

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
April 2, 2015**

CALL TO ORDER

Vice-Mayor Hughes called the meeting to order at approximately 5:30 p.m. in the Town Hall Council Chambers, 303 North Beeline Highway, Payson, Arizona.

INVOCATION

Stephen Allison, Church of Jesus Christ of Latter Day Saints.

PLEDGE OF ALLEGIANCE

PRESENT: Vice-Mayor Michael Hughes, Council Member Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris Higgins, and Council Member John Wilson.

ABSENT: Mayor Kenny J. Evans.

STAFF PRESENT: Debra Galbraith - Town Manager, Hector Figueroa - Town Attorney, Don Engler - Police Chief, Cameron Davis - Parks, Recreation and Tourism Director, Emily Linkey - Library Director, and David Staub - Fire Chief.

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

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 Su Connell.

Vote: Motion carried 6 - 0

Yes: Vice-Mayor Michael Hughes, Council Member Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris Higgins, and Council Member John Wilson.

Absent: Mayor Kenny J. Evans.

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)

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 Wilson read into the record a proclamation declaring April 2015 as Kiwanis International Month. Elise Pitterle, Kiwanis Local President, was present to accept the proclamation.

Elise Pitterle thanked the Council and noted as the president she represented the Club and appreciated the support of the Council. This proclamation came on the 100th anniversary of the Kiwanis Club. The Kiwanis Club in Payson had started in 1982. Ms. Pitterle Invited the Council to the Easter Eggestravaganza on Saturday, April 4, 2015, that the Club sponsored.

Debra Galbraith, Town Manager, noted there were still tickets left for the dinner. Ms. Pitterle responded yes there were still tickets and there would be several items for auction at the dinner.

3. **Proclamation.** Council Member Higgins read into the record a proclamation declaring April 12-18, 2015 as the Week of the Young Child. Mike Clark, Regional Council Member, was present to accept the proclamation.

Mike Clark thanked the Council and noted First Things First Gila Regional Council worked with young children from birth to five years old. First Things First worked very close with the Kiwanis and helped new moms and new families.

Cameron Davis, Parks, Recreation and Tourism Director, (arrived at 5:37 p.m.) reminded everyone about the Eggestravagana at Rumsey Park on Saturday, April 4, 2015, at 9:30 a.m. April 18, 2015, the Optimist Kids Fishing Festival was

at Green Valley Park and the Beeline Cruise Inn Car show was on April 25, 2015, at Green Valley Park. There would be over 280 cars on display.

E. MINUTES

1. *Council Meeting Minutes:

03.19.15Special Meeting Pages 1 - 3

03.19.15Regular Meeting Pages 1 - 9

***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. *Planning and Zoning Commission Minutes:

12.08.14Regular Meeting Pages 1 - 4

***CONSENT* INFORMATION ONLY**

F. HEARINGS AND APPEALS

1. Public Hearing concerning an application for a Series 10 Liquor License filed by Roger Burton, agent for Western Refining Retail, LLC (Giant), 701 E. Highway 260, Payson, Arizona.

Vice-Mayor Hughes opened the Public Hearing. There were no public comments. Vice-Mayor Hughes closed the Public Hearing.

Motion: to Approve an application for a Series 10 Liquor License filed by Roger Burton, agent for Western Refining Retail, LLC (Giant), 701 E. Highway 260, Payson, Arizona.

Moved by Council Member John Wilson, seconded by Council Member Chris Higgins.

Vote: Motion carried 6 - 0

Yes: Vice-Mayor Michael Hughes, Council Member Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris Higgins, and Council Member John Wilson.

Absent: Mayor Kenny J. Evans.

G. RESOLUTIONS AND ORDINANCES

1. *Resolution No. 2839. Council approved, on the Consent Agenda, Resolution No. 2839 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, MAKING KNOWN ITS COMMITMENT TO THE

PRINCIPLE OF FAIR HOUSING, AND DESCRIBING ACTIONS IT WILL UNDERTAKE TO AFFIRMATIVELY FURTHER FAIR HOUSING.

***CONSENT* APPROVED**

2. **Resolution No. 2841.** Vice-Mayor Hughes opened discussion/possible action concerning Resolution No. 2841 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, SUPPORTING THE AMERICAN LEGION DEPARTMENT OF ARIZONA'S NOVEMBER 6, 2014 RESOLUTION SUPPORTING EFFORTS TO IMPROVE WORKFLOW AT THE PHOENIX VETERANS AFFAIRS HOSPITAL AND BENEFITS FACILITIES AND ALSO CALLING ON CONGRESS TO ENACT LEGISLATION FOR THE AUTOMATIC ENROLLMENT OF FORMER SERVICE MEMBERS IN THE VETERANS AFFAIRS PATIENT ENROLLMENT SYSTEM.

Vice-Mayor Hughes explained this was supporting the American Legion Department of Arizona's resolution supporting efforts to improve workflow at the Phoenix Veterans Affairs Hospital.

Motion: to Approve Resolution No. 2841 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, SUPPORTING THE AMERICAN LEGION DEPARTMENT OF ARIZONA'S NOVEMBER 6, 2014 RESOLUTION SUPPORTING EFFORTS TO IMPROVE WORKFLOW AT THE PHOENIX VETERANS AFFAIRS HOSPITAL AND BENEFITS FACILITIES AND ALSO CALLING ON CONGRESS TO ENACT LEGISLATION FOR THE AUTOMATIC ENROLLMENT OF FORMER SERVICE MEMBERS IN THE VETERANS AFFAIRS PATIENT ENROLLMENT SYSTEM.

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

Vote: Motion carried 6 - 0

Yes: Vice-Mayor Michael Hughes, Council Member Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris Higgins, and Council Member John Wilson.
Absent: Mayor Kenny J. Evans.

3. **Second Public Hearing re:** amendments to Sections 33.56 and 33.58, Design Review Board, of the Town Code and Section 154-02-014 Part III of the Unified Development Code.
 - A. **Resolution No. 2837** - A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING TOWN CODE SECTIONS 33.56 AND 33.58 CONCERNING THE DESIGN REVIEW BOARD AND SECTION

154-02-014 PART III OF THE UNIFIED DEVELOPMENT CODE TO STREAMLINE THE DEVELOPMENT PROCESS BY INCORPORATING CERTAIN FUNCTIONS OF THE DESIGN REVIEW BOARD WITH THE PLANNING AND ZONING COMMISSION, AMEND THE RESPONSIBILITIES OF THE COMMUNITY DEVELOPMENT DIRECTOR OR DESIGNEE, AND DECLARING SUCH AMENDMENTS TO BE PUBLIC RECORDS.

- B. **Ordinance No. 865** - AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING TOWN CODE SECTIONS 33.56 AND 33.58 CONCERNING THE DESIGN REVIEW BOARD AND SECTION 154-02-014 PART III OF THE UNIFIED DEVELOPMENT CODE TO STREAMLINE THE DEVELOPMENT PROCESS BY INCORPORATING CERTAIN FUNCTIONS OF THE DESIGN REVIEW BOARD WITH THE PLANNING AND ZONING COMMISSION, AMEND THE RESPONSIBILITIES OF THE COMMUNITY DEVELOPMENT DIRECTOR OR DESIGNEE.

Sheila DeSchaaf, Planning and Development Director, explained this was a step in the process to streamline development review by incorporating certain functions of the Design Review Board with the Planning and Zoning Commission. Vice-Mayor Hughes opened the Public Hearing. Council Member Carpenter noted the members of the Design Review Board were required to have some sort of background in architecture or building and asked if the Planning and Zoning Commissioners would be required to have that experience. Ms. DeSchaaf replied they would still have that requirement and it could be a variety of experience. Ms. DeSchaaf noted of all seven members only four were required to have that experience. There were no public comments. Vice-Mayor Hughes closed the Public Hearing.

Motion: to Approve Resolution No. 2837 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING TOWN CODE SECTIONS 33.56 AND 33.58 CONCERNING THE DESIGN REVIEW BOARD AND SECTION 154-02-014 PART III OF THE UNIFIED DEVELOPMENT CODE TO STREAMLINE THE DEVELOPMENT PROCESS BY INCORPORATING CERTAIN FUNCTIONS OF THE DESIGN REVIEW BOARD WITH THE PLANNING AND ZONING COMMISSION, AMEND THE RESPONSIBILITIES OF THE COMMUNITY DEVELOPMENT DIRECTOR OR DESIGNEE, AND DECLARING SUCH AMENDMENTS TO BE PUBLIC RECORDS.

and

Ordinance No. 865 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING TOWN CODE SECTIONS 33.56 AND 33.58 CONCERNING THE DESIGN REVIEW BOARD AND SECTION 154-02-014 PART III OF THE UNIFIED DEVELOPMENT CODE TO

STREAMLINE THE DEVELOPMENT PROCESS BY INCORPORATING CERTAIN FUNCTIONS OF THE DESIGN REVIEW BOARD WITH THE PLANNING AND ZONING COMMISSION, AMEND THE RESPONSIBILITIES OF THE COMMUNITY DEVELOPMENT DIRECTOR OR DESIGNEE.

Moved by Council Member John Wilson, seconded by Council Member Fred Carpenter.

Vote: Motion carried 6 - 0

Yes: Vice-Mayor Michael Hughes, Council Member Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris Higgins, and Council Member John Wilson.

Absent: Mayor Kenny J. Evans.

4. **Second Public Hearing** regarding amendments to the Town Code Section 154-14-009, Home Occupations, of the Unified Development Code.

A. **Resolution No. 2838** - A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING PAYSON TOWN CODE SECTION 154-14-009 OF THE UNIFIED DEVELOPMENT CODE RELATING TO RELIEF FROM THE PROHIBITIONS ON HOME OCCUPATIONS AND DECLARING SUCH AMENDMENT TO BE A PUBLIC RECORD.

B. **Ordinance No. 866** - AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING PAYSON TOWN CODE SECTION 154-14-009 OF THE UNIFIED DEVELOPMENT CODE RELATING TO RELIEF FROM THE PROHIBITIONS ON HOME OCCUPATIONS.

Vice-Mayor Hughes opened the Public Hearing. There were no public comments. Vice-Mayor Hughes closed the Public Hearing.

Motion: to Approve Resolution No. 2838 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING PAYSON TOWN CODE SECTION 154-14-009 OF THE UNIFIED DEVELOPMENT CODE RELATING TO RELIEF FROM THE PROHIBITIONS ON HOME OCCUPATIONS AND DECLARING SUCH AMENDMENT TO BE A PUBLIC RECORD.

and

Ordinance No. 866 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING PAYSON TOWN CODE SECTION 154-14-009 OF THE UNIFIED DEVELOPMENT CODE RELATING TO RELIEF FROM THE PROHIBITIONS ON HOME OCCUPATIONS.

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

Vote: Motion carried 6 - 0

Yes: Vice-Mayor Michael Hughes, Council Member Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris Higgins, and Council Member John Wilson.
Absent: Mayor Kenny J. Evans.

H. UNFINISHED BUSINESS

1. There were no items in this section.

I. NEW BUSINESS

1. There were no items in this section.

J. CLAIMS

1. ***List of checks.** Council approved, on the Consent Agenda, a list of checks paid from March 13, 2015 through March 20, 2015, Check Nos. 029201 through 029356, **except Check No. 029208** and authorization to file the checks for audit.

***CONSENT* APPROVED**

2. *** Check No. 029208.** Council approved, on the Consent Agenda, Check No. 029208 and authorization to file the check for audit. (Note: due to a perceived and/or possible conflict of interest, Council Member Croy was considered to have abstained from voting on this item).

***CONSENT* APPROVED**

K. MISCELLANEOUS

1. There were no items in this section.

L. PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

Vice-Mayor Hughes adjourned the meeting at approximately 5:51 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 2 of April, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this ____ day of _____, 2015.

Tracie Bailey, Chief Deputy Town Clerk