

AMENDED

**COMMON COUNCIL OF THE TOWN OF PAYSON
AGENDA OF THE REGULAR MEETING
MAY 4, 2017**

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

INVOCATION (Participation Voluntary) Pastor Joe Hittle, Calvary Chapel Payson

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: CS __ FC __ SC __ RC __ CH __ JS __ BU __

STAFF PRESENT: LG __ HF __ DBE __ SS __ CD __ EL __ TH __ DS __ TR __ DB __

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 May 2017 as Motorcycle Safety Awareness Month in Payson. Ed Carafa, District Manager, Modified Motorcycle Association of Arizona, will be present to accept the proclamation.
3. [Proclamation](#) declaring May 18 - 20, 2017 as Payson Western Wear Days. John Landino and members of the Payson Rodeo Committee will be present to accept the proclamation.

E. MINUTES

- 1.* **Council Meeting Minutes:**
[April 06, 2017](#) Regular Meeting Pages 1 - 16
[April 20, 2017](#) Special Meeting Pages 1 - 6
[April 20, 2017](#) Regular Meeting Pages 1 - 8
***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.* There are no items in this section.

F. HEARINGS AND APPEALS

1. [Application for an Extension of Premises/Patio Permit](#) filed by Thomas Coons, Maverick Cadillac Ranch Restaurant, 806A North Beeline Highway, Payson, Arizona, on Sunday, May 28, 2017. (Application is on file in the Town Clerk's office.)

G. EXECUTIVE SESSION

1. 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.

H. RESOLUTIONS AND ORDINANCES

- 1.* As Council, staff, and the audience have the titles to all resolutions and ordinances, authorization to forego verbal title readings.
***CONSENT* APPROVAL**
- 2.A Public Hearing Regarding **Ordinance No. 888 Option 1** captioned as follows:
AN ORDINANCE OF THE TOWN OF PAYSON, ARIZONA, RELATING TO THE TRANSACTION AND USE TAX; AMENDING THE TOWN TAX CODE BY INCREASING THE RATE OF TAXATION FROM TWO AND TWELVE ONE-HUNDREDTHS PERCENT (2.12%) TO THREE AND TWELVE ONE-HUNDREDTHS PERCENT (3.12%); PROVIDING FOR SEVERABILITY; DESIGNATING AN EFFECTIVE DATE; MAKING PROVISION FOR EXISTING CONTRACTS; AND DECLARING AN EMERGENCY.
- 2.B Public Hearing Regarding **Ordinance No. 888 Option 2** captioned as follows:
AN ORDINANCE OF THE TOWN OF PAYSON, ARIZONA, RELATING TO THE TRANSACTION AND USE TAX; AMENDING THE TOWN TAX CODE BY INCREASING THE RATE OF TAXATION FROM TWO AND TWELVE ONE-HUNDREDTHS PERCENT (2.12%) TO THREE AND TWELVE ONE-HUNDREDTHS PERCENT (3.12%) EXCEPT AS PROVIDED IN SECTION 8A-460(d); PROVIDING FOR SEVERABILITY; DESIGNATING AN EFFECTIVE DATE; MAKING PROVISION FOR EXISTING CONTRACTS; AND DECLARING AN EMERGENCY.

I. UNFINISHED BUSINESS

1. There are no items in this section.

J. NEW BUSINESS

- 1.* **ADDED** **Council Decision Request** filed by Melanie Baird-Simmons, Human Resources Manager, to change the Broker of Record for the Town's dental and vision benefits currently with Alliant to Duley-Bolwar & Associates, Inc. d/b/a Duley Bolwar Pederson (DBP) for the purposes of reviewing information regarding the Town's current benefit plans as well as seeking information regarding potential new policies and plan designs.
Added 5-2-17 at 8:00 a.m.
***CONSENT* APPROVAL**

K. CLAIMS

- 1.* List of checks paid from April 21, 2017 through April 21, 2017, Check Nos. 052584 through 052713, and authorization to file the checks for audit.
***CONSENT* APPROVAL**

L. MISCELLANEOUS

- 1.* There are no items in this section.

M. 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

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 _____, 2017, at _____, in accordance with the statement filed by the Town of Payson with the Payson Town Clerk.

By: _____
Silvia Smith, Town Clerk

PROCLAMATION

WHEREAS, motorcycle riding is a popular form of recreation and transportation for thousands of people across Arizona and the Nation; and

WHEREAS, the safe operation of a motorcycle requires the use of special skills developed through a combination of training and experience, the use of good judgment, and thorough knowledge of traffic laws and licensing requirements; and

WHEREAS, it is especially important that the residents of Arizona be aware of motorcycles on the streets and highways and recognize the importance of motorcycle safety; and

WHEREAS, all highway users are being encouraged to join in the safe sharing of the roadways throughout Arizona.

NOW, THEREFORE, I, B. CRAIG SWARTWOOD, MAYOR OF THE TOWN OF PAYSON, ARIZONA, do hereby proclaim:

**MAY 2017
AS
MOTORCYCLE SAFETY AWARENESS MONTH**

In Payson, Arizona, and urge every resident of Payson and Arizona to be aware of motorcycles on streets and highways.

IN WITNESS THEREOF, I have set my hand and caused to be affixed the Great Seal of Payson, Arizona, this 4th day of May, 2017.

B. Craig Swartwood, Mayor

ATTEST:

Silva Smith, Town Clerk

MAY 04 2017 0.2

PROCLAMATION

WHEREAS: The Rodeo Committee is a vital part of our community and is promoting our western heritage through sponsorship of the Payson Spring Rodeo Gary Hardt Memorial; and

WHEREAS: All proceeds from this Professional Rodeo will be awarded for charitable and educational purposes to underprivileged or needy individuals residing in Gila County; and

WHEREAS: The Payson Rodeo Committee is a collaborative, mutually beneficial association for the promotion and perpetuation of the western rodeo and lifestyles;

NOW, THEREFORE, I B. CRAIG SWARTWOOD, MAYOR OF THE TOWN OF PAYSON, ARIZONA, do hereby proclaim:

MAY 18- 20, 2017

AS

PAYSON WESTERN WEAR DAYS

in Payson, and urge all citizens of our community to give full regard to the past and continuing services provided us by the Payson Rodeo Committee.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the Town of Payson, Arizona, to be affixed this 4th day of May, 2017.

ATTEST:

Craig Swartwood, Mayor

Silvia Smith, Town Clerk

MAY 04 2017 D.3

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
April 6, 2017**

CALL TO ORDER

Mayor Swartwood called the meeting to order at approximately 5:30 p.m. in the Town Hall Council Chambers, 303 North Beeline Highway, Payson, Arizona.

INVOCATION

LaRon Garrett, Town Manager, offered the invocation.

PLEDGE OF ALLEGIANCE

PRESENT: Mayor B. Craig Swartwood, Vice-Mayor Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris Higgins, Council Member Janell Sterner, and Council Member Barbara Underwood.

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 Emily Linkey - Library Director.

OTHERS PRESENT: Tracie Bailey - Chief Deputy Town Clerk, Mary Bystricky - Town Prosecutor, Courtney Spawn - Recreation Supervisor, Kaprice Bachtell - Recreation Supervisor, Kathy Klein - Records Administrator, Bobby Davis - Economic Development Specialist, Sheila DeSchaaf - Planning and Development Director, Police Detective Michael Hansen, Police Sergeant Jason Hazelo, Police Sergeant Donny Garvin, Curtis Ward - Town Engineer, Travis Kilbourne - Fire Engineer, Jim Rasmussen - Fire Battalion Chief, Gary Vohs - Fire Captain, Vince Palandri - Fire Captain, Michael Moore - Acting Fire Engineer, Anthony Michelizzi - Firefighter, John Jackson - Firefighter, Tyler Cline - Fire Engineer, Michael Lindsey - Firefighter, and Jason Tutay - Fire Engineer.

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

Mayor Swartwood noted he would take Item J.4 regarding the swimming pool out of order.

Darlene Younker was strongly opposed to the one percent sales tax increase. Ms. Younker felt there was no real need today for a one percent increase. Ms. Younker noted the Town was not in any violation of the one million dollar loan from the Water Department if it was not paid back immediately and the Town was getting new money from the Gila County Transportation Tax. Ms. Younker felt this was a regressive tax that hurt the middle class more than the wealthy. Ms. Younker would support a 1/3 percent increase in the sales tax and a sunset on the tax of

three to five years. Ms. Younker believed all of the other wants should be funded by grants, private partnerships or bonds. Ms. Younker objected to the meeting on Saturday, April 1, 2017, which was originally designed to discuss the sales tax and instead discussed projects to be completed with the money.

Jamie Ratzken noted he was responsible for monitoring historical sites. Mr. Ratzken noted the mud house on Main Street was a historical site and felt it should be designated as a historical site and that it would financially benefit the Town. Mr. Ratzken noted it was the oldest mud house in the State and felt if the Town owned it it could be a cultural site. Mr. Ratzken noted as far as the tax, he would vote for a two percent increase because the tourists would be paying it. Mr. Ratzken believed the Town should purchase this property.

Elsa Romanowitz supported the one percent sales tax increase and felt it fit with her values. Ms. Romanowitz believed in getting out of debt and putting money in savings. Ms. Romanowitz believed in maintaining her home and properties. Ms. Romanowitz felt this tax would support the Town into the future and asked the Council to vote yes for the tax increase.

Barbara Buntin noted she had gone to the Town Hall meeting on Saturday and felt the sales tax should be raised enough to pay for the firefighters and police, but did not know where the rest of the money raised would go. Mayor Swartwood noted the Council could not address that and asked LaRon Garrett, Town Manager, to speak about the day of the Work Study. Mr. Garrett replied he could do that during his announcements.

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 Barbara Underwood, seconded by Council Member Janell Sterner.

Vote: Motion carried 7 - 0

Yes: Mayor B. Craig Swartwood, Vice-Mayor Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris Higgins, Council Member Janell Sterner, and Council Member Barbara Underwood.

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 the Leadership Academy would be open to the public for twenty to twenty-five participants. There would be ten, two hour sessions. Council Member Connell hoped for a wide cross section of the community to participate. Participants in the Leadership Academy would learn how the government worked. Council Member Connell believed this was an exciting opportunity.

Mayor Swartwood asked to have on a future agenda that a letter be written to the Forest Service to acquire the easement from the event center through to Green Valley Park.

Cameron Davis, Parks, Recreation and Tourism Director, announced the Business Showcase was this weekend at the Casino. Around one hundred and twenty businesses would be showcased. The Business Showcase was from 9:00 a.m. to 4:00 p.m. on Saturday, April 8, 2017. Mr. Davis noted the top ten teams from The Wild West Bass Tournament were coming to Green Valley Park for the final weigh in of the tournament on May 6, 2017.

LaRon Garrett, Town Manager, announced for the fifteenth year in a row the Finance Department has received the Excellence in Government Finance Award. Mr. Garrett noted on April 20, 2017, at 4:30 p.m. in the Council Chambers there would be a workstudy to receive input on the proposed sales tax increase. The public would have the opportunity go give input to the Council. Mr. Garrett indicated the brush pits were currently closed because the group that has been operating them was not operating them this year. The Town, the County and the Forest Service have come up with a plan to open them in the next couple of weeks. The plan would require a lot of volunteers to manage the brush pits. Currently only the Blattner Pit on Highway 260 would be opened. Mr.. Garrett noted four volunteers would be needed every Saturday to help operate the pit and there would be a website for people to go to to fill out a form to volunteer to fill a shift. Mr. Garrett hoped to keep the pits open through the summer.

Council Member Higgins asked if the other pit would be opened. Mr. Garrett indicated there was another group in Pine working on opening it, but he did not have the details on it. Council Member Higgins noted Little League opening day was Saturday, April 8, 2017, at Rumsey Park. Council Member Higgins believed the games started at 8:00 a.m. or 9:00 a.m. and the opening ceremony was at 1:00 p.m.

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;
INTRODUCTIONS**

ANNOUNCEMENTS;

PRESENTATIONS;

1. Comments, Commendations, and Presentations by Mayor, Council Members, and/or Town Staff.
2. **Recognition** of Fire Engineer Travis Kilbourne, Police Detective Michael Hansen, and Kathy Klein, Records Administrator.

Don Engler, Police Chief, recognized Fire Engineer Travis Kilbourne, Detective Michael Hansen and Kathy Klein for their accomplishments. Chief Engler announced these were the Town's Firefighter of the Year, Police Officer of the Year and Citizen of the Year. Chief Engler read the nomination for Ms. Klein. Chief Engler noted Ms. Klein did an outstanding job. Chief Engler read the nomination for Detective Hansen and congratulated Ms. Klein and Detective Hansen. Chief Engler noted he has been on many scenes with Fire Engineer Kilbourne and respected him. Fire Engineer Kilbourne showed passion and concern. Chief Engler offered his appreciation to all three and thanked them.

3. **Status update** by Sheila DeSchaaf, Planning and Development Director, on neighborhood cleanup efforts and acceptance of a grant from the Central Arizona Board of Realtors.

Mayor Swartwood pulled this item from the agenda and moved it to the next meeting because a representative from the Central Arizona Board of Realtors was not present.

4. **Proclamation.** Council Member Croy read into the record a proclamation declaring May 4, 2017, as National Day of Prayer in Payson. Lois Johnson was present to accept the proclamation.

Lois Johnson, on behalf of National Day of Prayer, thanked the Council for the proclamation. Ms. Johnson noted 2017 marked the 66th year of the National Day of Prayer. This year in Payson the local churches would open their doors for people to come in and pray.

5. **Proclamation.** Council Member Higgins read into the record a proclamation declaring June 14, 2017, to be the United States Army's 242nd Birthday. Sherman Alston, Commander of American Legion Post 69, was present to accept the proclamation.

Hector Figueroa, Town Attorney, noted he was a member of the American Legion Post 69. Mr. Figueroa and Mr. Alston were former military police. Mr. Figueroa noted in 1775 the actual group began and during the Civil War Arizona put together the first infantry company. Mr. Figueroa named the other companies and battles through the years. Mr. Figueroa was proud to be a Bushmaster and thanked the Council for the proclamation.

Mayor Swartwood moved Item J.4 up on the agenda.

4.

Council Decision Request filed by LaRon Garrett, Town Manager, to direct staff to not operate Taylor Pool for the 2017 summer season or to direct staff to operate Taylor Pool for the 2017 season.

LaRon Garrett, Town Manager, noted Taylor Pool was opened in 1985 and today some of the original equipment was still part of the system. The decks were all cracked and the small pool was leaking. The plaster in both pools was replaced several years ago, but was in need of it again. It was not American's with Disabilities Act (ADA) compliant and it would cost a quarter of a million dollars to repair the pool. Mr. Garrett noted that was where the recommendation to close the pool came from. Staff recommended closing the pool this summer. Mayor Swartwood asked Mr. Garrett how he personally felt about closing the pool. Mr. Garrett indicated he did not want to close the pool, but believed it was in the best interest. Mayor Swartwood asked if there have been any incidents. Cameron Davis, Parks, Recreation and Tourism Director, replied kids stubbed their toes on the cracks and in the small pool the kids feet were being rubbed raw by the floor of the pool.

Council Member Connell was opposed to keeping the pool open and noted she has used the pool for many years, but was concerned about the deck and slipping. Council Member Connell felt the Town needed a pool and hoped people would fund raise for a new community center. Council Member Connell was concerned that someone would have an accident. Council Member Connell asked how much it would cost to repair. Mr. Davis listed the repairs needed and noted that did not include any of the internal repairs. There were \$250,000 in repairs needed and that would not fix the internal repairs. Hector Figueroa, Town Attorney, noted the pool would have to be brought up to ADA compliance the minute the Town started remodeling it.

Council Member Higgins appreciated all that Mr. Davis and his department has done. Council Member Higgins noted he had talked to Nelson Beck, Parks Supervisor, about the cost and keeping the pool open. Council Member Higgins indicated the larger part of him had a hard time taking the pool away from families and he would like to see the possibility of a plan to move forward with another facility. Council Member Higgins felt the Town needed to stop talking about band aiding the pool and move forward with a new facility and what would best fit the communities needs. Council Member Higgins wanted to start looking at a plan.

Council Member Underwood agreed with Council Member Higgins and felt if the Town was going to spend that kind of money it needed to have a new pool. Council Member Sterner noted she has heard many good things about the pool and that kids loved the pool. Council Member Sterner understood the cost of maintenance and asked if the pool was not financially worth repairing were there other places parents could take their kids that the Town could partner with. Mr. Garrett noted he and Mr. Davis had worked with the Tribe and were close to getting swimming lessons at the gym pool, but were not able to make that work. Mr. Garrett noted staff has not approached the hotels. Mr. Davis indicated the only program that was not allowed at the Tribe pool was swim lessons. All other programs were allowed.

Council Member Carpenter respected staff's recommendation and understood the finances, but could not agree to close the pool this year and asked staff to look for a long term solution.

Council Member Croy noted the liability was tremendous. Council Member Croy felt the pool should close this year and staff should activity seek a replacement even if the Town pursued a sales tax increase.

Mayor Swartwood felt something had to be done and the Town needed to move forward with a plan. Mayor Swartwood felt it was terrible to close the pool, but the only way he would consider to keep it open was if there was a plan.

Joel Mona felt the Council Decision Request (CDR) summary brought up valid points. In Mr. Mona's opinion many other points were hard to measure. Mr. Mona noted he had spoke to a woman who had swimming lessons at the pool and was a life guard at the pool and felt there was real value there. Mr. Mona believed not having a pool was a negative when trying to attract people to Payson and sent a message the Town was descending. Mr. Mona believed there was an economic development cost to closing the pool and felt the one percent sales tax increase was needed. Mr. Mona suggested a price increase for adults and an inexpensive deck repair to keep the pool open.

Darren Sinon noted he always went to the swimming pool and brought his friends to the pool. Mr. Sinon would still like to have the pool open this year and when it closed try to do repairs. Janet Cook appreciated all of the things the Town did for the pool and felt this was a problem that should have been looked at before. Ms. Cook would like to see some repairs done during the months the pool was closed and felt the pool was important to the community. Ms. Cook did not believe the pool was about profit, it was about family and community. Ms. Cook felt not opening the pool would create a terrible feeling in the community. Ms. Cook believed there should be a plan for the future and felt the community would give to keep the pool. Ms. Cook asked the Council to not close the pool.

Linda Gibson spoke in favor of keeping the pool open and noted every pool in the State lost money. Ms. Gibson felt the value of the pool was personal. Ms. Gibson believed swimming lessons prevented drowning and the pool presented job opportunities. Ms. Gibson noted she has spent many hours in the Tribe pool and it was not feasible. Ms. Gibson felt there needed to be a plan and hoped if the Council voted to close the pool it did not stop there. Ms. Gibson believed the value behind the pool changed lives. Ms. Gibson asked the Council to consider the value was not monetary. Council Member Carpenter noted no pool in Arizona made money.

Darlene Younker felt part of the problem was swimming lessons and noted the Red Cross for years has run a swimming lessons program and Red Cross could be brought into it and provide swimming lessons.

Council Member Underwood asked if the Council voted to open the pool what was the absolute dollar amount the Town would have to have to band aid it this year

and then definitely close it with a plan. The biggest concern was the ADA compliance because there were a lot of special needs kids. Mr. Garrett replied the biggest cost was the deficit between revenue and cost. Mr. Garrett noted staff could open the pool and it would not cost much in repairs, it could be opened.

Council Member Higgins asked if there was a motion to operate the pool this summer how would it be requested to have a work study meeting or a group to study this. Mayor Swartwood asked to move forward with a new pool. Council Member Higgins replied yes. Mr. Garrett indicated part of that was the Parks Master Plan and to move forward with this staff could set up a work study meeting. Council Member Higgins asked without a master plan would it be impossible to decide that. Mr. Garrett believed with that kind of investment the Town needed a plan.

Council Member Connell noted she would hate to have something happen to someone and would love to partner with hotels. Council Member Connell believed the community center and a pool was moved way up on the priority list. Council Member Connell did not want to take the risk to open the pool this summer.

Council Member Croy asked that, in the future, the Town find a replacement for the pool so that it was open next year and asked how long the pool was open in the summer. Mr. Davis replied two months. Council Member Croy asked how long it would take to build a new pool. Mr. Garrett replied at least a year and it would cost around a million dollars. Council Member Croy asked if it could be built in stages. Mr. Garrett indicated it could take two years to build a new pool. Council Member Croy noted he could not support the liability to open the pool this summer.

Council Member Underwood asked what the cost was minimally to open the pool this year. Council Member Underwood noted she would support that and to move forward with a new pool. Mr. Garrett noted the pool could be opened this summer for a minimal cost and if everything kept running it was great; if something broke the pool would have to be closed. Council Member Croy asked if there was a major failure could the Town close the pool. Mr. Garrett replied yes.

Mayor Swartwood noted he was willing to open the pool if this was the last year it was open. This would be the last year the pool was open if there were no plans to move forward for a new pool.

Motion: to direct staff to operate Taylor Pool for the 2017 season, but not operate it beyond that.

Moved by Council Member Fred Carpenter, seconded by Council Member Chris Higgins.

Vote: Motion carried 6 - 1

Yes: Mayor B. Craig Swartwood, Vice-Mayor Fred Carpenter, Council Member Richard Croy, Council Member Chris Higgins, Council Member Janell Sterner, and Council Member Barbara Underwood.
No: Council Member Su Connell.

Mayor Swartwood recessed the meeting at approximately 6:48 p.m. Mayor Swartwood reconvened the meeting with all Council Members present at approximately 6:55 p.m.

E. MINUTES

1. ***Council Meeting Minutes:**
March 07, 2017 Special Meeting Pages 1-7
March 16, 2017 Regular Meeting Pages 1-8
March 21, 2017 Special 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. There were no items in this section.

F. HEARINGS AND APPEALS

1. There were no items in this section.

G. EXECUTIVE SESSION 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.

1. There were no items for Executive Session.

H. RESOLUTIONS AND ORDINANCES

1. ***As Council, staff, and the audience have the titles to all resolutions and ordinances, authorization to forego verbal title readings.**
***CONSENT* APPROVED**
2. **Resolution No. 3015.** Mayor Swartwood opened discussion/possible action concerning Resolution No. 3015 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AUTHORIZING AND APPROVING THE EXECUTION OF THIS RESOLUTION AND THE AUTHORIZED SIGNATORIES FOR THE SUBMISSION OF GRANT APPLICATIONS TO THE GOVERNOR'S OFFICE OF HIGHWAY SAFETY FOR FUNDS FOR HOLIDAY AND SPECIAL EVENT OVERTIME FOR TRAFFIC ENFORCEMENT AND A GPS ACCIDENT MEASUREMENT SYSTEM AND SOFTWARE PACKAGE.

Don Engler, Police Chief, explained this was requesting support to submit the grant application to the Governor's Office of Highway Safety for funds for holiday and special event overtime pay and a GPS accident measurement system and software package.

Motion: to Approve Resolution No. 3015 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AUTHORIZING AND APPROVING THE EXECUTION OF THIS RESOLUTION AND THE AUTHORIZED SIGNATORIES FOR THE SUBMISSION OF GRANT APPLICATIONS TO THE GOVERNOR'S OFFICE OF HIGHWAY SAFETY FOR FUNDS FOR HOLIDAY AND SPECIAL EVENT OVERTIME FOR TRAFFIC ENFORCEMENT AND A GPS ACCIDENT MEASUREMENT SYSTEM AND SOFTWARE PACKAGE.

Moved by Council Member Fred Carpenter, seconded by Council Member Janell Sterner.

Vote: Motion carried 7 - 0

Yes: Mayor B. Craig Swartwood, Vice-Mayor Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris Higgins, Council Member Janell Sterner, and Council Member Barbara Underwood.

3. **Resolution No. 3016.** Mayor Swartwood opened discussion/possible action concerning Resolution No. 3016 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION, MAKING KNOWN ITS COMMITMENT TO THE PRINCIPLE OF FAIR HOUSING, AND DESCRIBING ACTIONS IT WILL UNDERTAKE TO AFFIRMATIVELY FURTHER FAIR HOUSING.

LaRon Garrett, Town Manager, explained this was passed annually.

Motion: to Approve Resolution No. 3016 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION, MAKING KNOWN ITS COMMITMENT TO THE PRINCIPLE OF FAIR HOUSING, AND DESCRIBING ACTIONS IT WILL UNDERTAKE TO AFFIRMATIVELY FURTHER FAIR HOUSING.

Moved by Council Member Barbara Underwood, seconded by Council Member Richard Croy.

Vote: Motion carried 7 - 0

Yes: Mayor B. Craig Swartwood, Vice-Mayor Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris

Higgins, Council Member Janell Sterner, and Council Member Barbara Underwood.

4. **Resolution No. 3017.** Mayor Swartwood opened discussion/possible action concerning Resolution No. 3017 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING THE FINAL PLAT FOR MONTEZUMA CASTLE LAND EXCHANGE, PARCEL 3.

LaRon Garrett, Town Manager, explained the developer was moving forward and there was one error that needed to be corrected. This was to do an individual block plat. Sheila DeSchaaf, Planning and Development Director, explained in the second Whereas it said "following approval of the preliminary plat, the developer of the Subdivision prepared a final plat and engineered improvement plans for the Subdivision". Ms. DeSchaaf noted this was the Town's standard process; however, because this was done in a block plat and each individual block would come back at subsequent meetings for approval with their individual layouts the improvement plans would come with those individual blocks at that time. Ms. DeSchaaf asked that the Council strike from that sentence "and engineered improvement plans". Council Member Carpenter asked if this project included the improvement of West Sherwood. Ms. DeSchaaf replied Parcel 3 did not connect to Sherwood.

Motion: to Approve Resolution No. 3017 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING THE FINAL PLAT FOR MONTEZUMA CASTLE LAND EXCHANGE, PARCEL 3 and to strike from the second Whereas the wording "and engineered improvement plans". Moved by Council Member Fred Carpenter, seconded by Council Member Su Connell.

Vote: Motion carried 7 - 0

Yes: Mayor B. Craig Swartwood, Vice-Mayor Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris Higgins, Council Member Janell Sterner, and Council Member Barbara Underwood.

5. **Resolution No. 3018.** Mayor Swartwood opened discussion/possible action concerning Resolution No. 3018 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AMENDMENT #3 OF THE CONTRACT ON THE C.C. CRAGIN RESERVOIR WATER TREATMENT PLANT DESIGN AND POST DESIGN SERVICES PROJECT ORIGINALLY IDENTIFIED AS WATER TREATMENT PLANT FINAL CIVIL DESIGN PHASE 001 WITH SUNRISE ENGINEERING, INC. ("CONTRACTOR"), AND THE TOWN OF PAYSON, AN ARIZONA MUNICIPAL CORPORATION, ("TOWN").

LaRon Garrett, Town Manager, explained it was determined there were two tanks, a raw water tank and a mixing tank, and combining the tanks into one tank would save money. The tanks needed to be redesigned to combine them. Mayor Swartwood asked if there would still be a cost savings. Mr. Garrett replied yes. Council Member Carpenter asked if this was included in the overall budget for the C. C. Cragin Project. Mr. Garrett replied yes. Council Member Croy noted this would actually reduce the budget. Mr. Garrett noted it was taken into account with the guaranteed maximum price for the construction. Council Member Croy noted the ultimate cost went down as a result of this. Mr. Garrett replied yes.

Motion: to Approve Resolution No. 3018 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AMENDMENT #3 OF THE CONTRACT ON THE C.C. CRAGIN RESERVOIR WATER TREATMENT PLANT DESIGN AND POST DESIGN SERVICES PROJECT ORIGINALLY IDENTIFIED AS WATER TREATMENT PLANT FINAL CIVIL DESIGN PHASE 001 WITH SUNRISE ENGINEERING, INC. ("CONTRACTOR"), AND THE TOWN OF PAYSON, AN ARIZONA MUNICIPAL CORPORATION, ("TOWN"). Moved by Council Member Chris Higgins, seconded by Council Member Janell Sterner.

Vote: Motion carried 7 - 0

Yes: Mayor B. Craig Swartwood, Vice-Mayor Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris Higgins, Council Member Janell Sterner, and Council Member Barbara Underwood.

6. **Resolution No. 3019.** Mayor Swartwood opened discussion/possible action concerning Resolution No. 3019 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE INTERGOVERNMENTAL AGREEMENT ("AGREEMENT") BETWEEN THE STATE OF ARIZONA, ACTING BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION (THE "STATE" OR "ADOT"), AND THE TOWN OF PAYSON, AN ARIZONA MUNICIPAL CORPORATION, ACTING THROUGH ITS MAYOR AND COUNCIL (THE "TOWN").

LaRon Garrett, Town Manager, noted this was to approve what he believed was the final agreement for the Bonita Street Improvement Project to go to construction. The Bonita Street waterline improvement was under construction. The State could go out to bid for the project. The cost was budgeted for. The cost to the Town was \$39,000.

Motion: to Approve Resolution No. 3019 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE INTERGOVERNMENTAL AGREEMENT ("AGREEMENT") BETWEEN THE STATE OF ARIZONA, ACTING BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION (THE "STATE" OR "ADOT"), AND THE TOWN OF PAYSON, AN ARIZONA MUNICIPAL CORPORATION, ACTING THROUGH ITS MAYOR AND COUNCIL (THE "TOWN").

Moved by Council Member Fred Carpenter, seconded by Council Member Su Connell.

Vote: Motion carried 7 - 0

Yes: Mayor B. Craig Swartwood, Vice-Mayor Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris Higgins, Council Member Janell Sterner, and Council Member Barbara Underwood.

I. UNFINISHED BUSINESS

1. There were no items in this section.

J. NEW BUSINESS

1. **Council Decision Request** filed by Buzz Walker, C.C. Cragin Project Manager, to authorize the purchase of a Caterpillar Generator and Automatic Transfer Switch in the amount of \$284,346.54 from Empire Power Systems to be installed at the Payson Water Treatment Plant located at 3525 N. Houston Mesa Road and to allocate the cost of the Water Enterprise Fund C.C. Cragin Project.

LaRon Garrett, Town Manager, explained the water treatment plant needed a back up generator in case the power went out. This backup generator would provide power to run the entire plant until the power came back on. Council Member Carpenter asked if this was included in the overall loan for this project. Mr. Garrett replied yes. Council Member Croy asked if this was planned from the beginning that the generator was needed. Mr. Garrett replied yes.

Motion: to authorize the purchase of a Caterpillar Generator and Automatic Transfer Switch in the amount of \$284,346.54 from Empire Power Systems to be installed at the Payson Water Treatment Plant located at 3525 N. Houston Mesa Road and to allocate the cost of the Water Enterprise Fund C.C. Cragin Project.

Moved by Council Member Barbara Underwood, seconded by Council Member Janell Sterner.

Vote: Motion carried 7 - 0

Yes: Mayor B. Craig Swartwood, Vice-Mayor Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris Higgins, Council Member Janell Sterner, and Council Member Barbara Underwood.

2. **Council Decision Request** filed by Sheila DeSchaaf, Planning and Development Director, to reduce fees for Montezuma's Castle Land Exchange Final Plat Parcel 3.

LaRon Garrett, Town Manager, explained this was in conjunction with the plat that was approved earlier. The representative for the property owner was requesting that the fees be reduced for this filing of a plat. Mr. Garrett noted for this type of filing the Town did not have a specific fee and the closest category to put it in was with the full fees. The representative was asking that the fees be reduced because this was actually the second time the owner was filing the plat with the Town. Sheila DeSchaaf, Planning and Development Director, noted the Town did have a category in the zoning fee schedule for amended plats. Technically this was not an amendment, it was a new plat for this parcel; however, it was most similar to having amended their original plat because the review process had already been done. Council Member Carpenter asked if there was an appropriate reduction in cost to staff to review it the second time that matched the request for the reduced fees. Ms. DeSchaaf noted it was a very minimal review the second time. Council Member Croy asked if the balance of the project would come forward with similar requests and if that should be included in the decision or should the Town look at creating a fee for such a circumstance. Ralph Bossert indicated he was the owner and agent for the three separate ownerships of the Montezuma Castle Land Exchange. Mr. Bossert explained the three separate owners split the property up into three separate parts so each one owned a separate part of the property and those were Parcels 1, 2 and 3. Then it went through a General Plan amendment and rezoning. After it was successfully platted the original plat was rescinded. This was to get Parcel 3 approved and what was coming back was Parcels 1 and 2 together. Mr. Bossert asked the Council to include the reduced fee for Parcels 1 and 2. Mayor Swartwood asked Mr. Garrett what his opinion was. Mr. Garrett felt it would be good to do that because they would require the minimal review again and Mr. Garrett believed that was appropriate. Council Member Carpenter noted land exchanges did not happen in a rapid amount of time.

Motion: to direct staff to reduce the zoning application fee for the Montezuma Castle Land Exchange Final Plat, plus parcels 1, 2 and 3, to be consistent with the fees for an Amended Subdivision Plat, half of the original application fee or \$1,125 plus recording fees.

Moved by Council Member Chris Higgins, seconded by Council Member Fred Carpenter.

Ms. DeSchaaf clarified the fee of \$1,125 was for Parcel 3. There would be additional fees for Parcel 1 and 2. Hector Figueroa, Town Attorney, noted the agenda did not say Parcel 1 and 2, Parcel 3 was on the agenda. The Council could reduce the fees for the other parcels when they came before the Council. Council Member Higgins struck Parcels 1, 2 and 3 from his motion. Council Member Carpenter seconded for Parcel 3 only.

Motion: to direct staff to reduce the zoning application fee for the Montezuma Castle Land Exchange Final Plat to be consistent with the fees for an Amended Subdivision Plat, half of the original application fee or \$1,125.00 plus recording fees.

Moved by Council Member Chris Higgins, seconded by Council Member Fred Carpenter.

Vote: Motion carried 7 - 0

Yes: Mayor B. Craig Swartwood, Vice-Mayor Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris Higgins, Council Member Janell Sterner, and Council Member Barbara Underwood.

3. **Council Decision Request** filed by Tim Ryden, Acting Public Works Director, to approve Task Order B to the Services Agreement between the Town of Payson and Armstrong Consultants, Inc. to provide design services for the installation of fence and reconstruction of Alpha and Delta Aprons at the Payson Airport for \$221,179, and authorize the Town Manager to sign the necessary documents.

Laron Garrett, Town Manager, explained these were additional improvements at the airport funded through the Federal Aviation Administration (FAA) and Arizona Department of Transportation (ADOT) Aeronautic Grant. The Town would pay approximately 4% of the cost, the FAA would pay 92% and ADOT would pay 4%. This was the design and construction management portion of the project. The actual construction of the project was approximately another million dollars that would be in the grant. Council Member Croy asked when something like this came before the Council did it start with the Airport Advisory Board. Mr. Garrett explained the FAA and ADOT have an Airport Capital Improvement Plan (ACIP) that was updated annually and was done in conjunction with the Airport Advisory Board. Mr. Garrett noted these ramps were not in the current year plan but, FAA had additional funding they felt could work for the ramps so the project was moved up to the current year. Mayor Swartwood asked Tim Ryden, Acting Public Works Director, how he felt about approving this and what the Town's share was. Mr. Ryden felt the improvements were needed and noted that was the first thing people saw when they flew into the airport. Mr. Ryden indicated the Town's share for the project was 4%. Council Member Connell felt this project was needed and noted it included three public entities.

Motion: to Approve Task Order B to the Services Agreement between the Town of Payson and Armstrong Consultants, Inc. to provide design services for the installation of fence and reconstruction of Alpha and Delta Aprons at the Payson Airport for \$221,179, and authorize the Town Manager to sign the necessary documents.

Moved by Council Member Fred Carpenter, seconded by Council Member Su Connell.

Vote: Motion carried 7 - 0

Yes: Mayor B. Craig Swartwood, Vice-Mayor Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris Higgins, Council Member Janell Sterner, and Council Member Barbara Underwood.

K. CLAIMS

1. ***List of checks.** Council approved, on the Consent Agenda, a list of checks paid from March 10, 2017, through March 24, 2017, Check Nos. 052162 through 052435, except check numbers 052187, 052331, 052355, and authorization to file the checks for audit.

***CONSENT* APPROVED**

2. ***Check No. 052187.** Council approved, on the Consent Agenda, Check No. 052187 and authorization to file the check for audit. (Note: due to a perceived and/or possible conflict of interest, Council Member Carpenter was considered to have abstained from voting on this item).

***CONSENT* APPROVED**

3. ***Check No. 052331.** Council approved, on the Consent Agenda, Check No. 052331 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**

4. ***Check No. 052355.** Council approved, on the Consent Agenda, Check No. 052355 and authorization to file the check for audit. (Note: due to a perceived and/or possible conflict of interest, Council Member Higgins was considered to have abstained from voting on this item).

***CONSENT* APPROVED**

L. MISCELLANEOUS

1. There were no items in this section.

M. PUBLIC COMMENTS

Council Member Carpenter asked if there was traffic counting on the west side of town. Mr. Garrett replied traffic counting was being done all over town.

ADJOURNMENT

Mayor Swartwood adjourned the meeting at approximately 7:18 p.m.

APPROVED:

_____ Date: _____

B. Craig Swartwood, 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 6 of April, 2017. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this ____ day of _____, 2017.

Tracie Bailey, Chief Deputy Town Clerk

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE SPECIAL MEETING
April 20, 2017**

CALL TO ORDER

Mayor Swartwood called the meeting to order at approximately 4:30 p.m. in the Town Hall Council Chambers, 303 North Beeline Highway, Payson, Arizona.

PRESENT: Mayor B. Craig Swartwood, Vice-Mayor Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris Higgins, Council Member Janell Sterner, and Council Member Barbara Underwood.

STAFF PRESENT: LaRon Garrett - Town Manager, Don Engler - Police Chief, Silvia Smith - Town Clerk, Cameron Davis - Parks, Recreation and Tourism Director, Emily Linkey - Library Director, David Staub - Fire Chief, Tim Ryden - Acting Public Works Director, and Deborah Barber - Chief Fiscal Officer.

OTHERS PRESENT: Tracie Bailey - Chief Deputy Town Clerk, Hope Cribb - Finance Manager, Tammy Enlow - Budget Analyst, Mary Bystricky - Town Prosecutor, Courtney Spawn - Recreation Supervisor, and Bobby Davis - Economic Development Specialist.

PURPOSE OF MEETING

1. Receive input and discuss the proposed 1% sales tax increase.

LaRon Garrett, Town Manager, explained this meeting was to discuss the proposed 1% sales tax increase. Mr. Garrett noted the Town adopted a sales tax rate of 1% of retail sales when incorporated in December, 1973. Six years later, in May, 1980, the Town increased that sales tax amount to 2%. In September, 2003, voters approved the sale of bonds for public safety projects that would be repaid by a 0.12% increase in the sales tax. That brought the sales tax rate to 2.12%. The bonds would be paid off in 2019 and the 0.12% would sunset. Mr. Garrett believed it was time to increase the sales tax by 1%. The increase would go into effect on August 1, 2017. Mr. Garrett noted the biggest issue was the Public Safety Personnel Retirement System (PSPRS) which had become under funded. Mr. Garrett indicated the Town's share of the PSPRS unfunded liability was just under 17.5 million dollars. Next year the Town had to pay 35.83% of the wages for each fire department personnel and 79.18% for each police officer. In addition the Town had borrowed one million dollars from the Water Department. The intent was to pay the loan off in ten years, to date the Town has not made a payment on the loan. Mr. Garrett indicated per Town policy the Town Reserve Fund was to be at 4.3 million and the contingency fund should be at \$930,300. If something came up the Town had no money to take care of it. Mr. Garrett

noted the maintenance needed to be caught up on and insurance was going up. Mr. Garrett indicated between PSPRS and the other items he had referred to that was about 92% of the sales tax increase, the other 1.9% could be used for special projects. Mr. Garrett noted that was why the Town was recommending the increase in the sales tax.

Jim Muhr was opposed to the full 1% sales tax increase. Mr. Muhr appreciated the information Mr. Garrett gave and asked if the money was going to be used for the American Gulch. Mr. Muhr believed Council Member Croy owned the Canal Apartments and if he had any benefit from the money raised it would be a conflict. Mr. Muhr asked that Council Member Croy recuse himself from voting on the sales tax increase. Council Member Croy indicated he had no personal gain from the apartments. Mr. Muhr understood the Town had to do something, but was opposed to the full 1% increase and proposed the Town take care of needs first and the rest later.

Dawn Brunson was a realtor and her husband owned a construction company. Ms. Brunson thanked the Council Members for their service and appreciated each one of the Council Members. Ms. Brunson was opposed to the 1% sales tax increase and noted she had gone to the work study on April 1, 2017, and felt it was a great morning. Ms. Brunson believed each project was good and they should come to fruition in time. Ms. Brunson felt people could not absorb the 1% sales tax increase and noted it was hard to buy materials and compete with other contractors. Ms. Brunson believed the sales tax increase could add up to \$3,000 dollars to build a house. Ms. Brunson felt right now was not the time to complete all of these items and believed the PSPRS should be fixed by the State.

Darlene Younker opposed the 1% sales tax increase. Ms. Younker noted the Mayor had made a campaign promise not to raise any revenues without a vote of the people. Ms. Younker had heard there was a payment made on the million dollar loan and referenced a portion of the Town's budget. Ms. Younker asked for clarification on the budget numbers. Ms. Younker referenced the budget and noted the sales tax was up for the year July, 2016. Ms. Younker inquired how the numbers were figured from out of town visitors. Ms. Younker asked if this tax increase would be by resolution or administrative action and if a referendum could be done. Ms. Younker noted she could support a 1/3% sales tax increase to fund the PSPRS and Water Department loan.

Mayor Swartwood noted he did say he would not raise taxes without a vote, but he did not know about all of the issues. Mayor Swartwood noted he did not have a wish list, but if he did it would be made up of stuff that was twenty years old. Mayor Swartwood asked Mr. Garrett if a 1/3% increase would take care of this. Mr. Garrett was confident no payments have been made on the loan. The bank account went up and down through the Fiscal Year time period, but the numbers that the Town needed to pay attention to were the numbers after all of the funds were taken out of the General Fund Account to pay expenses. Mayor Swartwood asked if that was similar to

when someone paid their bills. Mr. Garrett replied yes, because of revenue vs expenses.

Don Ascoli asked if the Council wanted to vote on a different amount for the sales tax increase on May 4, 2017, could they. Mr. Garrett replied yes, it could go up to 1%, but not over that. Mr. Ascoli asked if the public could comment on May 4, 2017. Mayor Swartwood replied yes. Mr. Ascoli believed that taxes were to take money from people to do things. Mr. Ascoli was opposed to having a limit of \$10,000 on this matter because it was favoritism to a business. Mr. Ascoli felt the Council needed to be aware the sales tax also applied to food and noted towns in the Valley did not have a sales tax on food. Mr. Ascoli noted he would support a half cent sales tax.

Stan Langham was a general contractor and was opposed to a 1% sales tax increase. Mr. Langham believed it would burden the largest source of revenue for the Town. Mr. Langham felt the spending priorities listed in the paper were not a budget, it was just allocating the money into different areas. Mr. Langham would not support the sales tax increase unless the Town got active with negotiations with the State. Mr. Langham wanted an audit of the Town for the last eight to ten years to see where the money was going and would insist on a sunset date. Mr. Langham noted he could not support it the way it was. Mr. Langham felt the Town could raise the sales tax 1/3% to get rid of the debt then work on projects. Mr. Langham believed there were other avenues of funding for projects. Mayor Swartwood asked Mr. Garrett if a 1/3% increase solved the problem. Mr. Garrett replied no, in five years that was roughly five million dollars. Mayor Swartwood asked Mr. Garrett if the Town was audited every year. Mr. Garrett replied yes.

Jeanie Langham felt the April 1, 2017, meeting was energizing. Ms. Langham listed the projects and asked where the current bed tax went. Ms. Langham felt the first list was a wish list of things that have not been taken care of. Ms. Langham noted Main Street had acquired a grant, but the Town gave it back. Ms. Langham would like to see an audit of the Town for the last eight to ten years. Ms. Langham noted Jiffy Lube had closed and Rue 21 would close soon. Ms. Langham felt the Council and Staff needed to do a debriefing for the people. Mr. Garrett noted the audits of the Town were on the Town's website.

Jamie Ratzken supported the sales tax increase and noted there were ways to cut down. Mr. Ratzken had started a group called Preserve Payson's Heritage. Mr. Ratzken felt if the Town got the sales tax increase there would be new hope. Mr. Ratzken asked everyone to come to the Ox Bow tonight and listen to the band. Mr. Ratzken asked the Council to consider buying the mud house on Main Street. Mr. Ratzken believed the sales tax would raise funds and people could raise money. Mr. Ratzken noted there were a lot of people who wanted the 1% sales tax increase.

Elsa Romanowitz supported the sales tax increase of 1%. Ms. Romanowitz felt people had made some really good points and realized there would be

some hardships for some citizens, but believed people needed to think of the community in the whole and what was good for the majority of Payson. Ms. Romanowitz wanted to encourage the wealthy people and visitors to continue to spend their money in Payson. Ms. Romanowitz noted she did not have a lot of discretionary money, but was happy to pay the increased tax because it would help the community be a better community. Ms. Romanowitz believed the Town needed reserves and needed to be able to maintain the streets and buildings.

Robert Hershberger supported the 1% sales tax increase and felt the Town needed to have some money to develop the infrastructure. Mr. Hershberger noted in 1969 Tempe voted to tear down the down town area, but changed their mind and created a revitalized down town and made tax money. Scottsdale branded themselves as the west most western town and that helped them become a world destination. Mr. Hershberger noted everyone went there to see the cowboys and Payson has real cowboys. Mr. Hershberger encouraged the Town to move forward with the 1% sales tax increase.

Ann Ascoli felt the Town needed to pay their bills, but did not see a 1% sales tax increase. Ms. Ascoli felt the Town should pay the PSPRS and the loan and believed this was a great town. Ms. Ascoli felt a 1% increase was a little high.

Mark McCann noted Payson was where he wanted to be. Mr. McCann felt a 1% sales tax increase was an investment in the future and was all for the increase.

Dave Golembewski had a landscaping business and noted he ordered items on the internet because no sales tax would be collected. Mr. Golembewski had heard the State was going to pass a law that the people had the right to vote on the sales tax increase and asked why this was being passed before the State law passed that said it had to go to a vote. Mr. Golembewski would like to vote on the tax increase and felt the majority of people wanted no sales tax increase. Mr. Golembewski noted he would buy all of his items in town if the people could vote on the sales tax increase. Council Member Higgins asked Mr. Golembewski for clarification, if he ordered everything online, but if this went to a vote he would buy everything in town. Mr. Golembewski replied yes. Mayor Swartwood asked Mr. Golembewski if he would vote for the tax increase. Mr. Golembewski replied no, but he felt that the people should get to vote and that it should not be passed only by the seven people who represented the people. Council Member Higgins wanted to understand, as a business person, why Mr. Golembewski was not currently making purchases to support the community. Mr. Golembewski responded he would change his ways and shop locally. Mayor Swartwood asked Mr. Garrett if there was a State law. Mr. Garrett replied there was a State law, but it did not make it through the Legislature and was not going into law.

Tom Morrissey believed taxes bred more taxes. Mr. Morrissey felt Payson was beautiful and as a community Payson could become a hub of activity. Mr. Morrissey felt the Town needed some people with vision to get involved and that if the Town was just looking at taxes it would be counter productive.

Joe Klein felt there were lots of people with vision in Town and noted the new advertising campaign "Adventure Where We Live" was rolling. Mr. Klein believed a great example was the apple orchard and that was the community saying they would put skin in the game. Mr. Klein felt one cent to the dollar would not bankrupt anyone. Mr. Klein believed the 1% sales tax increase would go a long way and that more people would be coming to Payson. Mr. Klein was in favor of raising the sales tax and felt people needed to step up. Mr. Klein believed the people present at the Council meeting did not represent the whole community.

Mayor Swartwood noted no one relished raising the sales tax and the Council was not doing this to punish people; there was no ulterior motive.

ADJOURNMENT

Mayor Swartwood adjourned the meeting at approximately 5:24 p.m.

APPROVED:

_____ Date: _____

B. Craig Swartwood, 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 special meeting of the Town Council of the Town of Payson held on this day the 20 of April, 2017. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this ____ day of _____, 2017.

Tracie Bailey, Chief Deputy Town Clerk

**TOWN OF PAYSON
TOWN COUNCIL MEETING
MINUTES OF THE REGULAR MEETING
April 20, 2017**

CALL TO ORDER

Mayor Swartwood called the meeting to order at approximately 5:30 p.m. in the Town Hall Council Chambers, 303 North Beeline Highway, Payson, Arizona.

INVOCATION

Cameron Davis, Parks, Recreation and Tourism Director, offered the invocation.

PLEDGE OF ALLEGIANCE

PRESENT: Mayor B. Craig Swartwood, Vice-Mayor Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris Higgins, Council Member Janell Sterner, and Council Member Barbara Underwood.

STAFF PRESENT: LaRon Garrett - Town Manager, Don Engler - Police Chief, Silvia Smith - Town Clerk, Cameron Davis - Parks, Recreation and Tourism Director, Emily Linkey - Library Director, David Staub - Fire Chief, Deborah Barber - Chief Fiscal Officer, and Tim Ryden - Acting Public Works Director.

OTHERS PRESENT: Tracie Bailey - Chief Deputy Town Clerk, Sheila DeSchaaf - Planning and Development Director, Bobby Davis - Economic Development Specialist, Mary Bystricky - Town Prosecutor, Toby Waugh - Fire Captain, Jarrett Cline - Fire Captain, Dana Lindsey - Firefighter, Thorry Smith - Fire Engineer, and Jason Hazelo - Police Sergeant.

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

Jamie Ratzken noted he was drawn to Main Street. Mr. Ratzken indicated he had started a group last week called Preserve Payson's Heritage. Mr. Ratzken invited everyone to come to the Ox Bow tonight to see the band. Mr. Ratzken felt this group could become popular and people would come to see them. Mr. Ratzken believed there was so much to see in Payson and that the Town needed the sales tax increase.

Darlene Younker noted she loved Payson and certainly was not opposed to the Town paying the bills, but believed it needed to be done in a responsible manner and that people should know exactly what the money was spent on. Ms. Younker felt many of the projects have been studied to death and that this should be put to a vote for people to decide what projects the public wants to do. Ms. Younker noted she had found out when the Council voted on the sales tax increase

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it would be done by ordinance and there was no recourse for the public. Ms. Younker felt people had the right to vote.

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 Su Connell, seconded by Council Member Janell Sterner.

Vote: Motion carried 7 - 0

Yes: Mayor B. Craig Swartwood, Vice-Mayor Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris Higgins, Council Member Janell Sterner, and Council Member Barbara Underwood.

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.

Cameron Davis, Parks, Recreation and Tourism Director, reminded everyone next weekend was the Kids Fishing Festival at Green Valley Park and May 4th to 6th, 2017, was the Wild West Bass Fishing Tournament with the final day weigh-in at Green Valley Park. The final day weigh-in was May 6, 2017, from 2:00 p.m. to 5:00 p.m. and would be televised on national TV. The Mogollon Monster Mudda had 567 people registered with a month and a half left to the event. Mr. Davis believed the "Adventure Where We Live" app was bringing people to Payson. Council Member Higgins thanked Mr. Davis and his department for that event and all the other events and asked if it was too soon to ask for volunteers for the Mudda. Mr. Davis noted he needed 150 volunteers and asked people to contact the Parks and Recreation Department to volunteer. Council Member Croy reminded everyone the Beeline Cruise-in Car Show was also coming up next month and would be at the Mazatzal Casino.

LaRon Garrett, Town Manager, announced the Town, County and Forest Service were about to open the brush pits. The Blattner Pit would be open April 29, 2017, through October and the Pine Pit would be open April 30, 2017, through October. Gary Hatch would head up the Blattner Pit and would need five volunteers every Saturday. Mr. Garrett noted he was working on getting the website up for volunteers to sign up on. Mr. Hatch would coordinate the website and volunteers. Mayor Swartwood believed that would not have happened without Mr. Garrett

getting involved. Mr. Garrett introduced the Town's new Chief Fiscal Officer (CFO) Debra Barber. Mr. Garrett gave a brief background on Ms. Barber and noted Ms. Barber use to be a town employee and welcomed her back. Ms. Barber was excited to be back and noted it has been a good first week.

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.

Council Member Underwood wanted to let everyone know the Mogollon Sporting Association was having a banquet on Saturday, May 6, 2017, and asked everyone to go to the website or contact her to get tickets. Council Member Underwood noted every penny earned went into the association and the tickets were \$75 for dinner.

2. **Proclamation.** Council Member Sterner read into the record a proclamation declaring May 21-27, 2017, as Emergency Medical Services Week in the Town of Payson. David Staub - Fire Chief, Toby Waugh - Fire Captain, Jarrett Cline - Fire Captain, Dana Lindsey - Firefighter, and Thorry Smith - Fire Engineer, were present to accept the proclamation.
3. **Status update** by Sheila DeSchaaf, Planning and Development Director, on neighborhood cleanup efforts and acceptance of a grant from the Central Arizona Board of Realtors.

Sheila DeSchaaf, Planning and Development Director, reminded everyone this Saturday from 7:00 a.m. to noon residents could bring their junk to the Event Center for free. Ms. DeScaaf noted in the past this event has eliminated tons of junk from neighborhoods and recognized Jason Larson, Code Compliance Specialist, for his initiative. Ms. DeSchaaf noted Mr. Larson has resolved many long ranging complaints and 98% were resolved voluntarily. Ms. DeSchaaf indicated Mr. Larson's work had significantly changed neighborhoods. Maureen Buchanan, Vice-President for the Central Arizona Board of Realtors, presented the Council with a check for \$2,500.

E. MINUTES

- 1.

*Council Meeting Minutes:
April 01, 2017 Town Hall Meeting Pages 1-2
***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. *Parks, Recreation and Tourism Commission Minutes:
January 11, 2017 Regular Meeting Pages 1-5
***CONSENT* INFORMATION ONLY**

F. HEARINGS AND APPEALS

1. There were no items in this section.

G. EXECUTIVE SESSION

1. 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.

There were no items for Executive Session.

H. RESOLUTIONS AND ORDINANCES

1. *As Council, staff, and the audience have the titles to all resolutions and ordinances, authorization to forego verbal title readings.
***CONSENT* APPROVED**
2. ***Resolution No. 3020.** Council approved, on the Consent Agenda, Resolution No. 3020 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 WITH THE ARIZONA DEPARTMENT OF HOUSING, OFFICE OF MANUFACTURED HOUSING ("OMH"), RELATIVE TO THE ENFORCEMENT OF INSTALLATION STANDARDS FOR MANUFACTURED HOMES AND FACTORY BUILT BUILDINGS FOR THE TOWN OF PAYSON AND TOWN OF STAR VALLEY.
***CONSENT* APPROVED**
3. **Resolution No. 3021.** Mayor Swartwood opened discussion/possible action concerning Resolution No. 3021 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A RENTAL AGREEMENT BETWEEN THE TOWN OF PAYSON ("TOWN") AND EVOQUA WATER TECHNOLOGIES, LLC.,

TO PROVIDE A GAC ADSORPTION SYSTEM (HP-1220ST) FOR THE C.C. CRAGIN WATER TREATMENT PLANT.

LaRon Garrett, Town Manager, explained this was for the C. C. Cragin water treatment plant and part of the treatment process at the very end was to polish the water with activated carbon in a large vessel that the water flowed through. The Town was looking at leasing the tank with the carbon.

Motion: to Approve Resolution No. 3021 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A RENTAL AGREEMENT BETWEEN THE TOWN OF PAYSON ("TOWN") AND EVOQUA WATER TECHNOLOGIES, LLC., TO PROVIDE A GAC ADSORPTION SYSTEM (HP-1220ST) FOR THE C.C. CRAGIN WATER TREATMENT PLANT.

Moved by Council Member Barbara Underwood, seconded by Council Member Su Connell.

Vote: Motion carried 7 - 0

Yes: Mayor B. Craig Swartwood, Vice-Mayor Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris Higgins, Council Member Janell Sterner, and Council Member Barbara Underwood.

4. **Resolution No. 3022.** Mayor Swartwood opened discussion/possible action concerning Resolution No. 3022 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING THE PROFESSIONAL AUDITING SERVICES PROPOSAL AND AUTHORIZING THE EXECUTION OF THE CONTRACT BETWEEN HEINFELD, MEECH & CO., P.C. ("CONTRACTOR") (COLLECTIVELY "THE PARTIES") AND THE TOWN OF PAYSON, ("TOWN") TO PROVIDE AUDITING SERVICES.

LaRon Garrett, Town Manager, explained every year the Town was required to do a complete audit of all of the finances to verify that the spending was in accordance with State law. The firm's five year contract the Town had contracted with had expired. Mr. Garrett indicated the Town received proposals from five firms and after reviewing all of the proposals staff agreed on HeinfeldMeech. HeinfeldMeech was not the firm that had been doing the audit, but had done the audit for the Town previously. Staff recommended approval and the contract could be renewed each year for up to five years.

Motion: to Approve Resolution No. 3022 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING THE PROFESSIONAL AUDITING SERVICES PROPOSAL AND AUTHORIZING THE EXECUTION OF THE CONTRACT BETWEEN HEINFELD, MEECH & CO., P.C.

("CONTRACTOR") (COLLECTIVELY "THE PARTIES") AND THE TOWN OF PAYSON, ("TOWN") TO PROVIDE AUDITING SERVICES. Moved by Council Member Chris Higgins, seconded by Council Member Janell Sterner.

Council Member Carpenter encouraged people to check the Town's website around the first of November to see the audit. Mr. Garrett noted typically the auditors came right after the fiscal year to do the field work and then came back around September or October to finalize the audit. It was usually December when the Town got the final report and the auditors presented the audit to the Council in January. Council Member Carpenter noted it would be advertised when the audit would be presented and once it was presented it would be on the Town's website.

Vote: Motion carried 7 - 0

Yes: Mayor B. Craig Swartwood, Vice-Mayor Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris Higgins, Council Member Janell Sterner, and Council Member Barbara Underwood.

I. UNFINISHED BUSINESS

1. There were no items in this section.

J. NEW BUSINESS

1. **Council Decision Request** filed by LaRon Garrett, Town Manager, to direct the Town Manager to submit a request to the United States Forest Service to grant the Town of Payson an easement for Green Valley Parkway from the Payson Event Center to the southerly terminus of Green Valley Parkway near Green Valley Park.

LaRon Garrett, Town Manager, indicated this section of roadway has been on the Town maps for fifteen to twenty years as a roadway the Town wanted to complete. It would make a connection from the south part of town over to Green Valley Park. The unfinished part of the road was on Forest Service land and would require a full environmental review and an easement before the Town could move forward with construction. Mr. Garrett noted at the April 1, 2017, Town Hall meeting this was one of the additional projects brought up by one of the attendees as being a major project that the Town should move forward with. This Council Decision Request was asking for direction to get the easement. Mr. Garrett noted staff recommended approval. Council Member Carpenter asked how long the environmental review would take and what the cost estimate was. Mr. Garrett replied the environmental review would take about a year and as far as the construction cost he did not have a good estimate yet until staff knew exactly where the alignment would be; which was based on the environmental review. Council Member Higgins asked Mr. Garrett to share the benefits of the roadway to

the Town. Mr. Garrett replied the road would provide another connector from the southwest part of town out to the highway that would be helpful during events at Green Valley Park. It would allow residents to use it as an internal type bypass. The land it crossed was slated to be private land so this would be the access to that land. Council Member Higgins asked if this would also fall under economic development. Mr. Garrett replied yes, it was in the Town's General Plan. Council Member Croy noted the alignment may not be the actual alignment and asked what had happened twenty years ago. Mr. Garrett replied the current alignment was based strictly on topography and without doing the environmental assessment the Town did not know if there was anything to avoid in the area. Council Member Croy asked if the Town Engineer had picked that route at the time. Mr. Garrett replied he had picked the route almost twenty years ago looking at the topography where it would be easiest to build the roadway. Council Member Croy asked if there was discussion with the Forest Service at that time. Mr. Garrett replied at that time it was included in the Payson Four Land Exchange and the Town thought it was going into private hands then and that was why Mr. Garrett had determined that alignment. Council Member Carpenter asked if that land was scheduled for a future land exchange, but no one had started on that yet. Mr. Garrett replied not that he was aware of. Mayor Swartwood noted the Town could build the road even if the land exchange never happened. Mr. Garrett replied yes, there were several roads in town that were on a Forest Service easement.

Motion: to direct the Town Manager to submit a request to the United States Forest Service to grant the Town of Payson an easement for Green Valley Parkway from the Payson Event Center to the southerly terminus of Green Valley Parkway near Green Valley Park.

Moved by Council Member Fred Carpenter, seconded by Council Member Chris Higgins.

Vote: Motion carried 7 - 0

Yes: Mayor B. Craig Swartwood, Vice-Mayor Fred Carpenter, Council Member Su Connell, Council Member Richard Croy, Council Member Chris Higgins, Council Member Janell Sterner, and Council Member Barbara Underwood.

K. CLAIMS

1. ***List of checks.** Council approved, on the Consent Agenda, a list of checks paid from April 5, 2017 through April 7, 2017, Check Nos. 052442 through 052574, and authorization to file the checks for audit.
***CONSENT* APPROVED**

L. MISCELLANEOUS

1. There were no items in this section.

M. PUBLIC COMMENTS

Sheila DeSchaaf, Planning and Development Director, noted Resolution No. 3020, passed on the Consent Agenda, was an agreement with the Department of Housing for fees on manufactured housing.

Jamie Ratzken noted the first official reenactment for his group was at the Wild West Bass Tournament final weigh-in on May 6, 2017, at Green Valley Park.

ADJOURNMENT

Mayor Swartwood adjourned the meeting at approximately 6:07 p.m.

APPROVED:

_____ Date: _____

B. Craig Swartwood, 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 20 of April, 2017. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this ____ day of _____, 2017.

Tracie Bailey, Chief Deputy Town Clerk



Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

DLLC USE ONLY

CSR:

Log #:

APPLICATION FOR EXTENSION OF PREMISES/PATIO PERMIT

OBTAIN APPROVAL FROM LOCAL GOVERNING BOARD BEFORE SUBMITTING TO THE DEPARTMENT OF LIQUOR

Notice: Allow 30-45 days to process permanent change of premises

☐ Permanent change of area of service. A non-refundable \$50. Fee will apply. Specific purpose for change:

☒ Temporary change (No Fee) for date(s) of: 5/28/17 through 5/28/17 list specific purpose for change:
OUTDOOR PARKING LOT EVENT

1. Licensee's Name: MAVERICK CADILLAC RANCH RESTAURANT License #: 12043098

2. Mailing address: [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
Last First Middle State Zip Code

3. Business Name: MAVERICK RESTAURANT GROUP, LLC

4. Business Address: 806A N HWY 87 PAISON AZ 85541
Street City State Zip Code

5. Email Address: [REDACTED]

6. Business Phone Number: 928-363-0140 Contact Phone Number: [REDACTED]

7. Is extension of premises/patio complete?
☐ N/A ☐ Yes ☒ No If no, what is your estimated completion date? 5/28/17

8. Do you understand Arizona Liquor Laws and Regulations?
☒ Yes ☐ No

9. Does this extension bring your premises within 300 feet of a church or school?
☐ Yes ☒ No

10. Have you received approved Liquor Law Training?
☒ Yes ☐ No

11. What security precautions will be taken to prevent liquor violations in the extended area? CONTIGUOUS TO PREMISES. EMPLOYEE @ OUTSIDE INGRESS/EGRESS POINT TO MONITOR AS WELL AS CONSTANT SERVER PRESENCE - BARRICADES AREA

12. [REDACTED]: Attach the revised floor plan, clearly depicting your licensed premises along with the new extended area outlined in black marker or ink, ✓

- ☐ Barrier Exemption: an exception to the requirement of barriers surrounding a patio/outdoor serving area may be requested. Barrier exemptions are granted based on public safety, pedestrian traffic, and other factors unique to a licensed premises. List specific reasons for exemption:

N/A

☐ Approval ☐ Disapproval by DLLC: _____ Date: ____/____/____

Notary

I, (Signature) [Signature], hereby declare that I am a **CONTROLLING PERSON/ AGENT** filing this notification. I have read this document and the contents and all statements are true, correct and complete.

State of Arizona

County of Gila

On this 25 Day of April, 2017 before me personally appeared Timothy J Tatman
Day Month Year (Print Name of Document Signer)

Whose identity was proven to me on the basis of satisfactory evidence to be the person who he or she claims to be and acknowledged that he or she signed the above/attached document.



(Affix Seal Above)

TIMOTHY J TATMAN
Notary Public - Arizona
Gila County

My Comm. Expires Jun 14, 2013

Signature of NOTARY PUBLIC

GOVERNING BOARD

After completion, and **BEFORE submitting to the Department of Liquor**, please take this application to your local Board of Supervisors, City Council or Designate for their recommendation. This recommendation is not binding on the Department of Liquor.

☐ Approval

☐ Disapproval

Authorized Signature

Title

Agency

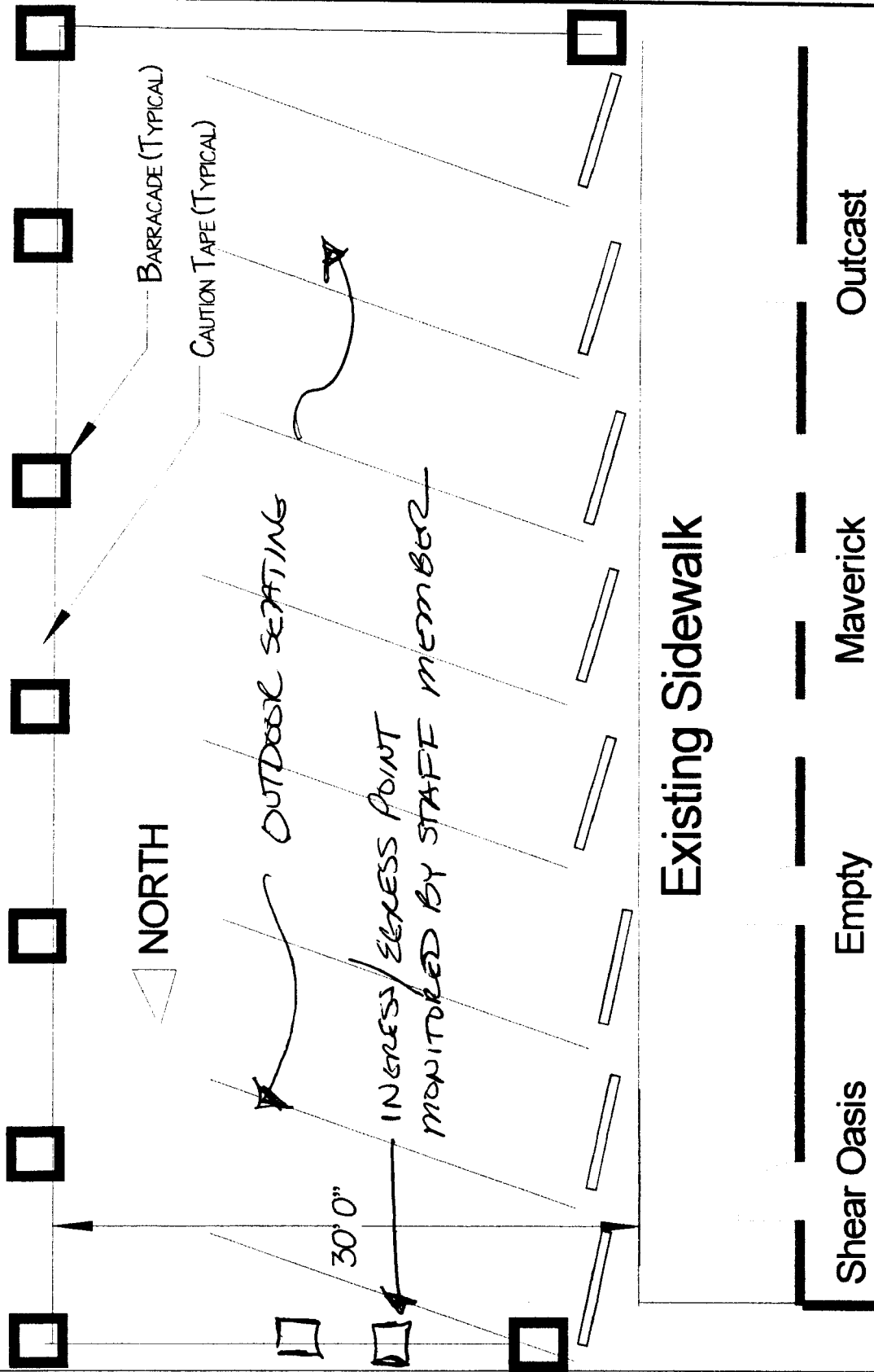
Date

DLLC USE ONLY

Investigation Recommendation: ☐ Approval ☐ Disapproval by: _____ Date: ____/____/____

Director Signature required for Disapprovals: _____ Date: ____/____/____

NOTE: PROVIDES FOR 30+ FEET INGRESS/EGRESS VEHICLES AND ALL EXISTING PARKING ON EAST SIDE OF LOT.



Date: 03-10-17

Designed By:
Thomas Coons

Scale: 1/8"=1'

For
MAVERICK RESTAURANT
806A N. HWY 87
PAYSON, AZ.

MAVERICK RESTAURANT
~~GRAND OPENING~~ EVENT

ORDINANCE NO: 888

AN ORDINANCE OF THE TOWN OF PAYSON, ARIZONA, RELATING TO THE TRANSACTION AND USE TAX; AMENDING THE TOWN TAX CODE BY INCREASING THE RATE OF TAXATION FROM TWO AND TWELVE ONE-HUNDREDTHS PERCENT (2.12%) TO THREE AND TWELVE ONE-HUNDREDTHS PERCENT (3.12%); PROVIDING FOR SEVERABILITY; DESIGNATING AN EFFECTIVE DATE; MAKING PROVISION FOR EXISTING CONTRACTS; AND DECLARING AN EMERGENCY.

WHEREAS, the Town of Payson will use the Sales Tax Revenues to pay General Obligation Bonds and other authorized expenditures as may be identified and authorized by Mayor and Council at Town Council Meetings, Town Hall Meeting and through the Town Budgetary Process.

NOW, THEREFORE, THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DO HEREBY ORDAIN AS FOLLOWS:

Section I: The tax rate in each of the following sections of the Town Tax Code is increased from two and twelve one-hundredths percent (2.12%) to three and twelve one-hundredths percent (3.12%):

Section 8A-405 Advertising.
Section 8A-410 Amusements, exhibitions, and similar activities.
Section 8A-425 Job printing.
Section 8A-427 Manufactured buildings.
Section 8A-435 Publishing and periodicals distribution.
Section 8A-450 Rental, leasing, and licensing for use of tangible personal property.
Section 8A-460 Retail sales: measure of tax; burden of proof; exclusions
Section 8A-470 Telecommunication services.
Section 8A-475 Transporting for hire.
Section 8A-480 Utility services.

Section II: If any section, subsection, sentence, clause, phrase, or a portion of Ordinance No: 888 is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of Ordinance No: 888.

Section III: The tax imposed pursuant to Section I of this Ordinance shall not apply to contracts entered into prior to the effective date of this Ordinance.

Section IV: The provisions of this Ordinance shall become effective on and after the first day of August, 2017.

Section V: It is necessary for the preservation of the peace, health and safety of the Town of Payson, Arizona, an emergency is declared to exist, and this Ordinance shall become immediately operative and in full force and effect from and after the date of its enactment.

Prepared by Town of Payson Legal Department

HMF:dkk April 25, 2017 (10:17AM)

C:\Users\tbailey\Desktop\888 1% SALES TAX INCREASE OPTION I.doc

MAY 04 2017 H. 2A

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON
this _____ day of _____, 2017, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

B. Craig Swartwood, Mayor

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk

Hector M. Figueroa, Town Attorney

ORDINANCE NO: 888

AN ORDINANCE OF THE TOWN OF PAYSON, ARIZONA, RELATING TO THE TRANSACTION AND USE TAX; AMENDING THE TOWN TAX CODE BY INCREASING THE RATE OF TAXATION FROM TWO AND TWELVE ONE-HUNDREDTHS PERCENT (2.12%) TO THREE AND TWELVE ONE-HUNDREDTHS PERCENT (3.12%) EXCEPT AS PROVIDED IN SECTION 8A-460(d); PROVIDING FOR SEVERABILITY; DESIGNATING AN EFFECTIVE DATE; MAKING PROVISION FOR EXISTING CONTRACTS; AND DECLARING AN EMERGENCY.

WHEREAS, the Town of Payson will use the Sales Tax Revenues to pay General Obligation Bonds and other authorized expenditures as may be identified and authorized by Mayor and Council at Town Council Meetings, Town Hall Meeting and through the Town Budgetary Process.

NOW, THEREFORE, THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DO HEREBY ORDAIN AS FOLLOWS:

Section I: The tax rate in each of the following sections of the Town Tax Code is increased from two and twelve one-hundredths percent (2.12%) to three and twelve one-hundredths percent (3.12%):

Section 8A-405 Advertising.

Section 8A-410 Amusements, exhibitions, and similar activities.

Section 8A-425 Job printing.

Section 8A-427 Manufactured buildings.

Section 8A-435 Publishing and periodicals distribution.

Section 8A-450 Rental, leasing, and licensing for use of tangible personal property.

Section 8A-460 Retail sales: measure of tax; burden of proof; exclusions

Section 8A-470 Telecommunication services.

Section 8A-475 Transporting for hire.

Section 8A-480 Utility services.

Section II: The Town exercises its Local Option #V to impose a two-level tax structure on sales/purchases of big ticket items by replacing Section 8A-460(d) with the following language;

(d) Notwithstanding the provisions of subsection (a) above, when the gross income from the sale of a single item of tangible personal property exceeds ten thousand dollars (\$10,000), the three and twelve hundredths percent (3.12%) tax rate shall apply to the first \$10,000. Above \$10,000, the measure of tax shall be at a rate of two and twelve hundredths percent (2.12%)

Section III: If any section, subsection, sentence, clause, phrase, or a portion of Ordinance No: 888 is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of Ordinance No: 888.

Prepared by Town of Payson Legal Department

HMF:dkk April 25, 2017 (10:17AM)

C:\Users\tbailey\Desktop\888 1% SALES TAX INCREASE OPTION 2.doc

MAY 04 2017 H.2B

Section IV: The tax imposed pursuant to Sections I and II of this Ordinance shall not apply to contracts entered into prior to the effective date of this Ordinance.

Section V: The provisions of this Ordinance shall become effective on and after the first day of August, 2017.

Section VI: It is necessary for the preservation of the peace, health and safety of the Town of Payson, Arizona, an emergency is declared to exist, and this Ordinance shall become immediately operative and in full force and effect from and after the date of its enactment.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON this ____ day of _____, 2017, by the following vote:

AYES ____ NOES ____ ABSTENTIONS ____ ABSENT ____

B. Craig Swartwood, Mayor

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk

Hector M. Figueroa, Town Attorney



COUNCIL DECISION REQUEST

SUBJECT: Health Insurance Renewals for Fiscal Year 2017-2018

MEETING DATE: May 4, 2017

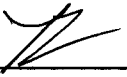
SUBMITTED BY: Melanie Baird-Simmons

SUBMITTAL TO AGENDA

AMOUNT BUDGETED:

APPROVED BY TOWN MANAGER

EXPENDITURE REQUIRED:



EXHIBITS (If Applicable, To Be Attached):

- Broker Authorization Letter
- Broker of Record Letter

POSSIBLE MOTION :

I move to change the the Broker of Record for our dental and vision benefits currently with Alliant to Duley-Bolwar & Associates, Inc. d/b/a Duley Bolwar Pederson (DBP) for the purposes of reviewing information regarding our current benefit plans as well as seeking information regarding potential new policies and plan designs.

SUMMARY OF THE BASIS FOR POSSIBLE MOTION:

Alliant has been our Broker of Record for our dental and vision since 2016. However, in an effort to realize savings for the Town of Payson and increase benefits for our employees, it is prudent to explore other options.

- The Town of Payson dental rates increased 15%.
-
- Although we have a two year rate guarantee with Avesis for vision coverage, there may be an opportunity to increase our benefits with this carrier.

PROS:

- Broker of Record would be one company versus two for streamlining administrative oversight.
- Possible dental savings for the Town of Payson due to the fact that Alliant did not explore other options on our behalf.
- Possible increased vision benefits due to plan design enhancement.

CONS:

None foreseeable.

MAY 04 2017 J.I.*



COUNCIL DECISION REQUEST

FUNDING:

Acct:	Budget:	Available:	Expense:	Remaining:
Acct:	Budget:	Available:	Expense:	Remaining:
Acct:	Budget:	Available:	Expense:	Remaining:

FM: _____ Date: _____



Broker Authorization Letter

May 4, 2017

To Whom It May Concern:

The purpose of this letter is to notify you that our company has engaged Duley-Bolwar & Associates, Inc. d/b/a Duley ■ Bolwar ■ Pederson (DBP) to provide us with employee benefit consulting services involving the review of our various employee benefit plans. We understand, however, that they have no responsibilities for any deficiencies in the existing insurance or plan programs to which this letter applies.

This letter also constitutes our authorization and instruction that you furnish DBP representatives with any information as may be requested concerning our benefit plans including but not limited to policies, plan design, rates, renewal rates, claims data etc.

This authorization will remain in effect until you are notified in writing to the contrary.

This letter does not constitute a Broker of Record Designation.

Please address your plan information and correspondence to:

Duley-Bolwar & Associates, Inc.
d/b/a Duley ■ Bolwar ■ Pederson
14805 N 73rd St.
Scottsdale, AZ 85260-3107
Phone (480) 346-2000 Fax (480) 346-2085

Your immediate assistance is appreciated.

Sincerely,

Signature

LaRon Garrett

Printed Name and Title

Town of Payson

Company Name

May 4, 2017

Date



Broker of Record Letter

Date: May 4, 2017

To Whom It May Concern:

The purpose of this letter is to notify you that our company has appointed Duley-Bolwar & Associates, Inc. d/b/a Duley I Bolwar I Pederson (DBP), TIN: 01-0586968 as the exclusive Broker of Record for our employee benefit programs as identified below:

<u>Description</u>	<u>Carrier</u>	<u>Policy Number</u>
Medical		
Dental	<u>Guardian</u>	<u>G-00527456</u>
Vision	<u>Avesis</u>	<u>065150EZ</u>
Long-Term Disability		
Short-Term Disability		
Voluntary Products		
Life Insurance		
Other		

We hereby appoint Duley-Bolwar & Associates, Inc. d/b/a Duley I Bolwar I Pederson (DBP) and each of the DBP Principals, namely

Charles R. Duley

D. Andrew Bolwar, Jr.

John E. Pederson

to act on our behalf and this letter also authorizes the carriers identified above to cooperate with these DBP representatives by releasing all requested information that pertains to our insurance or benefit programs including but not limited to plan designs, claims, census, renewal rates etc.

This appointment supersedes all previous agent appointments and the initial term of this appointment shall be one year. Thereafter, this agreement will remain in effect until an advance 60 day written termination notice is provided to Duley I Bolwar I Pederson. This appointment will go into effect immediately following the receipt of this letter, including all commissions and other compensation payable from that date on will be paid to the agency appointed in this letter.

Please address future broker communications and correspondence to:

Duley-Bolwar & Associates, Inc.

d/b/a Duley I Bolwar I Pederson

14805 N 73rd St.

Scottsdale, AZ 85260-3107

Phone (480) 346-2000 Fax (480) 346-2085

Your immediate assistance is appreciated.

Sincerely,

_____ Signature	<u>LaRon Garrett</u> Printed Name and Title
<u>Town of Payson</u> Company Name	<u>May 4, 2017</u> Date