

MINUTES OF THE REGULAR MEETING OF THE SHOW LOW CITY COUNCIL HELD ON TUESDAY, AUGUST 18, 2020 AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, 181 NORTH 9TH STREET, SHOW LOW, NAVAJO COUNTY, ARIZONA

1. Call to Order.

Mayor Seymore called the meeting to order at 7:00 p.m.

2. Roll Call.

COUNCIL MEMBERS PRESENT: Mayor Seymore, Councilman Clark, Councilman Hatch, Councilwoman Kakavas, Councilman Kelley, and Councilman Leech.

COUNCIL MEMBERS ABSENT: Vice Mayor Allsop.

STAFF MEMBERS PRESENT: Ed Muder, City Manager; F. Morgan Brown, City Attorney; Justin Johnson, Deputy City Manager; Bill Kopp, Public Works Director; Shane Hemesath, City Engineer; Brad Provost, Police Commander; Rachael Hall, Deputy City Clerk; and Tamra Reidhead, City Clerk.

GUESTS: Dawn Wilson, Sharon Stone, Laura Singleton, Phil and Debbie Robertson, Tammy Moore, Daniel Rawlings, Doug Roberts, Jon Adams, Curt Fernau, and others.

3. Invocation.

Councilman Clark gave the invocation.

4. Pledge of Allegiance.

Councilman Kelley led the Council and audience in the pledge of allegiance.

Mayor Seymore congratulated Councilman Leech for being Mayor-elect, and Councilwoman Kakavas for her re-election to the Council. He also congratulated Dawn Wilson and Jon Adams for their Council-elect positions.

Mayor Seymore encouraged citizens to participate in the 2020 Census.

5. **CALL TO THE PUBLIC:**

Any citizen desiring to speak on a matter that **IS NOT** scheduled on this agenda may do so at this time. Comments may be limited to three minutes per person and shall be addressed to the City Council as a whole, and not to any individual member. Issues raised shall be limited to those within the jurisdiction of the City Council. Pursuant to the Arizona Open Meeting Law, the City Council cannot

discuss or act on items presented at this time. At the conclusion of the call to the public, individual City Council members may (1) respond to criticism made by those who have spoken, (2) ask staff to review a matter, and (3) ask that a matter be put on a future agenda.

None.

6. **SPECIAL EVENTS:**

- A. Presentation of Certificate of Appreciation to Outgoing Member of Planning and Zoning Commission.

Mayor Seymore presented a certificate of appreciation to outgoing Planning and Zoning Commission member Debbie Robertson and thanked her for her service.

- B. Presentation by Show Low Chamber of Commerce.

Dalilia Edwards, President of the Show Low Chamber of Commerce Board of Directors, gave an update on the Chamber's activities. The Chamber's social media personnel continued sharing content on Facebook and was able to log into the Instagram account to begin sharing content. The Chamber would be launching a new interactive map of the local area that could be downloaded to mobile devices. The application would include an itinerary planner, point of interest pop-ups, and show the locations of city parks and facilities.

Councilman Leech asked if the Tourist Information Center (TIC) was currently open. Ms. Edwards said yes, the TIC was open and staffed Monday through Thursday, 9:00 a.m. to 4:00 p.m., Friday, 9:00 a.m. to 5:00 p.m., and Saturday, 9:00 a.m. to 1:00 p.m. She said traffic into the TIC had stayed steady with 264 walk-ins so far during this month.

Councilwoman Kakavas expressed her appreciation for the information presented regarding the efforts of the TIC. She asked for the Chamber to contact local members and businesses to see how they were doing during the pandemic and offer help. Ms. Edward said yes, the Chamber would contact local members and would report back to the Council.

Councilman Leech asked for the Chamber to showcase more local businesses and restaurants to show visitors that the City was open for business. Ms. Edwards said yes, the Chamber would begin working on capturing pictures from events at restaurants and other local businesses.

Mr. Muder said at its June meeting, the Council approved a contract for three months with the Chamber that would expire at the end of

September. Staff would present a renewal of the contract to the Council at an upcoming meeting. He asked if the Council would like to continue to have the Chamber make a monthly report at the Council meeting. Council members suggested that the Chamber continue to report to the Council on a monthly basis until further notice.

7. **CONSENT CALENDAR:**

- A. Consideration of Resolution No. R2020-22 Approving and Authorizing an Intergovernmental Agreement for Continuing with Other Arizona Child Abduction Response Team (CART) Agencies. (Joe Shelley)
- B. Consideration of Resolution No. R2020-23 Approving Intergovernmental Agreement with Navajo County and Accepting Edward G. Byrne Memorial Justice Assistance Grant Funds. (Joe Shelley)
- C. Consideration to Award Purchase of Computer Backup System. (Joe Shelley)
- D. Consideration of Acceptance of Governor's Office of Highway Safety Grants and Authorization of Associated Budget Transfers. (Joe Shelley)
- E. Consideration of Acceptance of West Cooley and 8th Avenue Waterline Replacement, City of Show Low Project No. W-0120. (Shane Hemesath)
- F. Consideration of Acceptance of North 16th Avenue Sidewalk and Walking Path Improvement Project, City of Show Low Project No. R-1520-A. (Shane Hemesath)
- G. Consideration of Acceptance of Schneider Electric Energy Conservation Project. (Bill Kopp)
- H. Consideration of Minutes of Show Low City Council meetings:
 - (1) Regular Meeting of August 4, 2020.

Council members thanked the contractor for the great work that was completed on the 16th Avenue sidewalk and walking path improvement project. Many citizens were already seen walking on the path and enjoying the new improvement in that area.

COUNCILWOMAN KAKAVAS MOVED TO APPROVE THE CONSENT CALENDAR AS PRESENTED; SECONDED BY COUNCILMAN HATCH; PASSED 6 TO 0 WITH MAYOR SEYMORE AND COUNCIL MEMBERS CLARK, HATCH, KAKAVAS, KELLEY, AND LEECH VOTING IN FAVOR.

8. NEW BUSINESS:

- A. Consideration of Resolution No. R2020-24 Declaring and Adopting the Results of the Primary Election Held on August 4, 2020. (Tamra Reidhead)

Ms. Reidhead said Resolution No. R2020-24 outlined the unofficial results of the City of Show Low's Primary Election held on August 4, 2020. The ballot included the Mayor's seat and three Council seats.

Ms. Reidhead said to win in the Primary Election, a candidate had to receive a majority of the valid votes cast for the office of Mayor or City Council. Based on complete unofficial results, the number of votes required to be declared elected was 1,364 for the Mayor and 1,147 for the City Council. There were two candidates for the Mayor's seat (Gene Kelley and John Leech, Jr.) and six candidates for the three Council seats (incumbent Connie Kakavas, and newcomers Jon Adams, Melody Bell, Ray Duran, Jack Latham, and Dawn V. Wilson).

Ms. Reidhead said the results showed that Mayoral candidate John Leech, Jr. received 1,445 votes and Gene Kelley received 1,282 votes. Since the votes for John Leech, Jr. exceeded the required number of 1,364 votes, he would be declared elected Mayor. For the Council seats, candidate Connie Kakavas received 1,606 votes; Dawn V. Wilson received 1,190 votes; Jon Adams received 1,166 votes; Jack Latham received 1,139 votes; Melody Bell received 1,129 votes; and Ray Duran received 647 votes. Connie Kakavas, Dawn V. Wilson, and Jon Adams each received more than the 1,147 votes needed and would be declared elected to the City Council.

Ms. Reidhead said approving Resolution No. R2020-24 would declare the election results to be the official canvass, with John Leech, Jr., Connie Kakavas, Dawn V. Wilson, and Jon Adams filling the Mayor's seat and three Council seats, respectively. The Mayor and three Council members would be sworn in at the December 1, 2020, Council meeting.

COUNCILMAN KELLEY MOVED TO ADOPT RESOLUTION NO. R2020-24 DECLARING AND ADOPTING THE RESULTS OF THE PRIMARY ELECTION HELD ON AUGUST 4, 2020; SECONDED BY COUNCILMAN CLARK; PASSED 6 TO 0 WITH MAYOR SEYMORE AND COUNCIL MEMBERS CLARK, HATCH, KAKAVAS, KELLEY, AND LEECH VOTING IN FAVOR.

- B. Consideration of Award of Construction Contract for West Cooley Sewer Replacement Phase 2, City of Show Low Project No. S-0521, and Approval of Associated Budget Transfers. (Shane Hemesath)

Mr. Hemesath said the City’s fiscal year 2021 capital improvements plan (CIP) budget included \$350,000 for a sewer line replacement project labeled “West Cooley Sewer Improvements Phase 2.” The existing wastewater collection system consisted of aging six-inch clay pipe and it was requiring more maintenance and repairs. Phase 1 of the proposed improvements in this area was completed earlier this year. The second phase was included in this year’s budget to include installing approximately 2,650 linear feet (LF) of new eight-inch PVC sewer line, eight new concrete manholes, new sewer services, and to replace the existing asphalt removed.

Mr. Hemesath said the project was designed by Ironside Engineering with a construction estimate of \$379,000. Arizona Department of Environmental Quality approvals to construct were obtained. The project was publicly bid in accordance with statutory requirements with the following results:

<u>Contractor</u>	<u>Base Bid</u>
Rawlings Specialty Contracting	\$385,310.00
Apache Underground and Excavating	\$391,247.50
Central Arizona Civil Construction Co.	\$398,815.00

Mr. Hemesath said a budget transfer from CIP Capital Carry-Over Account in the amount of \$35,500 was proposed to fund the scope of work for Phase 2. Staff recommended awarding the construction contract for the West Cooley sewer replacement Phase 2, City of Show Low Project No. S-0419, to Rawlings Specialty Contracting in an amount not to exceed \$385,310 and approving the associated budget transfers.

COUNCILMAN CLARK MOVED TO AWARD THE CONSTRUCTION CONTRACT FOR THE WEST COOLEY SEWER REPLACEMENT PHASE 2, CITY OF SHOW LOW PROJECT NO. S-0521, TO RAWLINGS SPECIALTY CONTRACTING IN AN AMOUNT NOT TO EXCEED \$385,310 AND APPROVE THE ASSOCIATED BUDGET TRANSFERS; SECONDED BY COUNCILWOMAN KAKAVAS; PASSED 6 TO 0 WITH MAYOR SEYMORE AND COUNCIL MEMBERS CLARK, HATCH, KAKAVAS, KELLEY, AND LEECH VOTING IN FAVOR.

- C. Consideration of Resolution No. R2020-25 Approving Intergovernmental Agreement with Arizona Department of Transportation for Utility Adjustments for US60 and SR260. (Shane Hemesath)

Mr. Hemesath said Arizona Department of Transportation’s (ADOT) five-year improvement plan currently included \$12.5 million for a pavement preservation project called “Church Street to Knottingham Lane” in FY

2021. The plan also included \$13 million for a pavement preservation project called “FH300 to SR77” in FY 2021. The scope of the work for both projects included milling the top three-inches of existing asphalt and installing a new three-inch asphalt overlay on SR260 from the intersection of East Hall and SR260 to the intersection of Knottingham Lane and SR260 in Wagon Wheel and on US60 (Deuce of Clubs) from Forest Service Road 300 through town to SR77.

Mr. Hemesath said during the work, the contractor would need to lower any water valves or manholes and adjust them back to finished grade after the paving was complete. The costs of adjusting utilities in the ADOT right-of-way were the utility provider’s responsibility.

Mr. Hemesath said ADOT was presenting this intergovernmental agreement to the City to confirm the City’s agreement to pay for the utility adjustments for their projects. The cost of adjusting the wastewater manholes was estimated at \$55,750 and the cost of adjusting the water valves was estimated at \$52,250. After the project was awarded, the true bid line item costs would be paid and excess funds would be returned to the City or excess expenses would be billed to the City.

Mr. Hemesath said funding for this work was not included in the current budget. Staff had identified funding in the Wastewater Capital Carry-Over budget and the Wastewater CIP Improvement budget to pay for the manhole adjustments. To pay for the water valve adjustments, the funding in the Fawnbrook Phase 1 CIP project would be slightly reduced allowing for a portion of those funds to be utilized for this project.

Mr. Hemesath said staff recommended adopting Resolution No. R2020-25 approving and authorizing the execution of an intergovernmental agreement between the City and ADOT for utility adjustments for US60 and SR260, and authorizing the Mayor to sign said agreement.

Councilman Leech asked if the project would be completed at night. Mr. Hemesath said yes, the utility adjustments would be completed during the night for traffic control.

Councilwoman Kakavas said there were complaints in the local newspaper about the City’s road conditions. She asked what the projected timeline would be for the ADOT project. Mr. Hemesath said the ADOT project was projected to go to bid in January 2021 and the work was projected to begin in April 2021.

COUNCILWOMAN KAKAVAS MOVED TO ADOPT RESOLUTION NO. R2020-25 APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF

SHOW LOW AND THE ARIZONA DEPARTMENT OF TRANSPORTATION FOR UTILITY ADJUSTMENTS FOR US60 AND SR260, AND AUTHORIZING THE MAYOR TO SIGN SAID AGREEMENT; SECONDED BY COUNCILMAN LEECH; PASSED 6 TO 0 WITH MAYOR SEYMORE AND COUNCIL MEMBERS CLARK, HATCH, KAKAVAS, KELLEY, AND LEECH VOTING IN FAVOR.

- D. Consideration of Acceptance of Meadow Trail Pavilion Design Build, City of Show Low Project No. PR-2219. (Bill Kopp)

Mr. Kopp said at its February 18, 2020 meeting, the City Council awarded a construction contract to Sutherland Construction Company, Inc. in an amount not to exceed \$106,830.82 for the Meadow Trail Pavilion design build, City of Show Low Project No. PR-2219. The scope of work included constructing a 24-foot by 36-foot building containing two restrooms. The building was located on A.P. No. 210-23-010A. This area was also known as the “Meadow Trailhead.” The building had a concrete slab floor, Corten corrugated roofing, and had been sided with salvaged barn wood from the old Ellsworth barn. The building also had a concrete masonry unit superstructure and two double-rolling barn doors. The restrooms were each approximately eight feet by eight feet and are constructed from concrete masonry units. The work included furnishing and installing framing, siding, roofing, painting, plumbing, electrical, heating and cooling, and all other incidental items for a complete turnkey project.

Mr. Kopp said during construction there was a shortage of the salvaged wood used for siding. The contractor located a supply of rough sawn boards to make up the shortage. The boards were also treated to match the salvaged wood. This resulted in two change orders in an amount that totaled \$4,141.15. The change orders increased the total project cost from \$106,830.82 to \$110,971.97.

Mr. Kopp said staff recommended accepting the construction of the Meadow Trail Pavilion Design Build, City of Show Low Project No. PR-2219, releasing the retainage, approving the change orders in the amount of \$4,141.15, and initiating the two-year warranty period.

Mayor Seymore said the building was a nice addition to the Meadow and enhanced the area.

Councilman Leech said the building looked amazing and appreciated that a local contractor was able to build it.

COUNCILMAN HATCH MOVED TO ACCEPT THE CONSTRUCTION OF THE MEADOW TRAIL PAVILION DESIGN BUILD, CITY OF SHOW LOW PROJECT NO. PR-2219, RELEASE THE FINAL RETAINAGE

PAYMENT, APPROVE THE CHANGE ORDERS IN THE AMOUNT OF \$4,141.15, AND INITIATE THE TWO-YEAR WARRANTY PERIOD; SECONDED BY COUNCILWOMAN KAKAVAS; PASSED 6 TO 0 WITH MAYOR SEYMORE AND COUNCIL MEMBERS CLARK, HATCH, KAKAVAS, KELLEY, AND LEECH VOTING IN FAVOR.

9. **SUMMARY OF CURRENT EVENTS:**

A. Council Members

Councilman Leech, Councilwoman Kakavas, and Councilman Kelley thanked the community for their support during the election.

Councilman Hatch expressed his appreciation for the Council.

Councilman Kelley expressed his gratification serving on the Council and as Mayor for the City.

Councilman Clark thanked City staff for their efforts in settling an ongoing issue with Ms. Owens.

B. Mayor

Mayor Seymore said the community was fortunate to have a school that was open for the students to attend and hoped it would continue to be open. He thanked the citizens for the opportunity to be the City's Mayor and the support to be elected as Navajo County Board Supervisor for District 4.

C. City Manager

Mr. Muder said on August 29, Navajo County and the City were sponsoring a free, region-wide residential electronic waste and used tires collection event from at the Navajo County Penrod Facility. Unwanted computer equipment and accessories, small appliances, electronic equipment, and used tires without rims for free. Waste from commercial businesses would not be accepted at the event. However, commercial drop off would take place on August 28, for a fee.

Mr. Muder said the 2020 Census was still underway, with only 40.2% of households in Show Low responding to date. Residents could still participate and complete the online self-response form at www.2020census.gov. Every resident who was counted equaled more shared revenues for the City, which were used to build and maintain roads, water and sewer services, recreational facilities and parks, and fund the police, senior citizen centers, schools, day care centers, etc.

Mr. Muder said in the late 1990s, Show Low TV (formerly City 4 TV) created a video tour of Show Low in the early 1900s. The video was recently posted on the City's Facebook page and had garnered a lot of interest, with over 11,000 views and 273 shares. Citizens could watch the video either on the City's Facebook page or on Show Low TV's YouTube channel.

10. **SCHEDULING OF MEETINGS:**

Scheduling of meetings, which may be brought up at this time.

Mr. Muder said the Council Retreat would be on October 29.

Mr. Muder said there would be a Study Session prior to the next Regular Council meeting on September 1, at 6:30 p.m.

COUNCILMAN LEECH MOVED TO RECESS INTO EXECUTIVE SESSION TO DISCUSS A.P. NO. 210-16-082C AND A.P. NOS. 210-17-001, 210-17-022, 210-14-050C, 210-14-049, AND 210-14-050D, AND REVIEW THE EXECUTIVE SESSION MINUTES OF MAY 19; SECONDED BY COUNCILMAN HATCH; PASSED 6 TO 0 WITH MAYOR SEYMORE AND COUNCIL MEMBERS CLARK, HATCH, KAKAVAS, KELLEY, AND LEECH VOTING IN FAVOR.

The Show Low City Council recessed in Executive Session at 7:57 p.m.

11. **EXECUTIVE SESSION.**

A. Confidentiality Statement.

B. Discussion or consultation for legal advice with the attorney or attorneys of the public body or with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale, or lease of real property. Pursuant to A.R.S. Sections 38-431.03(A)(3) and 38-431.03(A)(7).

(1) A.P. No. 210-16-082C

(2) A.P. Nos. 210-17-001, 210-17-022, 210-14-050C, 210-14-049, and 210-14-050D.

C. Discussion or consideration of records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law. Pursuant to A.R.S. Section 38-431.03(A)(2).

(1) Executive Session Minutes of May 19, June 2, and July 21, 2020.

12. **POST EXECUTIVE SESSION.**

Consideration of any item on the Executive Session portion of this agenda, which the Council may wish to take action upon in Open Session.

The Show Low City Council reconvened into Open Session at 8:35 p.m.

- A. Consideration of Approval of the Minutes of the Executive Sessions of the Show Low City Council Held on May 19, June 2, and July 21, 2020.

COUNCILMAN LEECH MOVED TO APPROVE THE EXECUTIVE SESSION MINUTES OF MAY 19, JUNE 2, AND JULY 21, 2020; SECONDED BY COUNCILMAN HATCH; PASSED 6 TO 0 WITH MAYOR SEYMORE AND COUNCIL MEMBERS CLARK, HATCH, KAKAVAS, KELLEY, AND LEECH VOTING IN FAVOR.

13. **ADJOURNMENT.**

There being no further business to be brought before the Council, **MAYOR SEYMORE ADJOURNED THE REGULAR MEETING OF THE SHOW LOW CITY COUNCIL OF AUGUST 18, 2020 AT 8:36 P.M.**

ATTEST:

APPROVED:

Tamra Reidhead, City Clerk

Daryl Seymore, Mayor

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CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the **REGULAR MEETING** of the City Council of Show Low held on August 18, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 20____.

(SEAL)

Tamra Reidhead, City Clerk