



**COMMON COUNCIL OF THE TOWN OF PAYSON  
AGENDA OF THE REGULAR MEETING  
JUNE 26, 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=3fLTxQ4ZB3jGpq1BorEjTEOpHxmg.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.

Rick Hill, Mountain Bible Church

**PLEDGE OF ALLEGIANCE**

**ROLL CALL: CH \_\_ BU \_\_ BF \_\_ JM \_\_ SN \_\_ JS \_\_ ST \_\_**

**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. Council Decision Request filed by Troy Smith, Town Manager, to retain Pierce Coleman as the Town's prosecutor.

[Council Decision Form](#)

B.2. Resolution No. 3400 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE TOWN MANAGER TO EXECUTE THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF PAYSON AND GILA COUNTY, ARIZONA, RELATED TO GILA COUNTY'S ASSISTANCE FOR THE 2024 HOUSEHOLD HAZARDOUS AND ELECTRONIC WASTE DAY EVENT.

[RES 3400 Gila County - Hazardous Services.pdf](#)  
[Hazardous Materials Day IGA \(2\).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 July 13, 2024 as Payson Book Festival Day. Members of the the Payson Book Festival Committee , will be present to accept the proclamation.

[Proclamation Book Festival 2024.pdf](#)

## **E. HEARINGS AND APPEALS**

E.1. This is a Public Hearing concerning an application for a Series 12 Restaurant Liquor License filed by Alexander Moctezuma, agent for Alibertos Mexican Food, 219 East Highway 260, Payson, Arizona. (Application is on file in the Town Clerk's office.)

## **F. RESOLUTIONS AND ORDINANCES**

F.1. Discussion/possible action concerning Resolution No. 3401 captioned as follows: A RESOLUTION OF THE PAYSON TOWN COUNCIL, ADOPTING THE 2024-2034 GENERAL PLAN AND DIRECTING THAT THE 2024-2034 GENERAL PLAN BE SUBMITTED TO THE ELECTORS OF THE TOWN OF PAYSON FOR RATIFICATION AND APPROVING THE PUBLIC PARTICIPATION PLAN. (2024-2034 GENERAL PLAN ADOPTION).

[Res 3401 General Plan Adoption Council 06262024.pdf](#)

[General Plan approval Staff report 06262024\\_TS.pdf](#)

[Town Council GP Adoption Hearing PPT 06262024 \(1\).pdf](#)

F.2. Discussion/possible action concerning Resolution No. 3402 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING THE ADOPTION OF THE 2024 PAYSON EMERGENCY OPERATIONS PLAN.

[Res 3402 TOP EOP 2024.pdf](#)

[Payson EOP PPT FINAL.pdf](#)

[EOP Staff Report\\_final.pdf](#)

[Payson EOP Final Draft 6.10.2024.pdf](#)

[Gila County EOP\\_Basic Plan\\_final\\_2022.pdf](#)

F.3. Discussion/possible action concerning Resolution No. 3403 captioned as follows: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AUTHORIZING THE ASSIGNMENT, ASSUMPTION AND AMENDMENT TO VACANT LAND/LOT PURCHASE CONTRACT BETWEEN THE TOWN AND DANCO HOMES, LLC, RELATED TO ASSIGNMENT BY DANCO HOMES, LLC, TO THE TOWN OF THE PURCHASE AGREEMENT BETWEEN DANCO HOMES, LLC, AND PAYSON LAND 30, LLC, FOR THE PURCHASE OF A PORTION OF GILA COUNTY PARCEL NO. 304-02-015X; AUTHORIZING AND DIRECTING THE MAYOR, TOWN MANAGER AND TOWN ATTORNEY TO ENTER INTO THE ASSIGNMENT AND AMENDMENT TO VACANT LAND/LOT PURCHASE CONTRACT AND TO PROCEED WITH THE ACQUISITION OF THE REAL PROPERTY KNOWN AS GILA COUNTY PARCEL NO. 304-02-015X ON BEHALF OF THE TOWN FOR AN AMOUNT NOT TO EXCEED FAIR MARKET VALUE OF THE PROPERTY, PLUS ACQUISITION AND CLOSING COSTS.

[PPT Aquatics\\_REC\\_Property\\_Purchase\\_Agreement\\_June 26 2024.pdf](#)

[Res 3403 Danco Homes - Authorizing Resolution 4893-3012-3210 v.1.pdf](#)

[Staff Report Property Aquisition\\_20Acre\\_Rec\\_Aquatics\\_Site\\_June 26 2024.pdf](#)

F.4. Second Public Hearing regarding Ordinance No. 965 captioned as follows: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE ZONING MAP, AND THE ZONING CODE FOR THE TOWN OF PAYSON BY REZONING APPROXIMATELY 26.10 ACRES OF REAL PROPERTY WITHIN THE TIMBER RIDGE PLANNED AREA DEVELOPMENT (PAD) GENERALLY LOCATED AT 300 W. RUMSEY DR., AS MORE PARTICULARLY DESCRIBED ON EXHIBIT A, TO ADD A MANUFACTURED HOME OVERLAY, PERMITTING THE CONSTRUCTION OF BOTH

MANUFACTURED HOMES AND SITEBUILT HOMES WITHIN THE SUBDIVISION.  
[ORD 965 Zoning Rezoning Timber Ridge MH Overlay Final.pdf](#)  
[Staff Report Ord 965 P24-002 Timber Ridge MH Overlay.pdf](#)  
[PowerPoint Presentation Ordinance 965 - Timber Ridge PAD MH Overlay.pdf](#)

## **G. UNFINISHED BUSINESS**

There are no items in this section.

## **H. NEW BUSINESS**

- H.1. Council Decision Request Filed by Dana Ohanesian, Finance Director, to approve the Public Safety Personnel Retirement System (PSPRS) Pension Funding Policy, and authorize the Town Clerk to post the policy on the Town's website.  
[Council Decision Form](#)
- H.2. Council Decision Request filed by Troy Smith, Town Manager, to approve the Town of Payson's participation in the Kroger Opioid settlement.  
[Council Decision Form](#)
- H.3. Proposal to place an airplane frame in the A-DOT roundabout at HWY 87 and Airport Road.  
[Staff Report Airplane Frame in Roundabout.pdf](#)  
[Petition.pdf](#)  
[Electronic Petition Sample.pdf](#)
- H.4. Annual appointments for expiring terms and vacancies on Town boards and commission.  
[Staff Report - Board and Commission Appointments.pdf](#)  
[2024 Committee Terms Expiring and Vacancies.pdf](#)
- H.5. Appointments to the Airport Commission to fill two terms expiring and one vacancy; all three new terms to expire June 30, 2027.  
[Airport Commission - Dan Nyhus Request to Renew Term\\_Redacted.pdf](#)  
[Airport Commission - Dale Mueller Request to Renew Term\\_Redacted.pdf](#)  
[Airport Commission - Christopher Ward\\_Redacted.pdf](#)  
[Airport Commission - Christopher Gaddis\\_Redacted.pdf](#)  
[Airport Commission - Phillip Jossi\\_Redacted.pdf](#)
- H.6. Appointments to the Board of Adjustment to fill one term expiring and one vacancy, terms to expire June 30, 2027.  
[Board of Adjustment - Pamela Jackson Request to Renew Term\\_Redacted.pdf](#)  
[Board of Adjustment - Laura Malone\\_Redacted.pdf](#)
- H.7. Appointments to the Building Advisory Board to fill three terms expiring, new terms to expire June 30, 2027; and to fill an unexpected vacancy, unexpired term to end June 30, 2026.  
[Building Advisory Board - Martin deMasi Request to Renew Term.pdf](#)  
[Building Advisory Board - Terry Lowman Request to Renew Term.pdf](#)  
[Building Advisory Board - Alison Blake\\_Redacted.pdf](#)

[Building Advisory Board - Tara DeHaan\\_Redacted.pdf](#)

[Building Advisory Board - Laura Malone\\_Redacted.pdf](#)

H.8. Appointments to the Historic Preservation and Conservation Commission to fill 2 terms expiring, terms to expire June 30, 2027.

[Historic Preservation Commission - Charles Proudfoot request to renew term.pdf](#)

[HPCC - Tara DeHaan\\_Redacted.pdf](#)

H.9. Appointments to the Parks and Recreation Commission to fill two terms expiring, new terms to expire June 30, 2027.

[Parks and Recreation Commission - BJ Bollier request to renew term.pdf](#)

[Parks and Recreation Commission - Deborah Jones request to renew term.pdf](#)

[Parks & Recreation Commission - Amy Stuht\\_Redacted.pdf](#)

[Parks & Rec Commission - Laura Malone\\_Redacted.pdf](#)

[Parks and Recreation Commission - Tara DeHaan\\_Redacted.pdf](#)

H.10 Appointments to the Planning and Zoning Commission to fill 2 terms expiring, new terms to expire June 30, 2027; and to fill one unexpected vacancy, unexpired term to end June 30, 2026.

[P&Z Commission - Mike Foil \(Vice Chair\) - Request to Renew Term.pdf](#)

[P&Z Commission - Nathan Morris\\_Redacted.pdf](#)

[P&Z Commission - Laura Malone\\_Redacted.pdf](#)

H.11 Appointment of Aaron Athey to the Public Safety Retirement Board (PSPRS) to fill one term expiring; new term to expire June 30, 2028.

[PSPRS - Fire Dept. Election Results.pdf](#)

H.12 Appointment of Jason Hazelo to the Public Safety Retirement Board (PSPRS) to fill one term expiring, new term to expire June 30, 2028.

[PSPRS - Police Election Results.pdf](#)

H.13 Upon a public majority vote of the members constituting a quorum, a public body may hold an executive session for the following purposes:

Discussion or consultation for legal advice with the attorney or attorneys of the public body; Discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation. A.R.S. §38-431.03(A) (3) and (4):

1. Boulder Creek HOA v Town of Payson

## **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 \_\_\_\_\_, 2024, at \_\_\_\_\_, in accordance with the statement filed by the Town of Payson with the Payson Town Clerk.