

**TOWN OF PAYSON  
TOWN COUNCIL MEETING  
MINUTES OF THE REGULAR MEETING  
January 7, 2016**

**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**

Reverend Charles Proudfoot, Community Presbyterian Church.

**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 - Town Manager, Hector Figueroa - Town Attorney, Don Engler - Police Chief, Silvia Smith - Town Clerk, Tanner Henry - Water Division Manager, and David Staub - Fire Chief.

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

Reverend Proudfoot gave an update on the Payson Area Food Drive. As of December 31, 2015, gifts totaled about \$9,000 and there was about 20,000 pounds of food. The Food Drive was within distance of its goal and would continue through February 7, 2016.

**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 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.

Dave Staub, Fire Chief, gave an update on the Fire Department's Red Tag Green Tag Program. About 376 properties have been visited to determine wildland fire danger. The south end of town would be evaluated next. There were about 237 properties in that area. Future areas to be evaluated were the western and northern boundaries of town.

LaRon Garrett, Town Manager, announced Payson's Fiesta Bowl float had won top honors again. The float would be on display in the high school parking lot on Monday, January 11, 2016 from 4:00 p.m. to 5 p.m. Mr. Garrett introduced the new Human Resource's Director, Melanie Baird-Simmons, and welcomed her. Mayor Evans welcomed Ms. Baird-Simmons.

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.

Mayor Evans presented LaRon Garrett, Town Manager, a birthday card and wished him happy birthday. Mayor Evans presented Council Member Wilson a birthday card and wished him happy birthday.

Mayor Evans was proud of the float and the people who walked with it and was grateful for all of the work that went into it.

Council Member Wilson announced tickets were available now for the Library Friends fundraiser, Taste of Rim Country, on March 12, 2016, from 5:00 p.m. to 7:30 p.m. Tickets were \$35 per person. There would be wine tasting and ten chefs making ordoorbs and desserts.

2. The presentation of the 2014 - 2015 Town of Payson financial audit by Dennis Osuch, CliftonLarsonAllen, LLP was re-scheduled to the January 21, 2016 Council meeting. The agenda was amended on January 5, 2016.

**E. MINUTES**

1. \*Council Meeting Minutes: December 10, 2015, Regular Meeting, Pages 1 - 10  
**\*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: November 2, 2015, Regular Meeting, Pages 1 - 5  
**\*CONSENT\* INFORMATION ONLY**
3. \*Parks and Recreation Commission July 30, 2015, Regular Meeting, Pages 1 - 4  
**\*CONSENT\* INFORMATION ONLY**
4. \*Public Safety Personnel Retirement System Payson Police Department Local Board June 4, 2015, Regular Meeting, Page 1  
**\*CONSENT\* INFORMATION ONLY**
5. \*Public Safety Personnel Retirement System Payson Fire Department Local Board June 4, 2015, Regular Meeting, Page 1  
**\*CONSENT\* INFORMATION ONLY**

#### **F. HEARINGS AND APPEALS**

1. **\*Application for a Special Event Liquor License.** Council approved, on the Consent Agenda, an Application for a Special Event Liquor License filed by John Wilson agent for Library Friends of Payson, Inc., for a fundraiser to be held at 328 North McLane, Payson, Arizona, Saturday, March 12, 2016, 5:00 p.m. to 9:00 p.m. (Note: due to a perceived and/or potential conflict of interest, Council Member Wilson was considered to have abstained from voting on this item).  
**\*CONSENT\* APPROVED**

#### **G. RESOLUTIONS AND ORDINANCES**

1. **Resolution No. 2892.** Mayor Evans opened discussion/possible action concerning Resolution No. 2892 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH MGC CONTRACTORS, INC., TO PROVIDE PRECONSTRUCTION SERVICES FOR THE C. C. CRAGIN WATER TREATMENT PLANT AND HYDROELECTRIC FACILITY CONSTRUCTION.

LaRon Garrett, Town Manager, explained this was the most qualified bidder to do the project. This was for the preliminary construction process. Mayor Evans asked if this was the largest single expenditure the Town would make

on the project. Mr. Garrett replied yes. Mayor Evans asked if it would be flowing by Spring of 2018. Mr. Garrett replied yes.

**Motion:** to Approve Resolution No. 2892 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH MGC CONTRACTORS, INC., TO PROVIDE PRECONSTRUCTION SERVICES FOR THE C. C. CRAGIN WATER TREATMENT PLANT AND HYDROELECTRIC FACILITY CONSTRUCTION.  
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.

2. **Resolution No. 2893.** Mayor Evans opened discussion/possible action concerning Resolution No. 2893 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ("PAYSON") APPROVING THE GREEN VALLEY PARK FISH FENCE PROJECT CONTRACT WITH HIGH NOON CONSTRUCTION LLC ("CONTRACTOR"), UNDER THE BUREAU OF RECLAMATION ("BOR") ESTABLISHED TRUST FUND.

Tanner Henry, Water Division Manager, explained this project was approved by the Trust Fund Committee. The fish fence was needed so White Amur fish could be put in lake three. Council Member Carpenter asked what the fish would do. Mr. Henry explained on lakes one and two there was less vegetation because White Amur fish were already in them. If the vegetation got out of control it would raise the acidity of the water and kill the fish. The White Amur eat the vegetation. Lake three did not have White Amur in it and the PH was too high now. Council Member Carpenter noted the fish fence was needed because the White Amur were not allowed to be in the Verde River. Mr. Henry replied that was correct.

**Motion:** to Approve Resolution No. 2893 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ("PAYSON") APPROVING THE GREEN VALLEY PARK FISH FENCE PROJECT CONTRACT WITH HIGH NOON CONSTRUCTION LLC ("CONTRACTOR"), UNDER THE BUREAU OF RECLAMATION ("BOR") ESTABLISHED TRUST FUND.  
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.

3. **Resolution No. 2894.** Mayor Evans opened discussion/possible action concerning Resolution No. 2894 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE ARIZONA STATE FORESTRY GRANT AGREEMENT NO. WFHF 15-203 ("AGREEMENT") BETWEEN THE ("GRANTEE") STATE FORESTER ("STATE FORESTRY") AND THE TOWN OF PAYSON, THE PAYSON FIRE DEPARTMENT, ("SUB-GRANTEE"), UNDER THE COOPERATIVE FORESTRY ASSISTANCE SERVICE.

Dave Staub, Fire Chief, explained staff had been working on securing this grant. One requirement was to pre-identify land to be treated. Staff had identified four different sites to treat and would apply for the grant again until all properties were treated. About fifty percent of vegetation would come off of the land. Contractors would be used to do the project and would be required to remove the brush piles. Council Member Connell noted with this particular grant and the other projects the Fire Department was doing the Town should be in a much improved position for the summer. Chief Staub replied yes and people had to be willing to participate.

**Motion:** to Approve Resolution No. 2894 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE ARIZONA STATE FORESTRY GRANT AGREEMENT NO. WFHF 15-203 ("AGREEMENT") BETWEEN THE ("GRANTEE") STATE FORESTER ("STATE FORESTRY") AND THE TOWN OF PAYSON, THE PAYSON FIRE DEPARTMENT, ("SUB-GRANTEE"), UNDER THE COOPERATIVE FORESTRY ASSISTANCE SERVICE.

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.

4. **Resolution No. 2895.** Mayor Evans opened discussion/possible action concerning Resolution No. 2895 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING THE GRANT AND CONVEYANCE OF THE PUBLIC UTILITY EASEMENT TO ARIZONA PUBLIC SERVICE COMPANY ("APS") ON GOVERNMENT LOT 3 OF SECTION 4, AND

DESCRIBED IN THE DOCUMENTS ATTACHED AS EXHIBITS "A" AND "B" TO EXHIBIT "1" HERETO.

LaRon Garrett, Town Manager, explained the lights were up, but not energized yet. This was to grant the easement for Arizona Public Service (APS) to light the lights. Mayor Evans asked if the pickleball lights would be with this. Mr. Garrett replied no, the easement was already there staff had to put the lights up.

**Motion:** to Approve Resolution No. 2895 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING THE GRANT AND CONVEYANCE OF THE PUBLIC UTILITY EASEMENT TO ARIZONA PUBLIC SERVICE COMPANY ("APS") ON GOVERNMENT LOT 3 OF SECTION 4, AND DESCRIBED IN THE DOCUMENTS ATTACHED AS EXHIBITS "A" AND "B" TO EXHIBIT "1" HERETO.

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.

5. **Resolution No. 2896.** Mayor Evans opened discussion/possible action concerning Resolution No. 2896 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ABANDONING A PORTION OF THE EXISTING RIGHT OF WAY FOR CHAPARRAL PINES DRIVE, AND APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A QUIT CLAIM DEED TO THE GOLF CLUB AT CHAPARRAL PINES, LLC.

Mayor Evans noted this was abandoning a portion of the existing right of way for Chaparral Pines Drive. LaRon Garrett, Town Manager, explained the Town had received the request for abandonment and the request has gone through the Town's process. It was heard by the Planning and Zoning Commission in December and January. At the January Planning and Zoning Commission meeting the recommendation was to approve the abandonment 7-0. It was modified to reduce the amount to be abandoned because there were some existing utilities using the easement. Mayor Evans noted the Town did not abandon it without compensation. Mr. Garrett replied \$1 a square foot was recommended.

**Motion:** to Approve Resolution No. 2896 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ABANDONING A PORTION OF THE EXISTING RIGHT OF WAY FOR CHAPARRAL PINES DRIVE, AND APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A

QUIT CLAIM DEED TO THE GOLF CLUB AT CHAPARRAL PINES, LLC.

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

Joe Wood, Chaparral Pines Home Owners Association Board, noted Chaparral Pines has always been a golf course community. This abandonment was to help redesign hole number 10. Mr. Wood asked the Council to approve this to avoid additional costs to do the redesign and noted 2.6 million dollars had already been spent to maintain the golf course.

Carol Mineart, Board of Directors Chaparral Pines Community Association, asked the Council to consider this and work with the people to make a safer community.

John Dow noted a petition for what the residents in Chaparral Pines wanted was started and had 512 signatures to support the Board and go a head with the fence and any easement needed.

Mayor Evans called for the vote.

**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. **\*Council Decision Request.** Council approved, on the Consent Agenda, a Council Decision Request filed by LaRon Garrett, Town Manager, to approve the 1 - year extension request to the on-call engineering and construction management contract with Armstrong Consultants, Inc. and authorize the Town Manager to notify the consultant of such approval.  
**\*CONSENT\* APPROVED**

#### **J. CLAIMS**

1. **\*List of checks.** Council approved, on the Consent Agenda, a List of checks paid from December 4, 2015 through December 18, 2015, Check Nos. 047676 through 047944, and authorization to file the checks for audit.  
**\*CONSENT\* APPROVED**

#### **K. MISCELLANEOUS**

1. \*Council approved, on the Consent Agenda, the **reappointment of Matt Van Camp** to the Public Safety Personnel Retirement System Payson Police Department Local Board term to expire December 31, 2019.  
\*CONSENT\* APPROVED
2. \*Council approved, on the Consent Agenda, the **reappointment of Dan Bramble** to the Public Safety Personnel Retirement System Payson Fire Department Local Board term to expire December 31, 2019.  
\*CONSENT\* APPROVED
3. \*Council approved, on the Consent Agenda, the approval of **Clark Jones as Chair and Jennifer Smith as Vice-Chair** of the Planning and Zoning Commission.  
\*CONSENT\* APPROVED

**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 7 of January, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_

Tracie Bailey, Chief Deputy Town Clerk