

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
March 3, 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

Pastor Jimmy Esther, U-Turn for Christ.

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, Cameron Davis - Parks, Recreation and Tourism Director, and David Staub - Fire Chief.

OTHERS PRESENT: Tracie Bailey - Chief Deputy Town Clerk, Sheila DeSchaaf - Planning and Development Director, Bobby Davis - Economic Development Specialist, Sherwood Eldredge - Police Lieutenant, and Mary Bystricky - Town Prosecutor.

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

Payne Palmer noted he has lived in Payson for seven years. Mr. Palmer saw an article about revitalizing Main Street and explained he saw the Ox Bow was for sale and he took a tour of it. Mr. Palmer noted when he went out back of the Ox Bow he saw the whole back of Main Street was unkempt. Mr. Palmer felt it was critical to enhance that area. Mr. Palmer believed there was a good plan in place for the area, but it never happened. Mr. Palmer explained he was throwing this out to try to get the Town to think about this. Mr. Palmer believed the Town could form a Community Facilities District (CFD) to fund the project. Mr. Palmer explained the CFD enabled a municipality to form a special improvement district which was used to improve public property only. Mr. Palmer felt a CFD could be formed in the American Gulch Area from Green Valley Park to Westerly Road. Mr. Palmer felt forming a CFD for that area would make the back yard of Main Street come to life. Council Member Croy noted the plan would be limited to public property and the Town only owned a small portion of property there and asked how the other property could be improved. Mr. Palmer replied it was to improve property for the public to use like a big green belt. Council Member Croy reiterated it was still private property and asked how it could be improved. Mr. Palmer explained the

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owners would have to agree to form the district and the bond would be used to improve the property and it would be added to their property tax. Hector Figueroa, Town Attorney, noted the Council needed to limit discussion on this. Mr. Figueroa stated the Council could direct staff to come back with some recommendations. Council Member Carpenter stated he would like that. Mayor Evans noted that was what the Council would do.

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 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.

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.

Sheila DeSchaaf, Planning and Development Director, announced the Town had received funding for phase two of the American Gulch project. By the end of summer there would be a complete loop made with benches near Saw Mill Crossing. Ms. DeSchaaf noted on March 19, 2016, from 8:00 a.m. to Noon there was a "Dump your Junk" event at the Event Center. Everything was accepted except waste oil and wet paint.

Cameron Davis, Parks, Recreation and Tourism Director, announced March 17 to 19, 2016, was the Gracie Lee Haught Softball Tournament with thirty teams. Bobby Davis, Economic Development Specialist, announced the Kiwanis would host the annual Eggstravaganza for children ages 12 & under. It would begin at 9:30 a.m. on Saturday, March 26, 2016, at Rumsey Park 2 Softball Field. Children could collect eggs filled with candy and coupons for special prizes.

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 announced he had a photo op at the university site today and JNL Contracting was starting on the temporary road.

E. MINUTES

1. *Council Meeting Minutes:
February 18, 2016, Regular Meeting, Pages 1-7
***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. *There were no items in this section.

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 Chris Bertone, agent for Rim Country Regional Chamber of Commerce, for a special event to be held at 200 West Main Street, Payson, Arizona, Saturday, April 9, 2016, 9:00 a.m. to 6:00 p.m.
***CONSENT* APPROVED**

G. RESOLUTIONS AND ORDINANCES

1. **Ordinance No. 877.** Second Public Hearing regarding Ordinance No. 877 captioned as follows: AN ORDINANCE OF THE MAYOR AND COUNCIL OF PAYSON, ARIZONA, AMENDING CHAPTER 95 (AIRPORT) OF THE TOWN CODE RELATING TO USE OF AIRPORT PREMISES.

Mayor Evans opened the Public Hearing. There were no public comments. Mayor Evans closed the Public Hearing.

Motion: to Approve Ordinance No. 877 captioned as follows: AN ORDINANCE OF THE MAYOR AND COUNCIL OF PAYSON, ARIZONA, AMENDING CHAPTER 95 (AIRPORT) OF THE TOWN CODE RELATING TO USE OF AIRPORT PREMISES.

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.

H. UNFINISHED BUSINESS

There were no items in this section.

I. NEW BUSINESS

1. **Council Decision Request** filed by David Staub, Fire Chief, to authorize staff to negotiate an extension for one year to the current agreement with Houston Mesa Fire District.

David Staub, Fire Chief, explained staff has gotten some direction, but needed more time before the end of the budget.

Motion: to authorize staff to negotiate an extension for one year to the current agreement with Houston Mesa Fire District.

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.

2. **Legal Department presentation** on intergovernmental agreements with other entities for reciprocal legal services.

Hector Figueroa, Town Attorney, explained the Town of Sedona approved an intergovernmental agreement (IGA) for reciprocal legal services to be provided to other cities and counties. Southwest Risk has endorsed the concept of entering into an IGA with another governmental entity and it would be a covered event so the Town would not have to spend the money hourly. Mr. Figueroa noted it provided the Town with the ability to call someone in to assist the Town when needed and the Town could enter into this agreement with any town. Mr. Figueroa would come back with a recommendation for an IGA and with what entities. Mr. Figueroa believed overall this would be a benefit to the Town and in certain aspects it would provide the Town with different expertise. Mayor Evans asked if this was for information only and if a resolution would be brought back to the Council for approval. Mr. Figueroa replied yes, this was just for information and the Council did not need to act on it. Council Member Carpenter noted Flagstaff was not a member of the Town's insurance pool and asked if

it had to be. Mr. Figueroa replied no. Council Member Carpenter asked if a land issue came up could the Town use a larger city. Mr. Figueroa replied yes, the Town could start with a limited number of entities and add more entities. Council Member Wilson asked if this would be limited to a conflict of interest or if Mr. Figueroa was sick could the Town invoke this. Mr. Figueroa replied yes, but if the Town had an assistant attorney they could handle it. The Town could in certain cases use it. Mayor Evans asked Mr. Figueroa to bring it back. Council Member Wilson believed it was the sense of the Council to do this.

J. CLAIMS

1. ***List of checks.** Council approved, on the Consent Agenda, a List of checks paid from February 12, 2016, through February 12, 2016, Check Nos. 048281 through 048416, and authorization to file the checks for audit.
***CONSENT* APPROVED**

K. MISCELLANEOUS

There were no items in this section.

L. PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

Mayor Evans adjourned the meeting at approximately 6:56 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 3 of March, 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

to go with
3-3-16
M. Montes