

**TOWN OF PAYSON  
TOWN COUNCIL MEETING  
MINUTES OF THE REGULAR MEETING  
September 4, 2014**

**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**

Youth Pastor Rachel Flowers, Payson First Assembly of God.

**PLEDGE OF ALLEGIANCE**

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

**ABSENT:** Council Member Richard Croy.

**STAFF PRESENT:** LaRon Garrett - Assistant Town Manager, Tim Wright - Town Attorney, Silvia Smith - Town Clerk, and Cameron Davis - Parks, Recreation and Tourism Director.

**OTHERS PRESENT:** Tracie Bailey - Chief Deputy Town Clerk, Sheila DeSchaaf - Planning and Development Director, Bobby Davis - Economic Development Specialist, and Lieutenant Sherwood Eldredge.

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

Alan Kline requested a four way stop at West Sherwood, Monarch and West Forest. Mr. Kline was concerned because the intersection was heavily traveled by pedestrians and as people traveled east on West Sherwood the sun hit them in the eyes and blinded them. Mayor Evans asked LaRon Garrett, Assistant Town Manager, what the time line was to put in the four way stop. Mr. Garrett replied a month or two.

Larry Kennedy questioned the location of the new college campus and had presented the Council with signed petitions. Mr. Kennedy felt that locating the campus on the current golf course would cause too much traffic in the area and that the residents in the area would suffer from traffic congestion. Mr. Kennedy believed residents would not want to loose the only public golf course. Mr. Kennedy opposed locating the campus at the golf course and asked the Council to oppose this site. Mr. Kennedy thanked the Council

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Deborah Tiffany lived by the golf course in a quiet neighborhood and would like to see it stay that way. Ms. Tiffany noted there were a lot of animals who used the golf course also such as, geese, ducks, coyotes and elk. Ms. Tiffany believed the golf course was also a good fire break for the homes in the area. Ms. Tiffany was concerned about the traffic congestion and her home value going down.

Robert Hershberger objected to the golf course as a site for the new campus. Mr. Hershberger had walked the Forest Service land where the campus was going to be and had found it was a difficult site to build on. However, Mr. Hershberger believed the campus could be built on hillsides. Mr. Hershberger had looked at the flood plain map for the golf course and found that a substantial amount of it would be under water in a hundred year flood. Mr. Hershberger noted there would have to be a lot of landfill at the golf course location and the cost would be incredible. Mr. Hershberger asked the Council not to support this location.

Ann Schwartz felt the area was beautiful and that it would be dramatically changed and dangerous for people at the park. Ms. Schwartz believed future real-estate transactions would be reduced. Ms. Schwartz asked the Council to keep the site on the Forest Service land.

Judith Hazelett supported Arizona State University and felt it excelled in so many areas. Ms. Hazelett felt the campus should be on a main thoroughfare so that travelers coming through town knew it was there. Ms. Hazelett believed the land had to be preserved for the right uses and thanked the Council.

Mayor Evans gave a brief overview of the process of how the Separate Legal Entity (SLE) was where it was. There had been thirty nine public forums. Mayor Evans explained it has been incredibly slow working with the Forest Service. Mayor Evans noted it would be built to standards and he would present the petitions to the SLE Board. Mayor Evans thanked the speakers for their input.

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

**Vote:** Motion carried 6 - 0

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

Absent: Council Member Richard Croy.

## **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.

Sheila DeSchaaf, Planning and Development Director, introduced new Community Development employees Jason Larson and Trever Fleetham and gave a brief background on each of them. Jason Larson was happy to be on board and wanted to help people. Treavor Fleetham was an Arizona State University graduate and Ms. DeSchaaf was confident he would be a tremendous asset. Treavor was excited to be in Payson and was working to help make Payson a better place.

Cameron Davis, Parks, Recreation and Tourism Director, announced upcoming events. The barrel association had booked two new events in Payson. The Northern Gila County Fair kicked off today. The SW Indian Rodeo Finals were next weekend. This was the third year they have come to Payson and it was only \$5 for admission. The same weekend there was a softball tournament. This year there were 36 teams signed up. September 26th was the Old Time Opry, doors open at 5:30 p.m. at the Longhorn Auditorium, general admission was \$8. September 27th and 28th was the Fiddle Contest and Band Competition at the Event Center, general admission was \$5 and children 12 and under free.

Council Member Wilson asked Mr. Davis if they used a scoreboard. Mr. Davis replied yes, the old one had broken so he had talked to the Town Manager and asked if he could ask for funds from the Friends of Payson Parks and Recreation to purchase a new scoreboard. Mr. Davis thanked the Friends of Payson Parks and Recreation.

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. **Proclamation** Council Member Carpenter read into the record a proclamation declaring September 2014, as September Recovery Month for Alcoholism in Payson. Joe Sanchez, Community Outreach Specialist, was present to accept the proclamation.

Joe Sanchez, Community Outreach Specialist at Southwest Behavioral, thanked the Council for the awareness. Mr. Sanchez invited everyone to come to the open house on September 12th from 9:00 a.m. to 11:00 a.m. to meet people and hear their story of recovery. Mr. Sanchez noted there was a Community Prevention Council in the community which focused on youth. It was a huge group that wanted to make a difference in the community. After every home football game they did an event for the youth called the 5th quarter event and it has caused crime rates to go down in town regarding youth and drinking. Council Member Blair was pleased to hear about this and asked if there was a set place for the event or if it varied. Mr. Sanchez replied it did vary and was only after home football games.

## E. MINUTES

### 1. \*Council Meeting Minutes:

08.08.14 Special Meeting Minutes Pages 1

08.14.14 Regular Meeting Minutes Pages 1 - 11

**\*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. \*Design Review Board Minutes:

06.24.14 Regular Meeting Minutes Pages 210 - 211

**\*CONSENT\* INFORMATION ONLY**

## F. HEARINGS AND APPEALS

1. There were no items in this section.

## G. RESOLUTIONS AND ORDINANCES

1. **First Public Hearing** regarding amendments to Chapter 91: Nuisances of the Payson Town Code.

A. **Resolution No. 2796** - A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, AMENDING CHAPTER 91: NUISANCES OF THE PAYSON TOWN CODE AND DECLARING SUCH AMENDMENT TO BE A PUBLIC RECORD.

B. **Ordinance No. 856** - AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, AMENDING CHAPTER 91: NUISANCES OF THE PAYSON TOWN CODE

AND ADOPTING SUCH AMENDMENTS BY REFERENCE.  
(AMENDMENTS TO CHAPTER 91: NUISANCES)

Tim Wright, Town Attorney, explained this was part twelve of the Code cleanup.

Mayor Evans opened the First Public Hearing. There were no public comments. Council Member Carpenter asked how this applied to election handbills. Mr. Wright explained that would be a non-commercial hand bill. Mayor Evans noted if it was for a service or a product it was a commercial handbill. Mr. Wright noted handbills have not been a large problem in the past.

Council Member Blair asked if there was a sign that said no solicitation was asking for votes soliciting. Mr. Wright explained that was not selling a product, people do not want aggressive solicitors. Council Member Carpenter noted he had one person who said "can't you read my no soliciting sign." Council Member Blair asked what removal meant and asked if old cars could be removed from a property. Mr. Wright explained this section dealt with abandoned vehicles and if there was a complaint staff could go look at it. If the vehicle was owned by the property owner it was not an abandoned vehicle. Mayor Evans closed the First Public Hearing.

2. **First Public Hearing** re: amendments to Chapter 93: Parks and Recreation and Chapter 97: Event Center of the Payson Town Code. Memo to Council.
  - A. **Resolution No. 2796** - A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, AMENDING CHAPTERS 93: PARKS AND RECREATION AND 97: EVENT CENTER OF THE PAYSON TOWN CODE AND DECLARING SUCH AMENDMENT TO BE A PUBLIC RECORD.
  - B. **Ordinance No. 857** - AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF PAYSON ARIZONA, AMENDING CHAPTER 93: PARKS AND RECREATION AND 97: EVENT CENTER OF THE PAYSON TOWN CODE AND ADOPTING SUCH AMENDMENTS TO BE BY REFERENCE. (AMENDMENTS TO CHAPTERS 93 AND 97)

Mayor Evans opened the First Public Hearing. There were no public comments. Tim Wright, Town Attorney, went over the changes. There was a new section called usage rules. All BBQ pits in the park had been removed, there could be an exception if it was in writing. Areas that could be reserved did not include Green Valley Park. The Town would not have to be an additional insured with state entities. A specific provision that staff was exempt from the provisions was added.

Council Member Carpenter noted people could not swim or wade in the lake and asked if that has always been there. Mr. Wright replied yes. Council

Member Carpenter asked if this was for sidewalk chalk in the neighborhood. Mr. Wright responded it was just in the park. Council Member Blair asked if you could have a gas boat motor on the lake. Mr. Wright replied no, only electric motors. Council Member Blair asked where it had the address for reservations. Mr. Wright explained the Town did not typically put that in the Code because if the address changed the Town wanted to do that without making a Code change. Mayor Evans noted no person shall operate engines like model airplanes and was concerned that electric operated drones that operated over crowds could fall and hurt someone. Mr. Wright believed it was to do with the noise. The Town could prohibit people from operating any aircraft in the park. Mayor Evans felt there could be physical injury if one went down. Council Member Connell agreed. Vice-Mayor Hughes noted the drones were used to promote the event or look over an area and asked if drones could be allowed by permit only. Mr. Wright believed it could be by written permission and require them to have insurance. Council Member Carpenter asked where drones were legally operated now. Mr. Wright replied wherever there was a vacant lot. Council Member Carpenter wanted to see people be able to do it. Mayor Evans was concerned with the drones operating when there was a large crowd. Mr. Wright would look into it for the second reading.

Mayor Evans closed the First 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, to approve the Arizona Department of Transportation (ADOT) and their contractors to work on Highway 87 and Highway 260 during nighttime hours between September 1, 2014 and October 31, 2014.

LaRon Garrett, Assistant Town Manager, explained ADOT wanted to work from 10:00 p.m. to 7:00 a.m. Mayor Evans asked if ADOT would do anything with the lanes on the right. Mr. Garrett replied no. Mayor Evans asked Mr. Garrett to let ADOT know that the Town would encourage them to do something with it. Mr. Garrett explained ADOT did not want to facilitate it. Council Member Blair noted cars got backed up there trying to get into McDonalds. Mr. Garrett responded ADOT would be extending the median so people could not make that turn. Mayor Evans asked if there could be a turning lane for McDonalds. Mr. Garrett would look into that.

**Motion:** to allow the Arizona Department of Transportation (ADOT) and their contractors to work on Highway 87 and Highway 260 during nighttime hours between September 1, 2014 and October 31, 2014.

Moved by Council Member Fred Carpenter, seconded by Council Member Su Connell.

**Vote:** Motion carried 6 - 0

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

Absent: Council Member Richard Croy.

2. **Council Decision Request** filed by LaRon Garrett, Assistant Town Manager, to award the 2014 Runway Safety Area Grading Project to Show Low Construction, Inc. for a bid price of \$349,859, contingent on the Arizona Department of Transportation Multi-model Planning Division approval and authorizing the Town Manager to sign all necessary contract documents.

LaRon Garrett, Assistant Town Manager, explained after an inspection at the airport staff received a list of items that needed to be corrected. Staff has been working on that list. This was the last major item on the list that needed to be corrected. Mayor Evans asked which side of the runway it was on. Mr. Garrett replied on the north side. Mr. Garrett noted there would be some ramp closures. Council Member Carpenter asked if that had been conveyed to the pilot community. Mr. Garrett replied yes.

**Motion:** to award the 2014 Runway Safety Area Grading Project to Show Low Construction, Inc. for a bid price of \$349,859, contingent on the Arizona Department of Transportation Multi-model Planning Division approval and authorizing the Town Manager to sign all necessary contract documents.

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

**Vote:** Motion carried 6 - 0

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

Absent: Council Member Richard Croy.

3. **Discussion/possible action re: 2012 International Existing Building Code.** Note - it was not anticipated that the Council would take final action at this meeting on this code. It was anticipated that following the review of all of the construction codes, the Council would consider an Ordinance adopting and/or updating each of the Town's construction codes.

Ray LaHaye, Chief Building Official, was absent.

**Motion:** to Table Item I.3, discussion/possible action re: 2012 International Existing Building Code.

Moved by Mayor Kenny J. Evans, seconded by Council Member John Wilson.

**Vote:** Motion carried 6 - 0

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

Absent: Council Member Richard Croy.

**J. CLAIMS**

1. **\*List of checks.** Council approved, on the Consent Agenda, a list of checks paid from August 14,2014 through August 15,2014, Check Nos.027065 through 027228, 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 6:41 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 4 of September, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2014.

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Tracie Bailey, Chief Deputy Town Clerk