

**COMMON COUNCIL OF THE TOWN OF PAYSON
AGENDA OF THE REGULAR MEETING
MARCH 17, 2016**

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

INVOCATION (Participation Voluntary) Pastor Dave Barber, Star Valley Baptist 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 __ FC __ SC __ RC __ CH __ JW __

STAFF PRESENT: LG __ HF __ 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(H), a public body may make an open call to the public during a public meeting, subject to reasonable time, place and manner restrictions, to allow individuals to address the public body on any issue within the jurisdiction of the public body. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action.

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 Wednesday, March 23, 2016, as First Responder Day of Prayer and Appreciation. Max Brann, Director of Rim Country Prayer Network, and Jim Harper, Pastor of Mountain Bible Church, will be present to accept the proclamation.

E. MINUTES

- 1.* **Council Meeting Minutes:**
March 3, 2016 Regular Meeting Pages 1-6
***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:**
January 4, 2016 Regular Meeting Pages 1-3
***CONSENT* INFORMATION ONLY**

F. HEARINGS AND APPEALS

1. **This is a Public Hearing** concerning an application for a Restaurant Series 12 Liquor License filed by Thomas Edward Coons, agent for Maverick Restaurant Group, LLC (Maverick Cadillac Ranch Restaurant), 806A N. Hwy 87, Payson, Arizona. (Application is on file in the Town Clerk's office.)

G. RESOLUTIONS AND ORDINANCES

1. Discussion/possible action concerning Resolution No. 2900 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE

TOWN MANAGER TO EXECUTE A FIREWORKS DISPLAY CONTRACT WITH FPA, LTD., AN ARIZONA CORPORATION DBA FIREWORKS PRODUCTIONS OF ARIZONA, LTD.

- 2.* Discussion/possible action concerning Resolution No. 2901 captioned as follows: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, TO APPROVE, PURSUANT TO A.R.S. SECTION 48-262(f), AN ANNEXATION OF ADDITIONAL TERRITORY INTO THE NORTHERN GILA COUNTY SANITARY DISTRICT OF THOSE CERTAIN PARCELS OF REAL PROPERTY AS DENOMINATED ON THE ATTACHED EXHIBIT "A" (1103 N. KAREN WAY, PAYSON, ARIZONA, 5 ACRES, CHRISTOPHER J. MARTIN, MEMBER OF SCOVERN LLC, AN ARIZONA LIMITED LIABILITY COMPANY AND JEFFREY LEE VAUGHN, MEMBER OF SCOVERN LLC, AN ARIZONA LIMITED LIABILITY COMPANY OWNERS, GILA COUNTY ASSESSORS PARCEL NO. 302-23-006B).

***CONSENT* APPROVAL**

- 3.* Discussion/possible action concerning Resolution No. 2902 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING THE FINAL PLAT FOR HEATHER ESTATES SUBDIVISION, AND APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT TO CONSTRUCT SUBDIVISION IMPROVEMENTS FOR HEATHER ESTATES SUBDIVISION.

***CONSENT* APPROVAL**

- 4.* Discussion/possible action concerning Resolution No. 2903 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING THE FINAL PLAT FOR CHAPARRAL VISTA SUBDIVISION, AND APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT TO CONSTRUCT SUBDIVISION IMPROVEMENTS FOR CHAPARRAL VISTA SUBDIVISION.

***CONSENT* APPROVAL**

5. Discussion/possible action concerning Resolution No. 2904 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT ("IGA") BETWEEN THE TOWN OF PAYSON, AN ARIZONA MUNICIPAL CORPORATION ("PAYSON"), AND ANOTHER BODY POLITIC CREATED AND AUTHORIZED PURSUANT TO A.R.S. § § 11-951 AND 11-952 *ET SEQ.* FOR RECIPROCAL LEGAL SERVICES.

6. Discussion/possible action concerning Resolution No. 2905 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, TO APPROVE THE ABANDONMENT OF A PORTION OF A PUBLIC UTILITIES EASEMENT ON LOTS 42 AND 43 OF THE MOGOLLON RIM ADDITION AMENDED SUBDIVISION MAP 111, IN THE DOCUMENTS ATTACHED HERETO AS EXHIBITS "A" AND "B".

H. UNFINISHED BUSINESS

1. There are no items in this section.

I. NEW BUSINESS

1. Council Decision Request filed by Cameron Davis, Parks, Recreation and Tourism Director, to approve the MOU from the Arizona Diamondbacks

Foundation and accept the award to the Town of Payson for the 2016 Diamondbacks Build A Field Program and its outlined improvements to the K-East and K-West Softball/Baseball Complex in Rumsey Park and to authorize the Town Manager to sign such MOU.

2. Consideration and possible action on a Motion to Recess to Executive Session:

The Council may vote to hold an executive session pursuant to TITLE 38, CHAPTER 3, ARTICLE 3.1 KNOWN AS ARIZONA OPEN MEETING LAW as authorized under A.R.S. § 38-431.03:

a. Executive Session pursuant to A.R.S. § 38-431.03(A)(1) for the purpose of discussion or consideration of employment and employment conditions of a public appointee of the Town of Payson, including but not limited to annual evaluation of its Town Attorney.

b. Executive Session pursuant to A.R.S. § 38-431.03(A)(3) for discussion or consultation for legal advice with the attorney or attorneys of the public body.

Discussion/possible action re: Matters considered in Executive Session.

J. CLAIMS

- 1.* List of checks paid from February 24, 2016, through February 26, 2016, Check Nos. 048427 through 048538, and authorization to file the checks for audit.
***CONSENT* APPROVAL**

K. MISCELLANEOUS

- 1.* Acceptance, with regrets, of the resignation of Eric Martindale from the Planning and Zoning Commission with thanks for a job well done.
***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 _____, 2016, at _____, in accordance with the statement filed by the Town of Payson with the Payson Town Clerk.

By: _____
Silvia Smith, Town Clerk