

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

**CALL TO ORDER**

Mayor Evens called the meeting to order at approximately 5:29 p.m. in the Town Hall Council Chambers, 303 North Beeline Highway, Payson, Arizona.

**INVOCATION**

Pastor Anthony Garrisi, First Baptist Church, offered an invocation.

**PLEDGE OF ALLEGIANCE**

**PRESENT:** Mayor Kenny J. Evans, 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, LaRon Garrett - Public Works Director, and Cameron Davis - Parks, Recreation and Tourism Director.

**OTHERS PRESENT:** Gaye Stidham - Deputy Town Clerk, Hope Cribb - Finance Manager, Colin P. Walker - Water Superintendent, and Fire Fighter/Paramedic Andrew Hensley.

**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.

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 Council Member John Wilson, seconded by Council Member Su Connell.

**Vote:** Motion carried 6 - 0

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

Wilson.

Absent: Vice-Mayor Michael Hughes.

**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.

LaRon Garrett, Assistant Town Manager, reported that new aerial photo maps of Payson were on display throughout Town Hall. They were taken May 31, 2011 and are twice the resolution as the previous maps.

Cameron Davis, Parks, Recreation and Tourism Manager, announced the upcoming Electric Light Parade, Saturday, December 3, 2011. Tomorrow is the deadline to submit applications for the parade.

Council Member Wilson announced that the Food Drive was underway. Their goal is 55,000 pounds of food and \$30,000. They set this goal so no one in Rim Country would go hungry this winter.

Council Member Connell presented Mayor Evans with a card for his birthday. Mayor Evans presented a card and birthday wishes to Council Member Blair.

Mayor Evans commented on the significant impact on the lives of those who give to help others and how it will be remembered long after the impact of how a university came to Town.

2. Documents, materials and information for Council review. There was no information 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 Council or Staff.

2. Proclamation declaring November 2011 as National Hospice Month. Kathleen Hughes, Hospice Care Consultant, will be present to accept the proclamation.

Council Member Connell read the proclamation in full. Kathleen Hughes and Mary Jane Rogers, Executive Director of Hospice, were present to accept the proclamation. Ms. Rogers reminded those present that only 40% of those eligible to receive Hospice care are actually using the service. She hoped that getting more information to the public would help to offer assistance to more people.

3. Proclamation declaring December 2011 as Human Rights Awareness Month. Penny Navis-Schmidt, Chapter President, Amnesty International will be present to accept

the proclamation.

Council Member Blair read the proclamation in full. Penny-Navis Schmidt, Chapter President, and others from Amnesty International were present to receive the proclamation. Ms. Navis-Schmidt described the work of the local organization. Carol Weimer said that Ms. Navis-Schmidt had received national recognition for her work with their local chapter.

Council Member Blair left the meeting at approximately 5:51 p.m.

#### **E. MINUTES**

1. \*Council Meeting Minutes: 11-03-11 Regular Meeting Minutes Pages 1 - 8  
\*CONSENT\* APPROVED

#### **F. HEARINGS AND APPEALS**

1. This is a Public Hearing concerning an application for a Series 4, Wholesaler, Liquor License filed by Patricia Hunt, Agent, Supersonic Solutions, L.L.C. 201 W. Main Street, Suite K, Payson, Arizona.

Council Member Blair returned to the meeting at approximately 5:55 p.m.

**Motion:** to Approve The application for a Series 4, Wholesaler, Liquor License filed by Patricia Hunt, Agent, Supersonic Solutions, L.L.C. 201 W. Main Street, Suite K, Payson, Arizona.

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

Council Member Carpenter asked for a definition of a wholesale license. Patty Hunt, applicant, stated that their intention was to sell to retailers, specifically to military bases.

**Vote:** Motion carried 6 - 0

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

Absent: Vice-Mayor Michael Hughes.

#### **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. This was a Public Hearing. Discussion/possible action concerning Resolution No. 2633 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, CONFIRMING THAT THE TOWN'S CURRENT DEVELOPMENT IMPACT FEES WERE ADOPTED PRIOR TO JANUARY 1, 2012 AND SUCH FEES ARE BEING COLLECTED

FOR NECESSARY PUBLIC SERVICES AS DEFINED IN ARIZONA STATE SENATE BILL 1525.

Mayor Evans opened the public hearing. There were no comments from the public and Mayor Evans closed the public hearing. Attorney Wright explained the processes for bringing this forward to conform with changing State law.

**Motion:** to Approve Resolution No. 2633 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, CONFIRMING THAT THE TOWN'S CURRENT DEVELOPMENT IMPACT FEES WERE ADOPTED PRIOR TO JANUARY 1, 2012 AND SUCH FEES ARE BEING COLLECTED FOR NECESSARY PUBLIC SERVICES AS DEFINED IN ARIZONA STATE SENATE BILL 1525.

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

**Vote:** Motion carried 6 - 0

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

Absent: Vice-Mayor Michael Hughes.

3. \*Discussion/possible action concerning Resolution No. 2636 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPOINTING ELECTION OFFICIALS FOR THE MARCH 13, 2012 PRIMARY ELECTION AND THE MAY 15, 2012 GENERAL ELECTION, FIXING THEIR COMPENSATION, AND AUTHORIZING THE TOWN CLERK TO APPOINT AN ELECTION BOARD AND A TALLY BOARD.  
\*CONSENT\* APPROVED
4. \*Discussion/possible action concerning Resolution No. 2637 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING THE DRAINAGE EASEMENT DESCRIBED IN THE DOCUMENT ATTACHED HERETO AS EXHIBIT "1". (Payson Ranchos Subdivision Drainage Easement)  
\*CONSENT\* APPROVED
5. \*Discussion/possible action concerning Resolution No. 2638 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING THE DRAINAGE EASEMENT DESCRIBED IN THE DOCUMENT ATTACHED HERETO AS EXHIBIT "1". (Payson Ranchos Subdivision Drainage Easement)  
\*CONSENT\* APPROVED
6. \*Discussion/possible action concerning Resolution No. 2639 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING THE DRAINAGE EASEMENT DESCRIBED IN THE DOCUMENT ATTACHED HERETO AS EXHIBIT "1". (Payson Ranchos Subdivision Drainage Easement)  
\*CONSENT\* APPROVED

7. Public Hearing on Resolution No. 2628 and Ordinance No. 814.

- A. Resolution No. 2628. Discussion/possible action concerning Resolution No. 2628 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.
- B. Ordinance No. 814. Discussion/possible action (Second Reading) 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.

Mayor Evans opened the public hearing concerning Ordinance No. 814. James Garner voiced his concern that Town government buildings or university buildings compliance to Design Review Guidelines was a matter of working together rather than compulsory. Mayor Evans explained that the SLE was a division of government not unlike the Department of Economic Security who is able to come into a community and build without review guidelines. As such, the SLE is not under government control or is Design Review Guidelines compulsory for them. Mr. Garner stated Payson and Star Valley should amend the SLE to require compliance. Council Member Carpenter added that the Town has the power to work with these entities, just not require compliance. Mayor Evans closed the public hearing.

**Motion:** to Approve Resolution No. 2628 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. 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. Moved by Council Member Su Connell, seconded by Council Member John Wilson.

**Vote:** Motion carried 6 - 0

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

8. Second 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.

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

**Motion:** to Approve 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.

Moved by Council Member Su Connell, seconded by Council Member John Wilson.

**Vote:** Motion carried 6 - 0

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

Absent: Vice-Mayor Michael Hughes.

#### **H. UNFINISHED BUSINESS There are no items in this section.**

#### **I. NEW BUSINESS**

1. Council Decision Request filed by Silvia Smith, Town Clerk, to approve the 2012 calendar for Council meetings.

**Motion:** to Approve a Council Decision Request filed by Silvia Smith, Town Clerk, to approve the 2012 calendar for Council meetings.

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

**Vote:** Motion carried 6 - 0

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

Absent: Vice-Mayor Michael Hughes.

2. Council Decision Request filed by Buzz Walker, Water Superintendent, to enter in an agreement with D.D. Haught, Inc. for replacement of customer water service lines in the Payson Air Park subdivision area for an amount not to exceed \$44,845.55 and to charge all costs to the Water Enterprise Fund.

**Motion:** to Approve a Council Decision Request filed by Buzz Walker, Water Superintendent, to enter in an agreement with D.D. Haught, Inc. for replacement of

customer water service lines in the Payson Air Park subdivision area for an amount not to exceed \$44,845.55 and to charge all costs to the Water Enterprise Fund. Moved by Council Member John Wilson, seconded by Council Member Su Connell.

**Vote:** Motion carried 6 - 0

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

Absent: Vice-Mayor Michael Hughes.

3. \*Council Decision Request filed by Fire Chief Martin deMasi to approve the Fire Services Agreement between the Town of Payson and the Tonto Apache Tribe and to authorize the Mayor to sign all necessary documents. \*CONSENT\* APPROVED

#### **J. CLAIMS**

1. \*List of checks paid from 10/27/11 through 11/04/11, Check Nos. 016164 through 016264, and authorization to file the checks for audit. \*CONSENT\* APPROVED

#### **K. MISCELLANEOUS**

**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.

Council Member Carpenter announced that Tamales for Toys will be serving tamales from 10am to 2pm on Saturday, December 3 at Gerardos.

Council Member Connell announced that Roger Kriemeyer needed 300 turkeys but had only 17 donated so far.

#### **ADJOURNMENT**

Mayor Evans adjourned the meeting at approximately 6:28 p.m.

APPROVED:

\_\_\_\_\_ Date: \_\_\_\_\_

Kenny J. Evans, Mayor

ATTEST:

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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 November, 2011. I further certify that the meeting was duly called and held and that a quorum was present.

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

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Gaye Stidham, Deputy Town Clerk