



**COMMON COUNCIL OF THE TOWN OF PAYSON
AGENDA OF THE REGULAR MEETING
FEBRUARY 22, 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/87092839689?pwd=Nks0VUs2REx4M1V3VEViN1dtbFJadz09>
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: 870 9283 9689
Passcode: 473738

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 Richard Contratto, Calvary Chapel

PLEDGE OF ALLEGIANCE

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

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

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. Council Decision Request filed by Jon Paladini, Town Attorney, to approve a settlement with the pharmacy defendants in the multi-district opioid litigation.
[Council Decision Form](#)

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. Presentation of Government Finance Officers Association (GFOA) certificate of achievement for excellence in financial reporting.
[Announcement of GFOA Financial Excellence Award.pdf](#)

E. HEARINGS AND APPEALS

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

F. RESOLUTIONS AND ORDINANCES

- F.1. Discussion and possible action regarding Resolution No. 3318 captioned as follows:
A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADOPTING THE LEAGUE OF ARIZONA CITIES AND TOWNS 2023 MUNICIPAL POLICY STATEMENT AS THE TOWN OF PAYSON COUNCIL'S LEGISLATIVE POLICY.
[Res 3318 Adopting Legislative Policy 2023.pdf](#)
[Staff Report to Council_Final Legislative Priorities.pdf](#)

- F.2. Discussion/possible action regarding Resolution No. 3319 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ESTABLISHING A CAPITAL IMPROVEMENT PROJECT CITIZEN ADVISORY COMMITTEE.

G. UNFINISHED BUSINESS

G.1. There are no items in this section.

H. NEW BUSINESS

H.1. Council Decision Request filed by Larry Halberstadt, Deputy Public Works Director, to modify a Professional Services Contract for Land Acquisition Services with Consultant Engineering, Inc. (CEI) of Phoenix, AZ, adding \$34,285.56 to the contract amount.

[Council Decision Form](#)

H.2. Council Decision Request filed by J.P. de la Montaigne, Interim Parks and Recreation Director, to approve the extension of the Facility Use Agreement with the Payson Little League.

[Council Decision Form](#)

H.3. Council Decision Request filed by Jon Paladini, Town Attorney, to authorize the Town Attorney to sign a Legal Services Agreement with Baron & Budd, P.C., Cossich, Sumich, Parsiola & Taylor LLC, and Law Office of Joseph C. Tann, PLLC with respect to damages, compensation, and other relief to which Client may be entitled as a result of an Action to be filed by Attorneys on behalf of Client against the manufacturer(s) of firefighting foam products (known as “aqueous film forming foam” or “AFFF”) and/or other products containing perfluoroalkyl substances (“PFAS”) (including perfluorooctanoic acid (“PFOA” or “C8”), perfluorooctane sulfonate (“PFOS”), and any other related compounds) on a contingency fee basis.

[Council Decision Form](#)

H.4. Discussion/possible action to declare a Council vacancy exists.

[Staff Report Council Vacancy Process_final.pdf](#)

I. MISCELLANEOUS

I.1. Appointment to the Planning and Zoning Commission to fill one unexpired vacancy, term to end June 30, 2025.

[Staff Report - PZ Commission Appointment 02.22.23.pdf](#)

[P&Z Application - Claudia Broere_Redacted.pdf](#)

[P&Z Application - Karen Schaijer_Redacted.pdf](#)

[P&Z Application - Michael Obenauf_Redacted.pdf](#)

[P&Z Application - Dallin Haws_Redacted.pdf](#)

[P&Z Application - Alan Chittenden_Redacted.pdf](#)

[P&Z Application - Miranda Meyer_Redacted.pdf](#)

[P&Z Application - Pat Lockwood_Redacted.pdf](#)

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.