

**COMMON COUNCIL OF THE TOWN OF PAYSON
AGENDA OF THE REGULAR MEETING
DECEMBER 18, 2014**

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

INVOCATION (Participation Voluntary) Reverend Charles Proudfoot, Community Presbyterian Church

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 2015 as a Year of Reading and endorsing "Read on North Gila County." Emily Linkey, Library Director, and Hazel Chandler, Regional Director for the Gila Regional Partnership Council, will be present to accept the proclamation.

E. MINUTES

1.* Council Meeting Minutes:

- 11.18.14 Special Meeting Minutes Pages 1 - 5
- 11.20.14 Special Meeting Minutes Pages 1 - 3
- 11.20.14 Regular Meeting Minutes Pages 1 - 14
- 12.02.14 Special Meeting Minutes Pages 1 - 2

***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.* Planning and Zoning Commission Minutes:

- 10.13.14 Regular Meeting Minutes Pages 1 - 5
- 11.10.14 Regular Meeting Minutes Pages 1 - 4

***CONSENT* INFORMATION ONLY**

3.* Design Review Board Minutes:

- 10.14.14 Regular Meeting Minutes Pages 217 - 218
- 11.18.14 Regular Meeting Minutes Pages 219 - 220

***CONSENT* INFORMATION ONLY**

F. HEARINGS AND APPEALS

1. **This is a Public Hearing** concerning an application for a Series 9 Liquor License filed by Randy Nations, agent, for Team CB Petroleum Properties LLC dba Chevron., 706 East Highway 260, Payson, Arizona. (Application is on file in the Town Clerk's office.)

- 2.* 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, March 7, 2015, 12:00 Noon to 12:00 Midnight. (Application is on file in the Town Clerk's office.)
***CONSENT* APPROVAL**
- 3.* 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, Friday, April 24, 2015, 12:00 Noon to 12:00 Midnight. (Application is on file in the Town Clerk's office.)
***CONSENT* APPROVAL**

G. RESOLUTIONS AND ORDINANCES

- 1.* Discussion/possible action concerning Resolution No. 2823 captioned as follows: A RESOLUTION OF THE PAYSON TOWN COUNCIL, ACCEPTING A GRANT FROM THE ARIZONA DEPARTMENT OF TRANSPORTATION, MULTIMODAL PLANNING DIVISION, AERONAUTICS GROUP, PURSUANT TO THE TERMS AND CONDITIONS OF GRANT NUMBER E5F2E, AUTHORIZING THE MAYOR TO EXECUTE THE GRANT AGREEMENT, AND AUTHORIZING THE TOWN TO TAKE APPROPRIATE ACTION TO FINALIZE SUCH GRANT AND ACCOMPLISH THE PURPOSES FOR WITH IT IS OFFERED. (ADOT GRANT - ECHO RAMP EXPANSION)
***CONSENT* APPROVAL**
- 2.* Discussion/possible action concerning Resolution No. 2824 captioned as follows: A RESOLUTION OF THE PAYSON TOWN COUNCIL, CLARIFYING THAT THE COUNCIL INTENDED TO ADOPT ORDINANCE 859A AND RESOLUTION 2408A CONTAINING THE ADDITIONAL AMENDMENT TO SECTION 130.03(C) OF THE TOWN CODE RELATED TO SERVICE OF LIBRARY COMPLAINTS.
***CONSENT* APPROVAL**
- 3.* Discussion/possible action concerning Resolution No. 2825 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING A PUBLIC UTILITY EASEMENT IN APPROXIMATELY THE AREA OF SR 87 AND RANCHO RD. FROM ANTON PLAZA II, LLC PERTAINING TO THE C.C. CRAGIN IN-TOWN WATER LINE CONSTRUCTIONS PROJECT.
***CONSENT* APPROVAL**
- 4.* Discussion/possible action concerning Resolution No. 2826 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING A TEMPORARY CONSTRUCTION EASEMENT IN APPROXIMATELY THE AREA OF SR 87 AND RANCHO RD. FROM ANTON PLAZA II, LLC PERTAINING TO THE C.C. CRAGIN IN-TOWN WATER LINE CONSTRUCTION PROJECT.
***CONSENT* APPROVAL**
- 5.* Discussion/possible action concerning Resolution No. 2827 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE COMPLETION, EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN THE TOWN OF PAYSON, ARIZONA, AND THE WATER INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA EVIDENCING A LOAN, IN ONE OR MORE SERIES, FROM THE SAID AUTHORITY TO THE TOWN IN AN AMOUNT NOT TO EXCEED \$11,000,000.00 TO IMPROVE THE TOWN'S

WATER SYSTEM AND TO PAY RELATED EXPENSES; PLEDGING THE NET REVENUES OF THE TOWN'S WATER SYSTEM TO THE PAYMENT OF THE LOAN; AUTHORIZING THE EXECUTION AND DELIVERY OF ALL DOCUMENTS RELATING TO SUCH LOAN; AND DECLARING AN EMERGENCY.

***CONSENT* APPROVAL**

- 6.* Discussion/possible action concerning Resolution No. 2828 captioned as follows: A RESOLUTION OF THE MAYOR AND PAYSON TOWN COUNCIL APPROVING REVISED HOUSING REHABILITATION GUIDELINES (2014 SECOND REVISIONS). *Memo to Council*

***CONSENT* APPROVAL**

7. Second 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. Council Decision Request filed by Town Staff re: whether any action should be taken on Resolution 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.

I. NEW BUSINESS

- 1.* Council Decision Request filed by LaRon Garrett, Assistant Town Manager, to approve the roadway construction of Malibu Drive between Easy Street and Manzanita Drive, the intersection of Malibu Drive-Manzanita Drive-Park Drive, and the turnaround on Evergreen Street, including all traffic control devices, subject to the developer's two year warranty of public improvements and to accept the public roadway improvements for town maintenance under such warranty.

***CONSENT* APPROVAL**

- 2.* Council Decision Request filed by LaRon Garrett, Assistant Town Manager, to approve the subdivision construction of the Forest Ridge Unit Two Subdivision, including the traffic control devices, subject to the developer's two year warranty of public improvements and to accept the public subdivision improvements for town maintenance under such warranty contingent on the developer providing the final project close-out paperwork to the Town.

***CONSENT* APPROVAL**

CLAIMS

- 1.* List of checks paid from October 30, 2014 through December 5, 2014, Check No.s 02800 through 028347, except Check No.s 028010, 028018, and 028296, 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**
- 3.* Check No.s 028018 and 028296 and authorization to file the checks for audit. (Note: due to a perceived and/or conflict of interest, Council Member Croy will be considered to have abstained from voting on this item).
***CONSENT* APPROVAL**

K. MISCELLANEOUS

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

- 1.* Acceptance, with regrets, of the resignation of Dick Garmon from the Airport Commission with thanks for a job well done.
***CONSENT* APPROVAL**
- 2.* Reappointment of Otis Garnand to the Design Review Board, 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