05 a.m.)

**H. UNFINISHED BUSINESS**

1. Update by Town Manager re: 2-deep management restructuring (Council Decision Request previously presented to Council on 05-17-11.)

**I. NEW BUSINESS**

1. **Council Decision Request** filed by Cameron Davis, Parks, Recreation and Tourism Director to approve the fireworks display contract in the amount of \$20,000 with FPA in substantially the form attached for the annual fireworks display at Green Valley Park and authorize the Town Manager to sign such contract and addendum.

**J. CLAIMS**

- 1.\* List of checks paid from 04-27-11 through 05-12-11, Check Nos. 013852 through 014121, and authorization to file the checks for audit.

**\*CONSENT\* APPROVAL**

**K. MISCELLANEOUS**

1. There are no items in this section.

**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

**Note:** Pursuant to A.R.S. §38-431.03(A)(3), the council may vote to hold an executive session for the purpose of obtaining legal advice from the Town Attorney concerning any matter listed on this agenda. The information discussed at any Executive Session and the minutes thereof are confidential.

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## 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 \_\_\_\_\_, 2011, at \_\_\_\_\_, in accordance with the statement filed by the Town of Payson with the Payson Town Clerk.

By: \_\_\_\_\_  
Silvia Smith, Town Clerk