



**COMMON COUNCIL OF THE TOWN OF PAYSON
AGENDA OF THE REGULAR MEETING
SEPTEMBER 27, 2023**

Members of the public may attend the meeting in person or may use the Zoom information below to watch or listen to the meeting.

To watch the meeting by video, use the Zoom link: https://us06web.zoom.us/j/89799092031?pwd=-l8P-AASC_J-rH5oK3rfpVsTD_K_Tg.Sg6qlxg1NbbE5RMZ

To listen to the meeting by phone, use any of the numbers below:

+1 669 444 9171

+1 719 359 4580

+1 720 707 2699

Webinar ID: 897 9909 2031

Passcode: 436144

CALL TO ORDER: 4:00 p.m. in the Town Hall Council Chambers, 303 North Beeline Highway, Payson, AZ.

INVOCATION (Participation Voluntary)

The invocation is provided by a volunteer; presenters are accepted and welcome regardless of religious affiliation. Interested persons may contact the Town Clerk.

Pastor Josef Kruppenbacher, Ponderosa Bible Church

PLEDGE OF ALLEGIANCE

ROLL CALL: CH __ BU __ BF __ JM __ SN __ JS __ ST-A __

Council Members may appear by electronic means.

STAFF PRESENT: TS __ SD __ CS __ JP __ RT __ TB __ EL __ DS __ JD __ TH __ DW __

OTHERS PRESENT: _____

Upon a public majority vote of a quorum of the Town Council, the Council may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes:

- **Discussion or consideration of personnel matters (A.R.S. §38-431.03(A)(1));**

- Discussion or consideration of records exempt by law (A.R.S. §38-431.03(A)(2));
- Discussion or consultation for legal advice with the Town's attorneys (A.R.S. §38-431.03(A)(3));
- Discussion or consultation with the Town's attorneys regarding the Town's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid litigation (A.R.S. §38-431.03(A)(4));
- Discussion or consultation with designated representatives of the Town to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03(A)(5));
- Discussion, consultation or consideration for negotiations by the Town or its designated representatives with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the Town (A.R.S. §38-431.03(A)(6));
- Discussion or consultation with designated representatives of the Town to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03(A)(7)).

Confidentiality

Arizona statute precludes any person receiving executive session information from disclosing that information except as allowed by law. A.R.S. §38-431.03(F). Each violation of this statute is subject to a civil penalty not to exceed \$500, plus court costs and attorneys' fees. This penalty is assessed against the person who violates this statute or who knowingly aids, agrees to aid or attempts to aid another person in violating this article. The Town is precluded from expending any public monies to employ or retain legal counsel to provide legal services or representation.

***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. CALL TO THE PUBLIC

Citizens desiring to speak on any issue within the jurisdiction of the public body may do so at this time. Public Comments are limited to matters within the legal authority and jurisdiction of the Town. Speakers shall state their name before speaking and comments shall be addressed to the Town Council as a whole. Comments shall be limited to three (3) minutes per person. CITIZENS ARE EXPECTED TO ADDRESS THE COUNCIL WITH CIVILITY RATHER THAN PERSONAL ATTACKS UPON THE MAYOR & COUNCIL, STAFF, PERSONNEL OR OTHER PERSONS IN ATTENDANCE OR ABSENT. At the conclusion of the Call to the Public, individual Town Council Members may, (1) respond to criticism made by those who have spoken, (2) direct staff to review or follow up on the matter, and/or (3) direct that the matter be put on a future agenda.

You may speak in person or via Zoom at the Council meeting. You may pick up the Speaker Request Form at Town Hall and submit it to the Town Clerk prior to the Council Meeting. You may also fill out a Speaker Request Form online by NOON the day of the Council Meeting. Please check the appropriate box on the form to indicate if you will be speaking in person or via Zoom. The Zoom link and instructions for

calling into the meeting will be on the confirmation page once you have filled out the online form. [Please click here to submit an online form.](#)

If you wish to speak on a Public Hearing item and did not fill out a speaker request form to speak via Zoom, please use the "raise your hand" feature in Zoom to be recognized to speak.

B. CONSENT AGENDA

There are no items in this section.

C. CURRENT EVENTS PRESENTATION BY THE TOWN MANAGER, MAYOR, AND/OR COUNCIL MEMBER

Brief presentation of current events by the Town Manager, Mayor, and/or Council Members. The Arizona Open Meeting Law specified 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.

C.1. Town Manager Report.

D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS

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

- D.1. Proclamation declaring September 2023 as National Service Dog Month in Payson. Cris Gerard of Lions Project for Canine Companions and Michele Davies with future service dog Hickory will be present to accept the proclamation.
[Proclamation National Service Dog Month 2023.pdf](#)
- D.2. Proclamation declaring September 27, 2023 as J.P. De la Montaigne Day in Payson. J.P. De La Montaigne will be present to accept the proclamation.
[Proclamation Recognizing JP de la Montaigne.pdf](#)
- D.3. Proclamation declaring September 30, 2023 as a Special Event Day for the "Iron Horse Rodeo Run" in Payson. Joy Mernaugh, Director of Marketing, and members of the Payson Pro-Rodeo Committee will be present to accept the proclamation.
[Proclamation Ironhorse Rodeo Bike Run 2023.pdf](#)
- D.4. Proclamation declaring October 2023 as Domestic Violence Awareness Month in Payson. Elena Warner, Director of Operations, and Trish Klaver of Time Out, Inc will be present to accept the proclamation.
[Proclamation Domestic Violence Awareness 2023.pdf](#)
- D.5. Proclamation declaring October 2023 as Community Planning Month. Doni Wilbanks, Community Development Director, will be present to accept the proclamation.
[Proclamation Planning Month 2023.pdf](#)

D.6. Proclamation declaring October 8 - 14, 2023 as Fire Prevention Week. Fire Chief David Staub will be present to accept the proclamation.
[Proclamation Fire Prevention Week 2023.pdf](#)

D.7. Proclamation declaring October 21, 2023 as Payson Aerofair Day. Mike Glenn, Aerofair Committee Chair, will be present to accept the proclamation.
[Proclamation Aero Fair and Aviation Appreciation Month 2023.pdf](#)

D.8. Presentation by Janice Chesser of the Master Gardeners Club regarding an update on the Apple Orchard.
[Staff Report - Apple Orchard Update.pdf](#)
[Heritage Apple Tree Orchard PowerPoint Presentation.pdf](#)

D.9. Presentation by J.P. De La Montaigne, Interim Parks and Recreation Director, regarding the Capital Improvement Project Citizen Advisory Committee (CIPCAC) Recommendation Report.
[Staff Report - CIPCAC Presentation to Council.pdf](#)
[CPICAC PowerPoint Presentation.pdf](#)
[TOP Forum Presentation.pdf](#)

D.10. Presentation by Tanner Henry, Water Department Director, regarding PFAS and PFOS.
[Staff Report - PFAS and PFOS.pdf](#)
[PFAS PowerPoint Presentation Update.pdf](#)

E. HEARINGS AND APPEALS

There are no items in this section.

F. RESOLUTIONS AND ORDINANCES

F.1. Discussion/possible action regarding Resolution No. 3359 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DECLARING, FOR PURPOSES OF SECTION 1.150 2 OF THE FEDERAL TREASURY REGULATIONS, OFFICIAL INTENT TO BE REIMBURSED IN CONNECTION WITH CERTAIN CAPITAL EXPENDITURES RELATING TO MUNICIPAL BUILDING AND RELATED CAPITAL IMPROVEMENT PROJECTS.
[Res 3359 Payson Reimbursement Resolution - Various Capital Improvement Projects.pdf](#)
[Staff Report to Reimburse CIP Expenses.pdf](#)
[Res. 3359 PowerPoint Presentation.pdf](#)

G. UNFINISHED BUSINESS

There are no items in this section.

H. NEW BUSINESS

H.1. Appointment to the Board of Adjustment to fill one unexpired vacancy, term to end June 30, 2026.

H.2. Discussion and possible action to recess to Executive Session pursuant to ARS 38-431.03:

A. Discussion or consultation for legal advice with the town attorney , discussion and consultation regarding its position in pending or contemplated litigation, including settlement discussions conducted in order to avoid or resolve litigation. A.R.S. §38-431.03(A)(3)and(4):

1. PFAS/PFOS Litigation.

B. Discussion or consultation for legal advice with the town attorney , discussion with designated representatives of the town order to consider its position and give direction regarding negotiations for the purchase, sale or lease of real property.

A.R.S. §38-431.03(A)(3) and (7):

2. Land Acquisition.

I. MISCELLANEOUS

There are no items in this section.

ADJOURNMENT

Note: Pursuant to A.R.S. §38-431.03(A)(3), the council may vote to hold an executive session for the purpose of obtaining legal advice from the Town Attorney concerning any matter listed on this agenda. The information discussed at any Executive Session and the minutes thereof are confidential.

THE TOWN OF PAYSON ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO PERSONS WITH DISABILITIES. WITH 48 HOURS ADVANCE NOTICE, SPECIAL ASSISTANCE CAN ALSO BE PROVIDED FOR SIGHT AND/OR HEARING IMPAIRED PERSONS AT PUBLIC MEETINGS. PLEASE CALL 474-5242 TO REQUEST AN ACCOMMODATION TO PARTICIPATE IN THIS MEETING.

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 _____, 2022, at _____, in accordance with the statement filed by the Town of Payson with the Payson Town Clerk.