TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
November 3, 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

Pastor Rich Richey, Church of the Nazarene.

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, LaRon Garrett - Assistant Town Manager, Tim Wright - Town Attorney, Silvia Smith - Town Clerk, and Don Engler - Police Chief.

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

There were no public comments.

B. CONSENT AGENDA

Items listed on the Consent 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 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.

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

NOV 17 2011 E.1*

discuss or take action on the attached; they are provided for information only)

The Corporate Strategic Plan Update for the first quarter of fiscal year 2011/2012 was attached to the agenda for Council review.

Mayor Evans recognized Ms. Kathleen Siler who was at the Council meeting to receive the proclamation for patriotic events that was not picked up at the last Council meeting.

Jillian Conlan and Lauren Best, who accompanied Ms. Siler. valued their freedom and thanked the Council for the proclamation.

Debra Galbraith, Town Manager, announced that packets to run for Council were ready and could be picked up at the Town Clerk's Office. Packets were due back by December 14, 2011.

Council Member Hughes reminded everyone that the Town was accepting applications for commissions and boards and that applications were due before Thanksgiving.

D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS

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

2. **Proclamation** declaring November 2011 as National Hospice Month. Mary Jane Rogers, Executive Director, and Kathleen Hughes, Hospice Care Consultant, were not present to accept the proclamation.

   Mayor Evans moved this proclamation to the November 17, 2011 Council meeting because no one was present to accept it.

3. **Proclamation.** Council Member Carpenter read into the record a proclamation declaring November 11, 12, & 13, 2011 as Buddy Poppy Days. A member of VFW Post 9829 was present to accept the proclamation.

Roger Kreimeyer expressed his concern that the food bank was running out of food. The food bank had ran out of meat and was facing a dismal winter. Mr. Kreimeyer stated the food bank had set some big goals and had strong representation throughout the community. All of the money and food donated stayed in Payson. Collection boxes would be in businesses throughout Payson. The drive would go to the end of January. The goal was to raise $30,000 and 55,000 pounds of food. Council Member Wilson noted hunters who had gotten their deer or elk and did not want all of the meat could donate it to the food bank as long as it was frozen and wrapped. Council Member Blair asked if they could bring in last years hunt. Council Member Wilson replied yes and the food bank would also take beef as long as it was frozen and sealed. Mayor Evans noted someone had already pledged to give $5,000. Mr. Kreimeyer thanked Payson and the Council.

E. MINUTES

1. * Council Meeting Minutes:

10.20.11 Regular Meeting Minutes Pages 1 - 6
***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. * Payson Advisory Youth Council Minutes:

09.29.11 Regular Meeting Minutes Pages 1 - 3
***CONSENT* INFORMATION ONLY**

3. * Design Review Board Minutes:

09.13.11 Regular Meeting Minutes Pages 175 - 176
***CONSENT* INFORMATION ONLY**

4. * Public Safety Personnel Retirement System Payson Police Department Local Board Minutes:

09.15.11 Regular Meeting Minutes Pages 1 - 2
***CONSENT* INFORMATION ONLY**

5. * Parks and Recreation Commission Minutes:

07.13.11 Regular Meeting Minutes Pages 1 - 4
***CONSENT* INFORMATION ONLY**

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**

Mayor Evans moved Item G.5 up on the agenda. Council Member Connell explained the reason for the name change of the Payson Advisory Youth Council was that the Youth Council wanted the name to represent the whole community.

5. **Ordinance No. 815**. Mayor Evans opened the First Reading and Public Hearing concerning Ordinance No. 815 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTIONS 33.95 THROUGH 33.99 OF THE CODE OF THE TOWN OF PAYSON, TO CHANGE THE NAME OF THE PAYSON ADVISORY YOUTH COUNCIL TO THE PAYSON AREA ADVISORY YOUTH COUNCIL.

Dillon Walker, Payson Advisory Youth Council Chair, explained there were members who lived in Star Valley and Pine and the members included the Star Valley Town Council in their activities. Mr. Walker thanked the Council. Council Member Wilson stated Dillon had talked to his Rotary Club and would be willing to speak to other clubs. Council Member Carpenter asked Mr. Walker to speak to his Rotary Club. Mr. Walker replied he would.

Mayor Evans closed the First Reading and Public Hearing.

2. Public Hearing on Resolution No. 2626 and Ordinance No. 813.

   A. **Resolution No. 2626**. Discussion/possible action concerning Resolution No. 2626 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTION 15-02-014 (DESIGN REVIEW) OF THE UNIFIED DEVELOPMENT CODE OF THE TOWN OF PAYSON AND DECLARING SUCH AMENDMENT TO BE A PUBLIC RECORD (MULTI-FAMILY DEVELOPMENT DESIGN REVIEW).

   B. **Ordinance No. 813**. Discussion/possible action (Second Reading) concerning Ordinance No. 813 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE TOWN'S DESIGN REVIEW GUIDELINES BY ADDING ARCHITECTURAL DESIGN GUIDELINES, REGULATIONS, AND DEVELOPMENT REQUIREMENTS SPECIFIC TO MULITFAMILY DEVELOPMENTS (MULTIFAMILY DEVELOPMENT DESIGN REVIEW).

Mayor Evans opened the Public Hearing. Tim Wright, Town Attorney, explained this amendment. There were no public comments. Mayor Evans closed the Public Hearing.

Motion: to Approve Resolution No. 2626 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTION 15-02-014 (DESIGN REVIEW) OF THE UNIFIED DEVELOPMENT CODE OF THE TOWN OF PAYSON AND DECLARING SUCH AMENDMENT TO BE A PUBLIC RECORD.
and
Ordinance No. 813 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE TOWN'S DESIGN REVIEW GUIDELINES BY ADDING ARCHITECTURAL DESIGN GUIDELINES, REGULATIONS, AND DEVELOPMENT REQUIREMENTS SPECIFIC TO MULITFAMILY DEVELOPMENTS.
Moved by Council Member John Wilson, 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.

3. **Resolution No. 2635**. Mayor Evans opened discussion/possible action concerning Resolution No. 2635 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 MASTER LEASE PURCHASE AGREEMENT AND SCHEDULE OF PROPERTY NO. 1 WITH PINNACLE PUBLIC FINANCE FOR THE PURCHASE OF A FIRE ENGINE AND APPARATUS, AND DECLARING AN EMERGENCY.

   Mayor Evans explained this issue and that the recommendation was to approve this resolution. Council Member Carpenter believed this interest rate was outstanding.

   Motion: to Approve Resolution No. 2635 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 MASTER LEASE PURCHASE AGREEMENT AND SCHEDULE OF PROPERTY NO. 1 WITH PINNACLE PUBLIC FINANCE FOR THE PURCHASE OF A FIRE ENGINE AND APPARATUS, AND DECLARING AN EMERGENCY.
   Moved by Council Member Fred Carpenter, 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.

4. **Ordinance No. 814**. Mayor Evans opened the First Reading and Public Hearing concerning Ordinance No. 814 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE TOWN'S DESIGN REVIEW GUIDELINES BY ADDING ARCHITECTURAL DESIGN GUIDELINES, REGULATIONS, AND DEVELOPMENT REQUIREMENTS SPECIFIC TO GOVERNMENTAL PROPERTIES AND NON GOVERNMENTAL UTILITY DEVELOPMENTS.

   Bernie Lieder, Design Review Board Chair, stated the Board has had a couple of meetings. The discussion was that the Town Council would review governmental buildings and staff would do minor reviews. Everything was as discussed except part three were it did not say the Council would go by the Design Review Guidelines. Tim Wright, Town Attorney, responded part three was just a matter of what group would look at it not what guideline they would follow.

   Council Member Blair asked if the university buildings were used as governmental buildings would they go through the Design Review Guidelines.

   Council Member Carpenter noted the Town can only make its government body abide by the Design Review Guidelines. Mayor Evans stressed this was not happening because the campus was coming to town and the Mayor had never intervened in these discussions.

Council Member Connell noted four years ago the Council had reccommended that the Christian Community School use these guidelines and that this was not something new just coming in. Council Member Connell believed the Council would encourage any school to follow the guidelines.

Mr. Lieder believed the issue was that the private sector would have to abide by the rules and the government sector would not. Mr. Lieder felt this was the public perception.

Tim Wright, Town Attorney, stated this separated government and non-governmental entities. The Design Review Board had been working on this for years. Other governmental entities were not governed by the Town's zoning. Mr. Wright noted that when Julia Randall Elementary School was built town staff was able to work with them. Standards that are required by both entities will be reviewed.

Mayor Evans believed this made it clear that the Council expected staff to work with the governmental entities.

Council Member Carpenter related that when he was the Town Manager in Buckeye there had been a case of the post office not wanting to build a sidewalk to connect their building, through negotiations the Town had to go to a congressman to get it built.

Council Member Wilson noted another factor was that if they build an office building and then decide to move to another location they could sell it to another commercial business that would be back under the Town's guidelines and it would conform.

Mayor Evans closed the First Reading and Public Hearing.

H. UNFINISHED BUSINESS

1. There were no items in this section.

I. NEW BUSINESS

1. **Council Decision Request** filed by LaRon Garrett, Assistant Town Manager, re: sale of property located at 1500 East Highway 260 for the appraised value to the Rim Country Educational Alliance, direct staff to facilitate this sale and to authorize the Mayor to sign any required documents.

   Laron Garrett, Assistant Town Manager, explained this Council Decision Request for the sale of property located at 1500 East Highway 260.

   Council Member Carpenter asked if this was new money in the budget or if it had already been bugeted. Debra Galbraith, Town Manager, replied it was budgeted this year.

   Motion: to Approve the sale of property located at 1500 East Highway 260 for the appraised value to the Rim Country Educational Alliance, direct staff to facilitate

this sale and to authorize the Mayor to sign any required documents.
Moved by Council Member John Wilson, 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.

Mayor Evans explained the Town had purchased the land to help the college years ago.

2. **Council Decision Request** filed by LaRon Garrett, Assistant Town Manager, re: approval of the subdivision construction of the Cedar Ridge Phase 3 subdivision, including the public traffic control devices, subject to the developer's two year warranty of public improvements and to accept the public subdivision improvements for town maintenance under such warranty.

LaRon Garrett, Assistant Town Manager, explained this Council Decison Request was for Cedar Ridge Subdivision. It was a six lot subdivision that was ready to move forward.

Motion: to Approve the subdivision construction of the Cedar Ridge Phase 3 subdivision, including the public traffic control devices, subject to the developer's two year warranty of public improvements and to accept the public subdivision improvements for town maintenance under such warranty.
Moved by Council Member Fred Carpenter, 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.

J. CLAIMS

1. * **List of checks.** Council approved, on the Consent Agenda, a list of checks paid from October 13, 2011 through October 24, 2011, Check Nos. 016000 through 016163, and authorization to file the checks for audit.
***CONSENT* APPROVED**

K. MISCELLANEOUS

1. There were no items in this section.

L. PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

Mayor Evans adjourned the meeting at approximately 6:13 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 3 of November, 2011. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this ____day of _____, 2011.

_____

Tracie Bailey, Deputy Town Clerk