

**COMMON COUNCIL OF THE TOWN OF PAYSON
AGENDA OF THE REGULAR MEETING
NOVEMBER 20, 2014**

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

INVOCATION (Participation Voluntary) Pastor Rich Richey, Church of the Nazarene

The invocation is provided by a volunteer; presenters are accepted and welcome regardless of religious affiliation. Interested persons may contact the Town Clerk.

PLEDGE OF ALLEGIANCE

ROLL CALL: KE __ MH __ EB __ FC __ SC __ RC __ JW __

STAFF PRESENT: DG __ LG __ TW __ DBE __ SS __ CD __ EL __ TH __ DS __

OTHERS PRESENT: _____

*The Council may discuss, consider or take action on any item on this agenda.
The 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

1. 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 December 2014 as Human Rights Awareness Month. Penny Navis-Schmidt will be present to accept the proclamation.

E. MINUTES

1.* Council Meeting Minutes:

- 10.30.14 Special Meeting Minutes Pages 1 - 4
- 11.06.14 Special Meeting Minutes Pages 1 - 2
- 11.06.14 Regular Meeting Minutes Pages 1 - 12

***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.* Building Advisory Board Minutes:

- 08.14.13 Regular Meeting Minutes Page 462

***CONSENT* INFORMATION ONLY**

F. HEARINGS AND APPEALS

- 1.* Application for a Special Event Liquor License filed by Leland Schwein agent for the BPO Elks Lodge #2154, for a fundraiser to be held at 1206 North Beeline Highway, Payson, Arizona, Saturday, January 24, 2014, 12:00 Noon to 12:00 Midnight (Application is on file in the Town Clerk's office.)
***CONSENT* APPROVAL**
2. **This is a Public Hearing** concerning an application for an Acquisition of Control of a Liquor License filed by Michael Joseph Basha, agent for Bashas' Inc., 142 East Highway 260, Payson, Arizona. (Application is on file in the Town Clerk's office.)

G. RESOLUTIONS AND ORDINANCES

- 1.* Discussion/possible action concerning Resolution No. 2811 captioned as

follows: A RESOLUTION OF THE MAYOR AND PAYSON TOWN COUNCIL APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR MAGISTRATE SERVICES WITH THE HONORABLE DOROTHY LITTLE. (2015-2016 MAGISTRATE SERVICES CONTRACT).

***CONSENT* APPROVAL**

2. Discussion/possible action concerning Resolution No. 2813 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL AMENDING VARIOUS PORTIONS OF THE TOWN'S PERSONNEL POLICY MANUAL AND THE TOWN'S ELECTRONIC TECHNOLOGY RESOURCES (COMPUTER) POLICY. Memo to Council.
- 3.* Discussion/possible action concerning Resolution No. 2816 captioned as follows: A RESOLUTION OF THE PAYSON TOWN COUNCIL, AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS NECESSARY TO CLARIFY THE CHAIN OF TITLE AND TO CLARIFY THE TOWN OF PAYSON'S OWNERSHIP OF TRACT R OF THE RIM CLUB AND THE WELL LOCATED ON TRACT R.
***CONSENT* APPROVAL**
- 4.* Discussion/possible action concerning Resolution No. 2817 captioned as follows: A RESOLUTION OF THE PAYSON TOWN COUNCIL, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A SUBORDINATION AGREEMENT WITH LYNNE O'DONNELL (RE REFINANCING OF PROPERTY SUBJECT TO A COMMUNITY DEVELOPMENT BLOCK GRANT LIEN).
***CONSENT* APPROVAL**
5. Discussion/possible action concerning Resolution No. 2819 captioned as follows: A RESOLUTION OF THE PAYSON TOWN COUNCIL, AUTHORIZING THE RIM COUNTRY EDUCATIONAL FOUNDATION TO BE THE TOWN'S DESIGNEE FOR THE PURPOSE OF PURCHASING THE UNITED STATES FOREST SERVICE SITE LOCATED IN APPROXIMATELY THE 1000 TO 1600 BLOCK OF EAST HIGHWAY 260.
- 6.* Discussion/possible action concerning Resolution No. 2820 captioned as follows: A RESOLUTION OF THE MAYOR AND PAYSON TOWN COUNCIL AUTHORIZING THE APPLICATION FOR FINANCIAL ASSISTANCE FROM THE WATER INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA THROUGH THE DRINKING WATER STATE REVOLVING FUND.
***CONSENT* APPROVAL**
7. Discussion/possible action concerning Resolution 2821 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO SIGN AN EMPLOYMENT CONTRACT WITH JAMES MANNATO TO BE THE TOWN'S ATTORNEY AND DECLARING AN EMERGENCY.
8. Second Public Hearing re: amendments to Chapter 94: Streets and Sidewalks of the Payson Town Code. Memo to Council.
 - A. Resolution No. 2809 - A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, AMENDING PAYSON'S TOWN CODE CHAPTER 94: STREETS AND SIDEWALKS AND DECLARING SUCH AMENDMENTS TO BE A PUBLIC RECORD.
 - B. Ordinance No. 860 - AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, AMENDING PAYSON'S TOWN CODE, CHAPTER 94: STREETS AND SIDEWALKS AND ADOPTING SUCH AMENDMENTS BY REFERENCE.

9. Second Public Hearing regarding Ordinance No. 861 captioned as follows: AN ORDINANCE OF THE MAYOR AND PAYSON TOWN COUNCIL, AMENDING SECTION 93.04(J) OF THE PAYSON TOWN CODE RELATING TO THE USE OF SIDEWALK CHALK IN TOWN PARKS.
10. Second Public Hearing regarding Ordinance No. 862 captioned as follows: AN ORDINANCE OF THE MAYOR AND PAYSON TOWN COUNCIL, ESTABLISHING A ZONING CLASSIFICATION OF NF (NATIONAL FOREST) FOR THE 760 ACRES OF LAND ANNEXED FROM STAR VALLEY IN SEPTEMBER OF 2014.
11. Second Public Hearing regarding Ordinance No. 863 captioned as follows: AN ORDINANCE OF THE MAYOR AND PAYSON TOWN COUNCIL, AMENDING SECTION 91.44(C) OF THE PAYSON TOWN CODE RELATING TO THE IMPOSITION AND COLLECTION OF ASSESSMENTS FOR AMOUNT EXPENDED TO CORRECT AND/OR ABATE NUISANCES.
12. First Public Hearing re: Construction Codes update.

A. Resolution 2818 - A RESOLUTION OF THE MAYOR AND PAYSON TOWN COUNCIL AMENDING CHAPTER 150: BUILDING REGULATIONS AND CONFORMING CHANGES TO SECTION 154-07-002(D) (3) OF THE PAYSON TOWN CODE AND DECLARING SUCH AMENDMENTS TO BE A PUBLIC RECORD. 2014 CONSTRUCTION CODE AMENDMENTS.

B. Ordinance 864 - AN ORDINANCE OF THE MAYOR AND PAYSON TOWN COUNCIL ADOPTING AMENDMENTS TO TOWN CODE CHAPTER 150: BUILDING REGULATIONS AND CONFORMING CHANGES TO TOWN CODE SECTION 154-07-002(D) (3). 2014 CONSTRUCTION CODE AMENDMENTS.

H. UNFINISHED BUSINESS

1. There are no items in this section.

I. NEW BUSINESS

- 1.* Council Decision Request filed by LaRon Garrett, Assistant Town Manager, to award the engineering contract for updating the design, providing the bid documents and bidding services of C. C. Cragin Treated Water Line 'A' to Tetra Tech, Inc.
***CONSENT* APPROVAL**
2. Council Decision Request filed by the Town Attorney, Town Clerk and Town Manager re: agenda setting meetings.
3. Council Decision Request filed by LaRon Garrett, Assistant Town Manager, regarding the on-call engineering and construction management contract for the Payson Airport.

J. CLAIMS

- 1.* List of checks paid from October 22, 2014 through October 31, 2014, Check Nos. 027845 through 027999, except Check No. 028010, and authorization to file the checks for audit.
***CONSENT* APPROVAL**

- 2.* Check No. 028010 and authorization to file the check for audit. (Note: due to a perceived and/or conflict of interest, Council Member Blair will be considered to have abstained from voting on this item).
***CONSENT* APPROVAL**

K. MISCELLANEOUS

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

- 1.* Reappointment of Jon Barber to the Airport Commission, term to expire December 31, 2017.

Reappointment of Jim Hunt to the Airport Commission, term to expire December 31, 2017.

***CONSENT* APPROVAL**

- 2.* Reappointment of Pat Underwood to the Board of Adjustment, term to expire December 31, 2017.

Reappointment of Lynn Raichert to the Board of Adjustment, term to expire December 31, 2017.

Appointment of Micah Utterback to the Board of Adjustment, term to expire December 31, 2017.

***CONSENT* APPROVAL**

- 3.* Reappointment of Bill Easton to the Building Advisory Board, term to expire December 31, 2017.

Reappointment of Bret Balog to the Building Advisory Board, term to expire December 31, 2017.

***CONSENT* APPROVAL**

- 4.* Reappointment of Bill Ensign to the Design Review Board, term to expire December 31, 2017.

***CONSENT* APPROVAL**

- 5.* Reappointment of Rory Huff to the Parks and Recreation Commission, term to expire December 31, 2017

Reappointment of Jim Lyon to the Parks and Recreation Commission, term to expire December 31, 2017.

Reappointment of Hartland Hintze to the Parks and Recreation Commission, term to expire December 31, 2017

***CONSENT* APPROVAL**

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.

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 _____, 2014, at _____, in accordance with the statement filed by the Town of Payson with the Payson Town Clerk.

By: _____
Silvia Smith, Town Clerk