



**COMMON COUNCIL OF THE TOWN OF PAYSON  
AGENDA OF THE REGULAR MEETING  
JANUARY 10, 2024**

**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/88551223333?pwd=3fLTxQ4ZB3jGpql1BorEjTEOpHhxmg.LRGB8-HRmZThEw0u>**

**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: 885 5122 3333**

**Passcode: 090117**

**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.

Lori Thompson, Director of New Beginnings Pregnancy & Parenting Center

**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 \_\_ DO \_\_ SR \_\_ TH \_\_ DW \_\_ LO \_\_**

**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**

All Items listed under the Consent Agenda will be voted on with one motion. If discussion is desired regarding any Consent Agenda Item, that item will be removed from the Consent Agenda and voted on separately.

- B.1. Consideration and action to approve the minutes of the Town Council Regular Meetings held on April 12, 2023.

[Minutes for Regular Payson Town Council - Regular - April 12, 2023.pdf](#)

- B.2. Resolution No. 3366 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING THE DESIGNATION OF TOWN'S AUTHORIZED REPRESENTATIVE AND ALTERNATE AUTHORIZED REPRESENTATIVE FORMS SUBMISSION TO THE ARIZONA DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS, WHICH DESIGNATES THE TOWN'S REPRESENTATIVES FOR APPLYING FOR CERTAIN PUBLIC ASSISTANCE; AND AUTHORIZING THE APPLICANT'S AUTHORIZED REPRESENTATIVES TO EXECUTE AND DELIVER SAID APPLICATION ON BEHALF OF THE TOWN OF PAYSON.

[Resolution No. 3366 DEMA Authorization.pdf](#)

[Staff Report - Res. No. 3366 DEMA Authorization.pdf](#)

[DEMA Auth Rep 12-26-23.pdf](#)

[DEMA alt auth rep 12.26.23.pdf](#)

- B.3. Council Decisions Request filed by Jon Paladini, Town Attorney, to approve a Settlement Agreement and Release, with Varity Development Corporation, in the amount of \$105,000, and authorize the Mayor to sign the agreement.  
[2023.12.22 Settlement Agreement -Varxity.pdf](#)

## **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 January 2024 as Humane Society of Central Arizona Month Because They Matter. Luci Trushel, Co-Director of the Humane Society, will be present to accept the proclamation.

[Proclamation Humane Society Month January 2024.pdf](#)

- D.2. Presentation of a Lifesaving Award to Officer Michael Hansen.

## **E. HEARINGS AND APPEALS**

There are no items in this section.

## **F. RESOLUTIONS AND ORDINANCES**

- F.1. Second Public Hearing regarding Ordinance No. 962 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE PAYSON TOWN CODE, TITLE XV LAND USAGE, CHAPTER 154 UNIFIED DEVELOPMENT CODE, SECTIONS 154-11-002 DEFINITIONS AND SECTIONS 154-12-001 TABLE OF RESIDENTIAL DISTRICT USES; 154-12-002 TABLE OF COMMERCIAL DISTRICT USES AND 154-12-003 TABLE OF INDUSTRIAL DISTRICT USES; RELATED TO RECREATIONAL VEHICLE/TRAVEL TRAILER PARK AND MOBILE HOME TRAILER PARK USES WITHIN THE TOWN; Providing for the repeal of conflicting ordinances; Providing for severability; PROVIDING FOR PENALTIES AND establishing an effective date.

[Ord 962 RV Code Amendment.pdf](#)

[Ordinance 962 PPT Council 12132023.pdf](#)

[Staff Report 12132013 RV code amend.pdf](#)

## **G. UNFINISHED BUSINESS**

There are no items in this section.

## **H. NEW BUSINESS**

- H.1. Council Decision Request filed by Gordon Dimbat, Water Quality & Treatment Manager, to increase budget line item 661-5-5451-08-8798 WTP Laboratory Offices to \$704,463.16 and award the contract for the Interior Renovations at Payson Water Treatment Facility to Pristine Restoration, LLC for a total bid price of \$548,216.66 and authorize the Town Manager to sign all necessary contract documents or potential change orders in substantial conformance with the attached documents and expenditures up to but not exceeding \$704,463.16.

[Council Decision Form](#)

- H.2. Upon a public majority vote of the members constituting a quorum, a public body may hold an executive session pursuant to TITLE 38, CHAPTER 3, ARTICLE 3.1 KNOWN AS ARIZONA OPEN MEETING LAW but only for the purposes authorized under A.R.S. § 38- 431.03: Pursuant to A.R.S. § 38-431.03(A)(3) – Discussion or consultation for legal advice with the attorney or attorneys of the public body and 38-431.03(A)(4) Discussion or consultation with the city’s attorneys regarding the city’s position regarding pending or contemplated litigation, or in settlement discussions conducted in order to avoid litigation.

1. Bryon and June Dudley

## **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.

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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.