

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
December 12, 2013**

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

Council Member Ed Blair.

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, Don Engler - Police Chief, Silvia Smith - Town Clerk, and Emily Linkey - Library Director.

OTHERS PRESENT: Tracie Bailey - Deputy Town Clerk, Sergeant Joni Varga and Detective Mike Varga.

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

1. There were no public comments.

B. CONSENT AGENDA

Items listed on the 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 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.

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.

Emily Linkey, Library Director, reminded everyone the library was having a cooking for health class this week.

LaRon Garrett, Assistant Town Manager, announced the self fueling was up and running at the airport and working very well. Mayor Evans asked what the price of fuel was. Mr. Garrett replied the Payson Airport was matching the St. Johns Airport and was about three dollars lower than the Scottsdale Airport.

Tim Wright, Town Attorney, had participated in the Electric Light Parade and felt it went really well. Debra Galbraith, Town Manager, noted the Town had collected \$66.00 for food and 100 pounds of food for the Payson Area Food Drive at the Electric Light Parade.

Don Engler, Police Chief, explained that on December 7, 2013 at 9:00 a.m. a family was awakened by an alarm at their house. The alarm was for carbon monoxide, the family exited the home safely. The Fire Department responded and found a high concentration of carbon monoxide in the home. Chief Engler felt that it was worthy to mention the alarm was installed by the Fire Department with a grant at no charge to the residents. This was a perfect example of a grant working. Council Member Blair asked what carbon monoxide detectors were and if he would have them in his house. Chief Engler responded there were different types and suggested everyone should check the devices in their home. The detectors were still available at the Fire Department. Council Member Carpenter asked what the source of the carbon monoxide was. Chief Engler said it was the motor on the heater that had gotten hot and started distributing carbon monoxide. Chief Engler explained that a few months ago he had talked to Mayor Evans and Debra Galbraith, Town Manager, about recognizing employees. Chief Engler recognized Detective Mike Varga and Detective Chad DeSchaaf as the first recipients of a plaque to recognize employees who have done an exemplary job. Chief Engler recognized Detective Varga and Detective DeSchaaf for their work with the drug problem in Payson. They have made 103 arrests this year, four of those cases involved minors. They have impounded many different drugs and firearms as well as money. Many of these drug dealers were in custody. The detectives have had a beneficial impact on our community. Chief Engler thanked the detectives for all of their hard work. Mayor Evans thanked Detective Varga and Detective DeSchaaf for their efforts.

Mayor Evans announced Debra Galbraith, Town Manager, was helping with the Payson Area Food Drive and the group has done a marvelous job. Mayor

Evans recognized the following town employees who have gone above the call of duty to help with the Food Drive: Ray LaHaye, Bernie Gilson and Sean Tanner from the Building Department; Albert Hunt, Chuck Belk, Wes Chapman, John Jackson, Steve Hansen, Angie Lucchesi, Michele Maupin, Larry Perna and Houston Tatum from the Streets Department; Buzz Walker, Tanner Henry, Scott Kelly, Brent Dirren, Klayton Haught, Viki Holmes and Brenda Huff from the Water Department. Mayor Evans noted the food storage building was up and ready to go and thanked everyone who has participated. The Food Drive goal was \$25,000 and 25,000 pounds of food.

Council Member Blair asked where the food boxes were. Ms. Galbraith replied they were in all of the Town buildings, churches and some of the banks had them. Chapman Auto Center and the Chaparral Club House also had food boxes. Council Member Wilson noted some businesses had made their own boxes. Mayor Evans said he would get a letter out to each of the employees who helped with the Food Drive.

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 Council review.

D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS

1. Comments, Commendations, and Presentations by Mayor, Council Members, and/or Town Staff.
2. **2013 Gila County Transportation Study presentation.**

Michael Grandy, Kimley-Horn and Associates, gave a presentation on Gila County roads. Mr. Grandy explained a portion of Gila County's sales tax went towards maintaining the County roads and identified needs for pavement management and bicycle and pedestrian needs. Mr. Grandy noted the expiration of the one-half cent excise tax at the end of 2014 would reduce available transportation funding by nearly fifty percent.

Mayor Evans believed one of the challenges Payson faced was that residents were paying a substantial amount of that tax because of the size of the community and of the \$44 million that came out of the community and went into other communities residents would never receive that money back because there were no County roads in Payson. Mayor Evans felt that electors would not support this.

Council Member Carpenter asked if the County paid for the study. Mr. Grandy replied it was paid for by a grant. Council Member Carpenter asked if the County Board had voted on option number two yet. Mr. Grandy

responded they had not voted on any kind of arrangement yet and there would be a citizen committee to help provide input.

Mayor Evans understood for the County to share the money there had to be a plan approved by the government body unless streets were within the municipality. Mr. Grandy explained no projects had to be identified, but it would be an advantage to have the plan. Mayor Evans noted obviously what was not on the plan were roads in the Town of Payson. Tim Wright, Town Attorney, responded his preliminary research showed it would have to be detailed in the ballot measure and it would have to be in the County plan.

Council Member Croy asked if there were time tables tied to where the money was coming from to spend it in certain areas. Mr. Grandy replied no. Council Member Croy asked if the County could set the priorities made to say where the money goes geographically. Mr. Grandy explained that was discussed as well as to prioritize where the needs were. The County wanted to distribute it equally throughout the time frame. Mr. Grandy believed the citizen committee would demonstrate needs all over the County and set exact priorities.

Council Member Carpenter asked if the County had done studies that qualified Payson. LaRon Garrett, Assistant Town Manager, replied two years ago the Town completed a study with the same type of plan. One possibility was to make that plan an appendix to the County's plan.

Mayor Evans asked if Granite Dels was a county road. Mr. Garrett replied it was a town road to the town limit line then it was a Forest Service road. Mayor Evans asked if Doll Baby Road was a County road. Mr. Garrett responded it was to the west of the Town limit line. Mayor Evans noted that was seven miles of road that was not on the County's chart. Mr. Garrett replied yes. Mayor Evans noted Houston Mesa Road was also a Forest Service Road that the County had a special use permit for. Mr. Garrett replied it had a town easement up to the town limit line then it was a County road. Mayor Evans thanked Mr. Grandy for making the presentation. Mr. Grandy thanked the Council for their time.

E. MINUTES

1. *Council Meeting Minutes:

11.21.13 Regular Meeting Minutes, Pages 1 - 6

***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.)

1. There were no items in this section.

F. HEARINGS AND APPEALS

1. **Application for a Special Event Liquor License.** Council approved, on the Consent Agenda, an application for a Special Event Liquor License, filed by LeLand Schwein, agent for B.P.O. Elks #2154, for a fundraiser to be held at 1206 N. Beeline Highway, Payson, Arizona, Saturday, January 25, 2014, 12:00 Noon to 12:00 Midnight.
***CONSENT* APPROVED**
2. **Application for a Special Event Liquor License.** Council approved, on the Consent Agenda, an application for a Special Event Liquor License filed by LeLand Schwein, agent for B.P.O. Elks #2154, for a fundraiser to be held at 1206 N. Beeline Highway, Payson, Arizona, Saturday, March 1, 2014, 12:00 Noon to 12:00 Midnight.
***CONSENT* APPROVED**

G. RESOLUTIONS AND ORDINANCES

1. ***Resolution No. 2747.** Council approved, on the Consent Agenda, Resolution No. 2747 captioned as follows: A RESOLUTION OF THE TOWN COUNCIL APPROVING A FIRE SERVICES AGREEMENT BETWEEN THE TOWN AND THE TONTO APACHE TRIBE FOR FISCAL YEARS 2014, 2015, AND 2016.
***CONSENT* APPROVED**
2. **Resolution No. 2749.** Mayor Evans opened discussion/possible action concerning Resolution No. 2749 captioned as follows: A RESOLUTION OF THE TOWN COUNCIL SUPPORTING THE SUBMISSION OF AN ADDENDUM TO THE TOWN'S RURAL WATER SUPPLY PROGRAM GRANT APPLICATION; THANKING THE TONTO APACHE TRIBE FOR ITS SUPPORT OF SUCH APPLICATION; AND DIRECTING TOWN STAFF TO CONTINUE WORKING COLLABORATIVELY WITH THE TRIBE TO ENHANCE THE TOWN'S AND THE TRIBE'S WATER RESOURCES.

Mayor Evans explained this was to thank the Tonto Apache Tribe for their cooperation with the Rural Water Supply Program Application. This involved many entities and negotiations at times were very intense. This was a major step forward and it has been adopted by the Tribe.

Motion: to Approve Resolution No. 2749 captioned as follows: A RESOLUTION OF THE TOWN COUNCIL SUPPORTING THE SUBMISSION OF AN ADDENDUM TO THE TOWN'S RURAL WATER SUPPLY PROGRAM GRANT APPLICATION; THANKING THE TONTO APACHE TRIBE FOR ITS SUPPORT OF SUCH APPLICATION; AND DIRECTING TOWN STAFF TO CONTINUE WORKING COLLABORATIVELY WITH THE TRIBE TO ENHANCE THE TOWN'S AND THE TRIBE'S WATER RESOURCES.

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

Council Member Carpenter thanked Mayor Evans for all of his hard work on this.

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. 2750.** Council approved, on the Consent Agenda, Resolution No. 2750 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, TO APPROVE, PURSUANT TO A.R.S. SECTION 48-262(f), AN ANNEXATION OF ADDITIONAL TERRITORY INTO THE NORTHERN GILA COUNTY SANITARY DISTRICT OF THOSE CERTAIN PARCELS OF REAL PROPERTY AS DENOMINATED ON THE ATTACHED EXHIBIT "A" (1701 N. BEELINE HWY., PAYSON, ARIZONA, LOTS 2 AND 3, 2.50 ACRES, ST. PAUL'S EPISCOPAL CHURCH OWNER, ASSESSORS PARCEL NO. 302-35-004M).
***CONSENT* APPROVED**

H. UNFINISHED BUSINESS

1. There were no items in this section.

I. NEW BUSINESS

1. **Council Decision Request** filed by Tim Wright, Town Attorney, re: creating an advisory committee (pursuant to A.R.S. 9-463.05 (G)(1)) or having qualified professionals conduct a biennial audit (pursuant to A.R.S. 9-463.05 (G)(2)) for any Development Impact Fees that may be replaced or adopted in the future.

Tim Wright, Town Attorney, explained the time line has been published and this was asking to set up a committee or an audit for the fees. Staff has reviewed the options and recommended going with the audit option. Every five years the plans had to be reviewed, the audit option was every two years. Vice-Mayor Hughes noted the committee would not have policy making ability. Mr. Wright replied that was correct. Mayor Evans believed a committee would probably have to ask the auditors. Council Member Carpenter asked how much it would cost. Debra Galbraith, Town Manager, responded this was new for the auditors so they had to come up with a fee. Ms. Galbraith believed it would be around \$1,400 or less. Mayor Evans noted staff would still have to ask the auditors. Ms. Galbraith replied yes because it would still be in the financial audit. Mr. Wright believed there were five fees that had been looked at and that may affect the audit. Ms.

Galbraith noted she would have to track it with a massive spread sheet that would be kept forever. Council Member Carpenter felt the committee would just be an extra layer.

Motion: to have qualified professionals conduct a biennial audit (pursuant to A.R.S. 9-463.05(G)(2)) for any Development Impact Fees that may be replaced or adopted in the future.

Moved by Council Member Fred Carpenter, seconded by Council Member Ed Blair.

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 thanked everyone for their hard work this past year and wished everyone a Merry Christmas.

J. CLAIMS

1. ***List of checks.** Council approved, on the Consent Agenda, a list of checks paid from November 15, 2013 through November 26, 2013, Check Nos. 024097 through 024666, and authorization to file the checks for audit.
***CONSENT* APPROVED**

K. MISCELLANEOUS

The following application/letters/e-mails are on file in the Town Clerk's Office.

1. ***Council approved, on the Consent Agenda, the reappointment of Robert Henley to the Airport Commission, term to expire December 31, 2016.**

Council approved, on the Consent Agenda, the **reappointment of Bill Day to the Airport Commission, term to expire December 31, 2016.**
***CONSENT* APPROVED**

2. ***Council approved, on the Consent Agenda, the appointment of Matt Sopeland to the Board of Adjustment, term to expire December 31, 2016.**
***CONSENT* APPROVED**

3. ***Council approved, on the Consent Agenda, the reappointment of Gary DeSzendeffy to the Building Advisory Board, term to expire December 31, 2016.**
***CONSENT* APPROVED**

4. ***Council approved, on the Consent Agenda, the reappointment of James H. Garner to the Design Review Board, term to expire December 31,**

2016.

Council approved, on the Consent Agenda, the **reappointment of Jerry (JB) Bancroft to the Design Review Board**, term to expire December 31, 2016.

Council approved, on the Consent Agenda, **the reappointment of Kenneth Woolcock to the Design Review Board**, term to expire December 31, 2016.
***CONSENT* APPROVED**

- 5. ***Council approved, on the Consent Agenda, the reappointment of Nancy Gartner to the Parks and Recreation Commission**, term to expire December 31, 2016.

Council approved, on the Consent Agenda, the **reappointment of Todd Braeger to the Parks and Recreation Commission**, term to expire December 31, 2016.
***CONSENT* APPROVED**

- 6. ***Council approved, on the Consent Agenda, the reappointment of Lori Meyers to the Planning and Zoning Commission**, term to expire December 31, 2016.

Council approved, on the Consent Agenda, the **reappointment of James Scheidt to the Planning and Zoning Commission**, term to expire December 31, 2016.
***CONSENT* APPROVED**

L. PUBLIC COMMENTS

- 1. There were no public comments.

ADJOURNMENT

Mayor Evans adjourned the meeting at approximately 6:33 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 12 of December, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this ____ day of _____, 2013.

Tracie Bailey, Deputy Town Clerk