

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
August 13, 2015**

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

Pastor Rachel Kloes, Payson First Assembly of God.

PLEDGE OF ALLEGIANCE

PRESENT: Mayor Kenny J. Evans, 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.

STAFF PRESENT: LaRon Garrett - Assistant Town Manager, Silvia Smith - Town Clerk, Emily Linkey - Library Director, Tanner Henry - Water Division Manager, and David Staub - Fire Chief.

OTHERS PRESENT: Tracie Bailey - Chief Deputy Town Clerk, Hope Cribb - Finance Manager, Sherwood Edredge - Police Lieutenant, Bobby Davis - Economic Development Specialist, and Jacob Burdick - Water Infrastructure Specialist.

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

Robert Rusch referred to the article in the Payson Roundup newspaper regarding the chicken law and changing the law to keep chickens on less than an acre. Mr. Rusch felt the chickens disturbed a whole block around the area they were in. Mr. Rusch referred to a letter to the editor in the Payson Roundup newspaper that requested cutting down trees to become fire wise. Mr. Rusch was against this and had moved here for the beautiful scenery. Mr. Rusch believed the Town Council should leave these laws alone. Mr. Rusch noted the chicken article mentioned a veterinarian had gathered 400 signatures supporting chickens and felt that was for her financial gain so she could take care of the chickens. Mr. Rusch believed the average citizen would want the laws to stay the same.

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 Chris Higgins.

Vote: Motion carried 7 - 0

Yes: Mayor Kenny J. Evans, 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.

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.

Council Member Connell announced as of today the archeological studies for the college campus have been completed and were going to the Forest Service next week for review. The Forest Service report would be completed by September then it would go to the State Historic Preservation Office (SHPO) for review. The title transfer would be through a quit claim deed. Land ownership for a university in Payson would be by the end of September or early October. Council Member Connell thanked everyone for keeping spirits up.

Council Member Higgins announced Channel 3 was coming to Payson for their Field Trip Friday at 6:00 a.m. tomorrow at Green Valley Park. The Arizona State University (ASU) Pep Rally was Friday at Green Valley park at 5:00 p.m. Mayor Evans was excited to see so much going on in Payson. Mayor Evans noted there was a big crowd at Camp Tontozona and the Pep Rally would be a great time. The ASU Mascot, Sparky, would be arriving by helicopter and there would be opportunities for discounts on services.

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 Connell read into the record a proclamation declaring August 21st - 22nd, 2015 as Rodeo Days in Payson. John Landino was present to accept the proclamation.

John Landino asked everyone to bring a can of food Thursday night for the barrel racing. Mr. Landino thanked the Town for helping get the facility ready and thanked the Police Department and Fire Department for their help. Mr. Landino asked everyone to attend the rodeo and noted all of the funds raised stay in Payson. Mr. Landino thanked the Council for their support.

Council Member Carpenter gave Mr. Landino some food to start off the food collection. Mr. Landino noted there were also buttons being sold for three dollars each for scholarship fundraising.

3. **Proclamation.** Mayor Evans read into the record a proclamation declaring August 16 - 22, 2015 as National Employer Support of the Guard and Reserve Week in Payson. The proclamation would be mailed to the party who had requested the proclamation.

Mayor Evans presented a birthday card to Council Member Carpenter and wished him happy birthday.

E. MINUTES

1. *Council Meeting Minutes:
July 23, 2015 Regular 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:
July 6, 2015 Regular Meeting Pages 1 - 6
***CONSENT* INFORMATION ONLY**

F. HEARINGS AND APPEALS

1. There were no items in this section.

G. RESOLUTIONS AND ORDINANCES

1. ***Resolution No. 2868.** Council approved, on the Consent Agenda, Resolution No. 2868 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE MEMORANDUM OF UNDERSTANDING ("MOU") BETWEEN THE ARIZONA DEPARTMENT OF REVENUE, ("DOR") AND THE TOWN OF PAYSON, AN ARIZONA MUNICIPAL CORPORATION ("TOWN")

RELATING TO THE COLLECTION AND ADMINISTRATION FUNCTIONS FOR THE TRANSACTION PRIVILEGE AND AFFILIATED EXCISE TAXES AS REQUIRED UNDER A.R.S. TITLE 42, CHAPTER 6.

***CONSENT* APPROVED**

2. **Resolution No. 2869.** Mayor Evans opened discussion/possible action concerning Resolution No. 2869 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE C. C. CRAGIN LINE "C" CONTRACT BETWEEN TETRA TECH, INC., A DELAWARE CORPORATION AUTHORIZED TO DO BUSINESS WITHIN THE STATE OF ARIZONA, ("CONSULTANT") AND THE TOWN OF PAYSON, AN ARIZONA MUNICIPAL CORPORATION, ("TOWN").

LaRon Garrett, Acting Town Manager, explained this was another portion of the C. C. Cragin water line.

Motion: to Approve Resolution No. 2869 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE C. C. CRAGIN LINE "C" CONTRACT BETWEEN TETRA TECH, INC., A DELAWARE CORPORATION AUTHORIZED TO DO BUSINESS WITHIN THE STATE OF ARIZONA, ("CONSULTANT") AND THE TOWN OF PAYSON, AN ARIZONA MUNICIPAL CORPORATION, ("TOWN").

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 Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris Higgins, and Council Member John Wilson.

3. ***Resolution No. 2870.** Council approved, on the Consent Agenda, Resolution No. 2870 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, ACCEPTING THE PUBLIC UTILITY EASEMENT FROM MARTIN G. LAMB AND DESCRIBED IN THE DOCUMENT ATTACHED HERETO AS EXHIBIT "I".

***CONSENT* APPROVED**

4. **Resolution No. 2872.** Mayor Evans opened discussion/possible action concerning Resolution No. 2872 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE 2015 SLURRY SEAL CONTRACT BETWEEN SOUTHWEST SLURRY SEAL, INC. ("CONTRACTOR"), AND THE TOWN OF PAYSON, AN ARIZONA MUNICIPAL CORPORATION, ("TOWN").

LaRon Garrett, Acting Town Manager, explained there has not been money in the budget for the slurry seal for seven years. There was money in the budget to start up the slurry seal again this year.

Motion: to Approve Resolution No. 2872 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE 2015 SLURRY SEAL CONTRACT BETWEEN SOUTHWEST SLURRY SEAL, INC. ("CONTRACTOR"), AND THE TOWN OF PAYSON, AN ARIZONA MUNICIPAL CORPORATION, ("TOWN"). Moved by Council Member John Wilson, seconded by Council Member Su Connell.

Vote: Motion carried 7 - 0

Yes: Mayor Kenny J. Evans, 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.

5. **Resolution No. 2873.** Mayor Evans opened discussion/possible action concerning Resolution No. 2873 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING THE ABANDONMENT OF THE DRAINAGE AND PUBLIC UTILITY EASEMENT ON LOT 71 CHAPARRAL PINES 1004 N. SCENIC DRIVE AND DESCRIBED IN THE DOCUMENTS ATTACHED HERETO AS EXHIBITS "A" AND "B".

LaRon Garrett, Acting Town Manager, explained this was a request to abandon an easement and had gone through the Planning and Zoning Commission. The Planning and Zoning Commission had approved it 6-1.

Motion: to Approve Resolution No. 2873 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING THE ABANDONMENT OF THE DRAINAGE AND PUBLIC UTILITY EASEMENT ON LOT 71 CHAPARRAL PINES 1004 N. SCENIC DRIVE AND DESCRIBED IN THE DOCUMENTS ATTACHED HERETO AS EXHIBITS "A" AND "B". Moved by Council Member Su Connell, seconded by Council Member John Wilson.

Vote: Motion carried 7 - 0

Yes: Mayor Kenny J. Evans, 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.

6. **Resolution No. 2874.** Mayor Evans opened discussion/possible action concerning Resolution No. 2874 captioned as follows: A RESOLUTION OF

THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A MASTER LEASE PURCHASE AGREEMENT AND SCHEDULE OF PROPERTY NO. 3 WITH PINNACLE PUBLIC FINANCE FOR THE LEASE PURCHASE OF A SWEEPER AND A BACKHOE LOADER, AND DECLARING AN EMERGENCY TO EXIST.

LaRon Garrett, Acting Town Manager, noted this was to purchase equipment that was approved in the budget.

Motion: to Approve Resolution No. 2874 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A MASTER LEASE PURCHASE AGREEMENT AND SCHEDULE OF PROPERTY NO. 3 WITH PINNACLE PUBLIC FINANCE FOR THE LEASE PURCHASE OF A SWEEPER AND A BACKHOE LOADER, AND DECLARING AN EMERGENCY TO EXIST.

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

Vote: Motion carried 7 - 0

Yes: Mayor Kenny J. Evans, 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.

7. **Resolution No. 2875.** Mayor Evans opened discussion/possible action concerning Resolution No. 2875 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PAYSON, ARIZONA ("TOWN"), APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A PURCHASE AGREEMENT WITH THE MUSCO SPORTS LIGHTING, LLC ("MSL") FOR THE PURCHASE OF A LIGHTING SYSTEM AT RUMSEY PARK KIWANIS FIELDS 1 AND 2, AND DECLARING AN EMERGENCY TO EXIST.

LaRon Garrett, Acting Town Manager, explained Resolution No. 2875 and 2876 were related. Council Member Carpenter asked if the total cost was the same as expected in the budget. Hope Cribb, Finance Manager, replied the expected expenditure was about 500 thousand dollars and it actually came in at 420 thousand dollars. Hector Figueroa, Town Attorney, noted the Council had to vote on each resolution separately.

Motion: to Approve Resolution No. 2875 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PAYSON, ARIZONA ("TOWN"), APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A PURCHASE AGREEMENT WITH THE MUSCO SPORTS LIGHTING, LLC ("MSL") FOR THE PURCHASE OF A LIGHTING SYSTEM AT RUMSEY PARK

KIWANIS FIELDS 1 AND 2, AND DECLARING AN EMERGENCY TO EXIST.

Moved by Council Member John Wilson, seconded by Council Member Richard Croy.

Vote: Motion carried 7 - 0

Yes: Mayor Kenny J. Evans, 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.

8. **Resolution No. 2876.** Discussion/possible action concerning Resolution No. 2876 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PAYSON, ARIZONA ("LESSEE"), APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A MASTER EQUIPMENT LEASE PURCHASE AGREEMENT AND SCHEDULE OF EQUIPMENT NO. 1 WITH MUSCO FINANCE, LLC ("LESSOR") FOR THE FINANCING OF A LIGHTING SYSTEM AT RUMSEY PARK KIWANIS FIELDS 1 AND 2, AND DECLARING AN EMERGENCY TO EXIST.

Motion: to Approve Resolution No. 2876 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PAYSON, ARIZONA ("LESSEE"), APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A MASTER EQUIPMENT LEASE PURCHASE AGREEMENT AND SCHEDULE OF EQUIPMENT NO. 1 WITH MUSCO FINANCE, LLC ("LESSOR") FOR THE FINANCING OF A LIGHTING SYSTEM AT RUMSEY PARK KIWANIS FIELDS 1 AND 2, AND DECLARING AN EMERGENCY TO EXIST.

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

Council Member Connell was delighted and felt this would bring more ball games to Payson. Council Member Carpenter agreed and noted in 2004 the Town had done a program to build the fields, but ran out of money for the lights. Mayor Evans called for the vote on Resolution No. 2876.

Vote: Motion carried 7 - 0

Yes: Mayor Kenny J. Evans, 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.

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 July 17, 2015 through July 31, 2015, Check Nos. 046268 through 046516, except Check No. 046460, and authorization to file the checks for audit.
***CONSENT* APPROVED**
2. ***Check No. 046460.** Council approved, on the Consent Agenda, Check No. 046460 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. * Council approved, on the Consent Agenda, the **appointment of Hannah Osier, Shelby Ben-Shalom, Sandra Lewinson, and Veronica Volk**, as regular members to the Payson Area Advisory Youth Council, terms to expire June 30, 2018.
***CONSENT* APPROVED**

Emily Linkey, Library Director, introduced the new appointments to the Payson Area Advisory Youth Council. Ms. Linkey was excited to introduce them and had a quorum of members now. Ms. Linkey was looking forward to a good year. Mayor Evans appreciated the new members and recognized the Boy Scouts who were in attendance at the Council meeting.

L. PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

Mayor Evans adjourned the meeting at approximately 5:57 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 13 of August, 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