

**TOWN OF PAYSON  
TOWN COUNCIL MEETING  
MINUTES OF THE SPECIAL MEETING  
October 30, 2014**

**CALL TO ORDER**

Mayor Evans called the meeting to order at approximately 3:00 p.m. in the Town Hall Council Chambers, 303 North Beeline Highway, Payson, Arizona.

**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, Tim Wright - Town Attorney, and Silvia Smith - Town Clerk.

**OTHERS PRESENT:** Tracie Bailey - Chief Deputy Town Clerk, Hope Cribb - Finance Manager, Diane Stoyer - Legal Department Office Manager, Debra French - Office Clerk, and Quinn Shumway - Deputy Town Attorney.

**PURPOSE OF MEETING**

1. **Presentation** by Town Staff of the Town Attorney Recruitment process to date.

Mayor Evans explained the purpose of the meeting.

2. **Introduction** of Mr. James Mannato, Town Attorney Candidate.

Tim Wright, Town Attorney, noted his last day with the Town would be December 30, 2014 and because he would be a judge and could not help the new attorney he suggested that a new attorney be hired now so he could work with the new attorney. Mr. Wright wanted to have someone hired by the middle of December. Mr. Wright explained there had been a total of 19 applications with all levels of experience. There was a recommendation to interview five of those applicants. There were two candidates that rose above the rest. Each candidate would give a ten minute background on themselves. After both interviews the Council could make a decision this evening or at another meeting. Council Member Blair asked why the next candidate was scheduled at 4:30 p.m. Mr. Wright explained after the Council heard from Mr. Mannato the Council would retire to an Executive Session to interview him.

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Mr. Mannato stated it was a pleasure to be here today. Mr. Mannato was born in New York and raised in Long Island. He had studied in Long Island and had completed his legal degree in California. Mr. Mannato noted this December he would have 23 years in the practice of law and gave a brief background on his work history. He had relocated to Arizona to be closer to his wife's family and had taken the Bar Exam in Arizona in 1996. Mr. Mannato has worked for the Town of Florence as the Town Attorney and Prosecutor for the past twelve years and believed he could help make a seamless transition in the Legal Department so the Town could move forward in a comfortable way. Mr. Mannato noted he would serve the Town with pride.

Mayor Evans asked what the population of Florence was. Mr. Mannato believed it was about 14,000 people and had an institutional population of about 10,000 people. Council Member Carpenter asked what the size of Mr. Mannato's staff was in Florence. Mr. Mannato replied he had a town prosecutor, administrative assistant and one or two law clerks. Council Member Blair asked Mr. Mannato if he has found it helpful to attend all Planning and Zoning Commission meetings. Mr. Mannato replied if staff requested him to attend he would attend otherwise he waited for a clue from the Community Development Director. Council Member Blair noted Mr. Wright wrote memos to the Council when there was a complicated resolution or ordinance and asked Mr. Mannato if he had done that. Mr. Mannato replied yes, he had done that frequently. Council Member Blair asked if Mr. Mannato had done the memo as a formal legal opinion and noted Mr. Wright's memos were not so formal. Mayor Evans believed the Council got both formal and informal memos from Mr. Wright. Council Member Carpenter asked Mr. Mannato if he has been involved in updating codes. Mr. Mannato replied yes and noted Florence had a very similar code to Payson.

3. Consideration of a motion to recess to executive session for the purpose of discussion or consideration of employment/appointment of a Town Attorney, including, but not limited to interviewing Mr. Mannato. See A.R.S. 38-431.03(A)(1).

**Motion:** to recess to executive session for the purpose of discussion or consideration of employment/appointment of a Town Attorney, including, but not limited to interviewing Mr. Mannato. See A.R.S. 38-431.03(A)(1). 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.

The entire Council recessed to Executive Session at approximately 3:27 p.m. Mayor Evans reconvened the entire Council to the special meeting at approximately 4:47 p.m.

4. **Introduction** of Mr. K. Russ Romney, Town Attorney Candidate.

Russ Romney introduced himself and gave a brief background on his work history. Mr. Romney was a native Arizonan and has practiced law since 1987. For the last fourteen years Mr. Romney has worked on municipal things and has worked for the City of Glendale since 2007. Mr. Romney has worked with the Airport Board and all of the other Town Boards. Mr. Romney was happy to be here. Council Member Blair asked Mr. Romney if he was the one who went to the Planning and Zoning Commission meetings and if it was helpful. Mr. Romney explained he was the backup to go and it was helpful for the people to vent at those meetings. Mayor Evans noted the challenge with the Tohono O'odham Nation and their casino was a significant battle. Mr. Romney responded he had helped deal with some of that and had done research for it. Council Member Carpenter asked Mr. Romney if he had ever worked in a legal office other than the City of Glendale. Mr. Romney replied he had worked with a firm that worked with smaller municipalities. Mr. Romney noted he was born in Phoenix and raised in Page.

5. Consideration of a motion to recess to executive session for the purpose of discussion or consideration of employment/appointment of a Town Attorney, including, but not limited to interviewing Mr. Romney. See A.R.S. 38-431.03(A)(1).

**Motion:** to recess to executive session for the purpose of discussion or consideration of employment/appointment of a Town Attorney, including, but not limited to interviewing Mr. Romney. See A.R.S. 38-431.03(A)(1). 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.

The entire Council recessed to Executive Session at approximately 4:54 p.m. Mayor Evans reconvened the entire Council to the special meeting at approximately 6:39 p.m.

6. Discussion/possible action re: the employment/appointment of a Town Attorney.

**Motion:** to direct staff to do additional follow up as directed and to reschedule this matter for consideration next Thursday, November 6, 2014 in

coordination with the Council's regular meeting.  
Moved by Council Member Fred Carpenter, seconded by Council Member John Wilson.

Council Member Croy asked if the candidates would return for this meeting. Mr. Wright explained it would be up to the candidates. Their presence was not required. Mayor Evans called for the vote.

**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.

**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 special meeting of the Town Council of the Town of Payson held on this day the 30 of October, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

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

\_\_\_\_\_

Tracie Bailey, Chief Deputy Town Clerk