

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
June 2, 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

Father Lowell Andrews, Catholic Church of the Holy Nativity

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, and Emily Linkey - Library Director.

OTHERS PRESENT: Tracie Bailey - Chief Deputy Town Clerk, Mary Bystricky - Town Prosecutor, Sheila DeSchaaf - Planning and Development Director, Beth Beck - Grants Coordinator, Doni Wilbanks - Planning Specialist, Hope Cribb - Finance Manager, and Bobby Davis - Economic Development Specialist.

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 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.

LaRon Garrett, Town Manager, announced there were two official candidates for mayor and six candidates for Council. Mr. Garrett reminded everyone the Police Officers mud run started at 4:00 p.m. on Friday. There were over 600 people signed up for the mud run. Council Member Higgins announced the Concerts in the Park started this Saturday. Council Member Connell announced she had been asked to let folks know the Youth Voice Words are Powerful was having a poetry slam for youth to learn about poetry. Mayor Evans commended the Patriotic Committee for all of the tributes for Memorial Day and thanked the Committee.

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.

D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS

1. Comments, Commendations, and Presentations by Mayor, Council Members, and/or Town Staff.

E. MINUTES

1. *Council Meeting Minutes:
May 19, 2016 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. There were no items in this section.

F. HEARINGS AND APPEALS

1. Public hearing regarding the 2016 Community Development Block Grant.

Mayor Evans opened the Public Hearing. Beth Beck, Grants Coordinator, thanked the Mayor and Council and noted this was the bi-annual Community Development Block Grant (CDBG) funds first Public Hearing of two. Ms. Beck explained what the grant was and that it came with a lot of restrictions. The funds must primarily benefit citizens who meet the State of Arizona's low to moderate income guidelines. Ms. Beck noted the funds have typically been used for that or the funds could be used for an urgent need in the community. In the past the funds have been used to help the Senior Center, Rim Country Literacy Program and Head Start. This year the total State wide was \$10,578,395. The State retained two percent of that and another one percent was used for technical issues. Ms. Beck noted Payson had a twenty three percent increase in funds. To maximize efficiency the Town partners with another community which was Star Valley. Last year Star Valley took the funding this year Payson got the funds. In the past The Town was allowed to choose more than one program to help now the Town could only choose one program. Mayor Evans asked what the total grant amount was. Ms. Beck replied \$278,483. Council Member Carpenter asked if this was still a forgivable loan for housing rehab. Ms. Beck replied yes, staff would compare the person's needs with work that could be done then award the bid to the lowest bidder. The home owner would sign a deferred forgivable loan. Each year they lived in the house a percentage of the loan was forgiven. If they were to move a family member with a low income could move in and if they did not meet the income requirement then the loan was due when the home was sold. Council Member Carpenter asked how many homes could be done. Ms. Beck explained it would depend on the cost, but around seven homes. There were no public comments. Mayor Evans closed the Public Hearing. Ms. Beck recommended continuing with the housing rehab program. The next step was the second hearing on July 7, 2016, at that time staff would ask for Council action. Mayor Evans asked Ms. Beck if she would have a recommendation. Ms. Beck replied yes, and a resolution.

G. RESOLUTIONS AND ORDINANCES

- 1. Resolution No. 2923.** Mayor Evans opened discussion/possible action concerning Resolution No. 2923 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADOPTING THE TOWN OF PAYSON FEE AND CHARGES SCHEDULE FOR FISCAL YEAR 2016-2017, AND DECLARING AN EMERGENCY.

LaRon Garrett, Town Manager, explained there were minor changes and it has been published in the last sixty days. Council Member Higgins asked what the facilities improvements funds balance would be. Hope Cribb,

Finance Manager, believed it was about twenty to twenty five thousand currently. The Parks Department has decided not to do anything with it this year. Council Member Carpenter asked if there were any substantial changes. Mr. Garrett replied no. Council Member Connell noted some fees have gone up and down or been deleted and asked if the Town's fees were competitive. Ms. Cribb replied yes.

Motion: to Approve Resolution No. 2923 captioned as follows: A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADOPTING THE TOWN OF PAYSON FEE AND CHARGES SCHEDULE FOR FISCAL YEAR 2016-2017, AND DECLARING AN EMERGENCY.

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.

2. **Ordinance No. 878.** Second Public Hearing regarding Ordinance No. 878 captioned as follows: AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, AMENDING ORDINANCE 466, THE ZONING MAP, AND THE ZONING CODE FOR THE TOWN OF PAYSON BY REZONING CERTAIN REAL PROPERTY GENERALLY LOCATED AT 208 E. BONITA STREET, AS MORE PARTICULARLY DESCRIBED ON EXHIBIT A, FROM C-1 COMMERCIAL ONE (NEIGHBORHOOD SERVICES DISTRICT) TO R-3, (MULTIPLE FAMILY RESIDENTIAL), AND PROVIDING PROP 207 NOTICE TO APPLICANT.

Mayor Evans opened the Public Hearing. Sheila DeSchaaf, Planning and Development Director, explain the property owner was requesting the rezoning to refinance the property. There were no public comments. Mayor Evans closed the Public Hearing. Council Member Higgins recused himself from the vote due to relationship with owner.

Motion: to Approve Ordinance No. 878 captioned as follows: AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, AMENDING ORDINANCE 466, THE ZONING MAP, AND THE ZONING CODE FOR THE TOWN OF PAYSON BY REZONING CERTAIN REAL PROPERTY GENERALLY LOCATED AT 208 E. BONITA STREET, AS MORE PARTICULARLY DESCRIBED ON EXHIBIT A, FROM C-1 COMMERCIAL ONE (NEIGHBORHOOD SERVICES DISTRICT) TO R-3, (MULTIPLE FAMILY RESIDENTIAL), AND PROVIDING PROP 207 NOTICE TO APPLICANT.

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

Vote: Motion carried 6 - 0

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

3. **Ordinance No. 879.** Second Public Hearing regarding Ordinance No. 879 captioned as follows: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING PAYSON TOWN CODE SECTION 154-02-003 TO THE UNIFIED DEVELOPMENT CODE RELATING TO THE MOBILE STORAGE DEFINITION TO ALLOW FOR REFRIGERATED UNITS BY RESTAURANTS AND GROCERY STORES, ESTABLISHING A SUNSET CLAUSE AND DECLARING SUCH AMENDMENT AND ADDITION TO BE A PUBLIC RECORD.

Mayor Evans opened the Public Hearing. Sheila DeSchaaf, Planning and Development Director, explained this was an amendment to allow for refrigerated mobile storage units by grocery stores and restaurants to use utilities. There were no public comments. Mayor Evans closed the Public Hearing.

Motion: to Approve Ordinance No. 879 captioned as follows: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING PAYSON TOWN CODE SECTION 154-02-003 TO THE UNIFIED DEVELOPMENT CODE RELATING TO THE MOBILE STORAGE DEFINITION TO ALLOW FOR REFRIGERATED UNITS BY RESTAURANTS AND GROCERY STORES, ESTABLISHING A SUNSET CLAUSE AND DECLARING SUCH AMENDMENT AND ADDITION TO BE A PUBLIC RECORD. Moved by Council Member John Wilson, seconded by Vice-Mayor Michael Hughes.

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. **Ordinance No. 880.** Second Public Hearing regarding Ordinance No. 880 captioned as follows: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING PAYSON TOWN CODE SECTION 154-02-004 TO THE UNIFIED DEVELOPMENT CODE RELATING TO THE KEEPING OF LIVESTOCK TO REMOVE THE FRONT YARD EXCLUSION, ESTABLISHING A SUNSET CLAUSE AND DECLARING SUCH AMENDMENT AND ADDITION TO BE A PUBLIC RECORD.

Mayor Evans opened the Public Hearing. Sheila DeSchaaf, Planning and Development Director, explained this removed the prohibition against keeping livestock in the front yard. There were no public comments. Mayor Evans closed the Public Hearing.

Motion: to Approve Ordinance No. 880 captioned as follows: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING PAYSON TOWN CODE SECTION 154-02-004 TO THE UNIFIED DEVELOPMENT CODE RELATING TO THE KEEPING OF LIVESTOCK TO REMOVE THE FRONT YARD EXCLUSION, ESTABLISHING A SUNSET CLAUSE AND DECLARING SUCH AMENDMENT AND ADDITION TO BE A PUBLIC RECORD. 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.

5. **Second Public Hearing re:** an application filed by the Town of Payson to amend Unified Development Code Section 154-02-003 concerning exempt accessory structures.
 - A. **Resolution No. 2919** - A RESOLUTION OF THE MAYOR AND COUNCIL OF PAYSON, ARIZONA, AMENDING PAYSON TOWN CODE SECTION 154-02-003 UNIFIED DEVELOPMENT CODE, GENERAL DEVELOPMENT STANDARDS AND ZONING PROVISIONS, AND DECLARING SUCH AMENDMENTS AND ADDITION TO BE A PUBLIC RECORD.
 - B. **Ordinance No. 881** - AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING PAYSON TOWN CODE SECTION 154-02-003, UNIFIED DEVELOPMENT CODE, GENERAL DEVELOPMENT STANDARDS AND ZONING PROVISIONS.

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

Motion: to Approve Resolution No. 2919 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF PAYSON, ARIZONA, AMENDING PAYSON TOWN CODE SECTION 154-02-003 UNIFIED DEVELOPMENT CODE, GENERAL DEVELOPMENT STANDARDS AND ZONING PROVISIONS, AND DECLARING SUCH AMENDMENTS AND ADDITION TO BE A PUBLIC RECORD.
and
Ordinance No. 881 captioned as follows: AN ORDINANCE OF THE

MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA,
AMENDING PAYSON TOWN CODE SECTION 154-02-003, UNIFIED
DEVELOPMENT CODE, GENERAL DEVELOPMENT STANDARDS
AND ZONING PROVISIONS.

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.

6. **Second Public Hearing re:** an application filed by the Town of Payson to
amend Unified Development Code Section 154-04-002 to allow commercial
parking lots in R3, Multifamily Residential zoning districts.

A. **Resolution No. 2917** - A RESOLUTION OF THE MAYOR AND
COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING
PAYSON TOWN CODE SECTION 154-04-002 UNIFIED
DEVELOPMENT CODE OFF-STREET PARKING AND LOADING
GENERAL REQUIREMENTS TO ALLOW COMMERCIAL
PARKING LOTS IN R-3 MULTIPLE FAMILY RESIDENTIAL
ZONING DISTRICTS, AND UPDATING THE OFF-SITE
PARKING PROVISIONS AND APPROVAL PROCESS, AND
DECLARING SUCH AMENDMENT AND ADDITION TO BE A
PUBLIC RECORD.

B. **Ordinance No. 882** - AN ORDINANCE OF THE MAYOR AND
COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING
PAYSON TOWN CODE SECTION 154-04-002 UNIFIED
DEVELOPMENT CODE OFF-STREET PARKING AND LOADING
GENERAL REQUIREMENTS.

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

Motion: to Approve Resolution No. 2917 captioned as follows: A
RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF
PAYSON, ARIZONA, AMENDING PAYSON TOWN CODE SECTION
154-04-002 UNIFIED DEVELOPMENT CODE OFF-STREET PARKING
AND LOADING GENERAL REQUIREMENTS TO ALLOW
COMMERCIAL PARKING LOTS IN R-3 MULTIPLE FAMILY
RESIDENTIAL ZONING DISTRICTS, AND UPDATING THE OFF-SITE
PARKING PROVISIONS AND APPROVAL PROCESS, AND
DECLARING SUCH AMENDMENT AND ADDITION TO BE A PUBLIC
RECORD.

and

Ordinance No. 882 captioned as follows: AN ORDINANCE OF THE

MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA,
AMENDING PAYSON TOWN CODE SECTION 154-04-002 UNIFIED
DEVELOPMENT CODE OFF-STREET PARKING AND LOADING
GENERAL REQUIREMENTS.

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.

7. **Second Public Hearing re:** an application filed by the Town of Payson to
amend Unified Development Code Section 154-04-004D, 154-07-002A, and
154-11-002 concerning Residential Lot Development Standards.

A. **Resolution No. 2918** - A RESOLUTION OF THE MAYOR AND
COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING
PAYSON TOWN CODE SECTIONS 154-02-004D, 154-07-002A,
AND 154-11-002 UNIFIED DEVELOPMENT CODE,
RESIDENTIAL LOT DEVELOPMENT STANDARDS,
SUBDIVISION DESIGN PRINCIPALS AND STANDARDS
GENERAL REQUIREMENTS, AND DEVELOPMENT MASTER
PLAN DEFINITION, AND DECLARING SUCH AMENDMENTS
AND ADDITION TO BE A PUBLIC RECORD.

B. **Ordinance No. 883** - AN ORDINANCE OF THE MAYOR AND
COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING
PAYSON TOWN CODE SECTION 154-02-004D UNIFIED
DEVELOPMENT CODE RESIDENTIAL LOT DEVELOPMENT
STANDARDS, SECTION 154-07-002A SUBDIVISION DESIGN
PRINCIPALS AND STANDARDS GENERAL REQUIREMENTS,
AND SECTION 154-11-002 DEFINITIONS.

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

Motion: to Approve Resolution No. 2918 captioned as follows: A
RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF
PAYSON, ARIZONA, AMENDING PAYSON TOWN CODE SECTIONS
154-02-004D, 154-07-002A, AND 154-11-002 UNIFIED DEVELOPMENT
CODE, RESIDENTIAL LOT DEVELOPMENT STANDARDS,
SUBDIVISION DESIGN PRINCIPALS AND STANDARDS GENERAL
REQUIREMENTS, AND DEVELOPMENT MASTER PLAN
DEFINITION, AND DECLARING SUCH AMENDMENTS AND
ADDITION TO BE A PUBLIC RECORD.

and

Ordinance No. 883 captioned as follows: AN ORDINANCE OF THE

MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA,
AMENDING PAYSON TOWN CODE SECTION 154-02-004D UNIFIED
DEVELOPMENT CODE RESIDENTIAL LOT DEVELOPMENT
STANDARDS, SECTION 154-07-002A SUBDIVISION DESIGN
PRINCIPALS AND STANDARDS GENERAL REQUIREMENTS, AND
SECTION 154-11-002 DEFINITIONS.

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

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 May 20, 2016 through May 20, 2016, Check Nos. 049248 through
049366, and authorization to file the checks for audit.

***CONSENT* APPROVED**

K. MISCELLANEOUS

1. There were no items in this section.

L. PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

Mayor Evans adjourned the meeting at approximately 5:59 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 June, 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