

MINUTES OF THE REGULAR MEETING OF THE SHOW LOW CITY COUNCIL HELD ON TUESDAY, JANUARY 5, 2021 AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, 181 NORTH 9TH STREET, SHOW LOW, NAVAJO COUNTY, ARIZONA

1. Call to Order.

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

2. Roll Call.

COUNCIL MEMBERS PRESENT: Mayor Leech, Vice Mayor Kakavas, Councilman Adams, Councilman Allsop, Councilman Clark, Councilman Hatch, and Councilwoman Wilson.

COUNCIL MEMBERS ABSENT: None.

STAFF MEMBERS PRESENT: Ed Muder, City Manager; F. Morgan Brown, City Attorney; Justin Johnson, Deputy City Manager; Bill Kopp, Public Works Director; Jay Brimhall, Community Services Director; Brad Provost, Police Commander; Rick Austin, Public Works Operations Manager; Shane Hemesath, City Engineer; Lisa Robertson, Grants/Transit Manager; Lisa Lewis, Library Services Manager; Rachael Hall, Deputy City Clerk; and Tamra Reidhead, City Clerk.

GUESTS: Everett Robinson, Josh and Whitney Bagge, Doug Roberts, and others.

3. Invocation.

Vice Mayor Kakavas gave the invocation.

4. Pledge of Allegiance.

Mayor Leech led the Council and audience in the pledge of allegiance.

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 on Community Outreach by Northland Pioneer College.

Betsy Wilson, Northland Pioneer College Friends and Family Program Director, updated the Council on current class operations at Northland Pioneer College (NPC). She said due to the current pandemic, students were currently under the “red operation plan” and attending classes online only. Once it was safe, NPC would go to the “yellow operation plan” and have students take part of hybrid learning which included online classes with hands-on learning opportunities. NPC would make sure students followed guidelines such as social distancing, frequent hand washing, and other safety measures.

Ms. Wilson said NPC was in search of a new president and hoped to have one by July 1. NPC would be conducting a nationwide search to find a new president. She said a committee was created with faculty, staff, students, and community members to help create a profile for candidates.

Ms. Wilson reported that work continued on the design for the new Skills Center at the Show Low campus. The design for the exterior elevation and interior floor plans had been submitted to the faculty for their review and recommendations. She expected the plans to be submitted to the City by the end of January for plan review.

7. **CONSENT CALENDAR:**

- A. Consideration of Acceptance of East Hall Sidewalk and Drainage Improvements, City of Show Low Project No. R-1620. (Shane Hemesath)
- B. Consideration of Approval of Employment Agreement with City Magistrate. (Mayor John Leech, Jr.)
- C. Proclamation by the Mayor Proclaiming January 18, 2021 as **MARTIN LUTHER KING, JR. DAY OF SERVICE** in the City of Show Low.
- D. Consideration of Approval of Temporary Labor Services. (Rick Austin)
- E. Consideration of Minutes of Show Low City Council meetings:
 - (1) Study Session of November 23, 2020.
 - (2) Special Meeting of December 1, 2020.
 - (3) Regular Meeting of December 1, 2020.

Councilman Allsop asked that item 7D (consideration of approval of temporary labor services) be pulled from the Consent Calendar for discussion.

COUNCILMAN CLARK MOVED TO APPROVE THE CONSENT CALENDAR AS PRESENTED EXCEPT FOR ITEM 7-D (CONSIDERATION OF APPROVAL OF TEMPORARY LABOR SERVICES); SECONDED BY VICE MAYOR KAKAVAS; PASSED 7 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, AND COUNCIL MEMBERS ADAMS, ALLSOP, CLARK, HATCH, AND WILSON VOTING IN FAVOR.

Councilman Allsop asked how many contracted temporary employees eventually became full-time employees with the City. Mr. Austin said about 50% temporary employees became full-time employees with the City.

Councilman Allsop expressed concerns with the level of service provided by temporary employees compared to full-time employees. He favored having more full-time employees compared to using temporary services.

Vice Mayor Kakavas asked if using the temporary services was more of a working interview and if that seemed to work for the City. Mr. Austin said yes, the City used the temporary services to serve as a working interview for employees. He suggested that it worked better for the City using the service but said during the pandemic it had been hard to find employees that wanted to work.

Mayor Leech asked if the service was used for seasonal work. Mr. Austin said some of the positions were for seasonal positions during spring, summer, and fall seasons. He said currently the City used the temporary service year-round due to the pandemic and the need for workers.

VICE MAYOR KAKAVAS MOVED TO APPROVE ARIZONA TEMPORARY PERSONNEL AND ARIZONA LABOR FORCE FOR A COMBINED TOTAL AMOUNT NOT TO EXCEED \$142,000.00; SECONDED BY COUNCILWOMAN WILSON; PASSED 7 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, AND COUNCIL MEMBERS ADAMS, ALLSOP, CLARK, HATCH, AND WILSON VOTING IN FAVOR.

8. **NEW BUSINESS:**

- A. **PUBLIC HEARING** – Prioritization of Projects for Community Development Block Grant Funds. (Lisa Robertson/Shane Hemesath)

Ms. Robertson said approximately \$270,000.00 was being offered to the City of Show Low by the Arizona Department of Housing through the Community Development Block Grant (CDBG) program. This program funded projects to assist persons of low-to-moderate income, to prevent or eliminate slums or blight, or to solve an urgent need, or health hazard.

Ms. Robertson said the first public hearing regarding this matter was held October 22, 2020 to obtain community input on the use of CDBG funds. No public input was received at the public hearing. Tonight's public hearing was to solicit additional public input on possible projects for CDBG funds. Following the hearing, the Council could select the final Community Development Block Grant project to be submitted for application and to adopt an applicable resolution. Staff recommended the sidewalk improvement project on Huning Street between 11th Street and White Mountain Road.

Ms. Robertson said should the Council, after hearing public input tonight, accept staff's recommendation and determine that the City's priority for use of these 2021 CDBG funds was the Huning Street sidewalk improvement project, staff would submit a letter of intent to the Northern Arizona Council of Governments (NACOG) by January 29, 2021. The City's letter of intent would be submitted to the Arizona Department of Housing by NACOG.

Mayor Leech opened the matter for a public hearing. There being no input, he closed the public hearing.

Councilman Allsop thanked staff for their efforts for the revitalization of downtown.

- B. Consideration of Prioritization of Projects for Community Development Block Grant Funding and Resolution No. R2021-01 Authorizing Submitting Application for Community Development Block Grant Funds. (Lisa Robertson/Shane Hemesath)

VICE MAYOR KAKAVAS MOVED TO ADOPT RESOLUTION NO. R2021-01 AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FISCAL YEAR 2021 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS, CERTIFYING THAT THE SELECTED PROJECT AIDS IN THE PREVENTION OR ELIMINATION OF SLUM OR BLIGHT WITHIN THE COMMUNITY'S ESTABLISHED DOWNTOWN REDEVELOPMENT PROJECT AREA AS ADOPTED BY RESOLUTION R2019-06, AND FUTURE, SUBMIT APPLICATION FOR THE PROPOSED SIDEWALK IMPROVEMENTS ON HUNING STREET BETWEEN 11TH STREET AND WHITE MOUNTAIN ROAD; SECONDED BY COUNCILMAN

HATCH; PASSED 7 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, AND COUNCIL MEMBERS ADAMS, ALLSOP, CLARK, HATCH, AND WILSON VOTING IN FAVOR.

C. Consideration of Award of Contract for BMX Track Operator. (Bill Kopp)

Mr. Kopp said the Show Low BMX track was originally constructed in 2010. The track operated successfully for several years hosting weekly races and some sanctioned events. The largest event was a State Championship Qualifier race that brought over 300 spectators. In 2017, the standards for BMX tracks were revised by the sanctioning body BMX-USA. Show Low's track no longer met the standard for sanctioned racing, and no official races were held after 2017.

Mr. Kopp said in August 2020, staff met with a local family interested in partnering with the City to upgrade and operate the BMX track at Nikolaus Homestead Park. On September 1, 2020 a City Council study session was held to discuss the potential partnership. As a result of direction from the Council, a request for proposals was prepared and advertised. A proposal was received from SHOW LOW BMX, LLC., a nonprofit established by the Bagge family. The proposal included generous commitments from the family to reconstruct and operate the BMX track. The City would also commit to improvements which included assisting with construction, installing bleachers, relocating fencing, planting trees, placing sod, providing security lighting and cameras. The City would use parks and facilities maintenance improvements funds to start the improvements and then budget funds in future years for additional improvements and maintenance. The costs for the track construction were estimated in the proposal. The operator would also provide insurance for the track. The initial term of this agreement would be two five-year terms from the effective date. The agreement could be renewed for up to two additional periods of one year each upon mutual written agreement by both parties.

Mr. Kopp said staff recommended approving the agreement with SHOW LOW BMX, LLC for the reconstruction and operation of the BMX track located at Nikolaus Homestead Park.

Mayor Leech expressed excitement for reconstruction of the BMX track for the community and thanked the Bagge family for their involvement.

Vice Mayor Kakavas expressed appreciation for this project in the community. She asked what the initial funding would be for the City for the reconstruction of the BMX track. Mr. Kopp said in the agreement it showed an estimated initial funding for improvements was \$50,000 to

75,000. Those costs would be shared between the City and the Bagge family.

Vice Mayor Kakavas asked the Bagge family what they envisioned for the BMX track. Ms. Bagge said their family had a background in dirt bike riding and wanted to provide an activity for their children and the community. The family ran a dirt bike track previously and saw the potential in this track. She said the ultimate goal would be to host large sanctioned events at the track.

Councilwoman Wilson thanked the family for their involvement on this project.

Councilman Allsop thanked the family and looked forward to a bigger and better track for events and the community.

Councilman Adams asked what the timeframe would be to start improvements on the track. Mr. Bagge said they would like to begin construction once the weather permitted, preferably before summer.

COUNCILWOMAN WILSON MOVED TO APPROVE THE AGREEMENT WITH SHOW LOW BMX, LLC FOR RECONSTRUCTION AND OPERATION OF THE BMX TRACK LOCATED AT NIKOLAUS HOMESTEAD PARK; SECONDED BY COUNCILMAN HATCH; PASSED 7 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, AND COUNCIL MEMBERS ADAMS, ALLSOP, CLARK, HATCH, AND WILSON VOTING IN FAVOR.

- D. Consideration of Award of Contract for Show Low Library Expansion Construction, City of Show Low Project No. FM-1221. (Bill Kopp)

Mr. Kopp said the proposed Show Low Library Expansion project would enclose the covered area on the east side of the library to provide a “Teen Center.” The new proposed enclosed area would add approximately 1,800 square feet to the library. The project was partially funded with grant funds from the Arizona State Library in an amount of \$48,500.00, Friends of the Library in an amount of \$10,000.00, and Rural Activation and Innovation Network Grant in an amount of \$25,000.00. The remaining funding would be provided by the City. The original estimated cost of the project was \$304,000.00. The design was completed by Barton Associates Architecture with a construction cost estimate of \$284,000.00

Mr. Kopp said in December 2020, the project was bid following statutory requirements with the following results:

<u>Contractor</u>	<u>Total Bid</u>
LD&B LLC	\$415,000.00
Redden Construction	\$473,198.52
Pointe Companies	\$496,426.67

Mr. Kopp said all three bids exceeded the project budget due to several factors: the local construction boom had contractors operating at capacity, there had been large increases in construction material costs over the past year (for example, framing lumber costs have doubled since April), and labor costs had also increased by about 15% because of competition for skilled workers. He said it was unlikely that rebidding the project at a later time would result in a lower bid. Also, some of the grant funding would be lost due to deadlines to use the funds.

Mr. Kopp said a significant amount of the funding for this project was from grants (\$83,500.00). Staff felt that the City should attempt to proceed with the project. If the Council wished to proceed, the City would need to provide \$163,900.00 in additional funding. As discussed at the Council retreat, the Council could authorize additional funding from the CARES act money received.

Mr. Kopp said staff recommended awarding the contract for Show Low Library Expansion Construction, City of Show Low Project No. FM-1221, to LD&B LLC in an amount not to exceed \$415,000.00 and approving the associated budget transfers.

Mr. Kopp showed the exterior elevation plans and explained that the rear of the building would look very similar to the front entrance of the library.

Councilman Clark asked when the library building was constructed. Mr. Kopp said the library was constructed less than ten years ago.

Mayor Leech asked what measures would be made to control the noise of the air conditioning unit that was placed on the back side of the building. He was concerned that the proposed enclosed area may not be usable due to the noise. Mr. Kopp said the contractor would build a sound wall for noise control. He said the sound wall was one of the more costly components for this project.

Vice Mayor Kakavas asked when the original estimated construction cost was completed. Mr. Kopp said the estimated construction cost was completed about one year ago. He said the architect updated the plans recently due to an updated exterior material change to match the rest of the building.

Councilman Adams asked if the proposed enclosed area would help with the growth of the library for the future. He expressed concerns of the need in continuing to add on to the library for expansion purposes. Mr. Kopp said the original scope and size of the library was budget-driven. There was a limited amount of funds that could be used to construct the library during that time, and the future goal was to expand under the covered area. The library only had a certain amount of room and would not be able to expand its footprint anymore.

COUNCILMAN CLARK MOVED TO AWARD THE CONTRACT FOR SHOW LOW LIBRARY EXPANSION CONSTRUCTION, CITY OF SHOW LOW PROJECT NO. FM-1221, TO LD&B LLC IN AN AMOUNT NOT TO EXCEED \$415,000.00 AND APPROVE THE ASSOCIATED BUDGET TRANSFERS; SECONDED BY COUNCILMAN ALLSOP; PASSED 7 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, AND COUNCIL MEMBERS ADAMS, ALLSOP, CLARK, HATCH, AND WILSON VOTING IN FAVOR.

- E. Consideration of Ordinance No. 2021-01 Adopting “The Show Low City Code.” (Morgan Brown)

Mr. Brown said at the December 1, 2020 Council meeting, staff presented information and discussed amendments to City Code Chapters 1 (General Provisions), 2 (Mayor and Council), 3 (Administration), 5 (Magistrate), 6 (Animals), 7 (Building), 8 (Business), 9 (Health and Sanitation), 10 (Offenses), 11 (Sewers), 12 (Land Division), 13 (Traffic), and 14 (Water) to clarify, update, or eliminate conflicting definitions and requirements. By unanimous vote the Council approved of the amendments. Those amendments were then incorporated into the revision of the City Code completed by Code Publishing. As indicated in earlier meetings, the purposes in recodifying the City Code were:

- City Code had not been recodified since 1976.
- Over the years, staff had discovered several errors or omissions when ordinances were added to the Code.
- Current Code on the website was searchable, but only chapter by chapter.
- New Code would be web-based and updated by a codification specialist (Code Publishing).
- Codifying ordinances was complex and requires highly skilled editors to ensure drafting and codification errors were kept to a minimum.
- Revised Code would have a customized look and feel with updated formatting and would match our website.
- Easier to read and to make future revisions.

- Much better search options.

Mr. Brown said Councilman Hatch found an error in Section 1.10.010 that currently read “Named by the turn of the card,” and it should read “Named by the turn of a card.” He asked for that change to be made in the motion so it could be corrected before publishing the new Code.

Mayor Leech asked what the best practice was and how often the Code should be codified. Mr. Brown said the Code should be recodified every ten years.

By unanimous consent, Ms. Hall read Ordinance No. 2021-01 by title only since all Council members had a copy.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SHOW LOW, ARIZONA, ADOPTING “THE SHOW LOW CITY CODE”

COUNCILMAN HATCH MOVED TO ADOPT ORDINANCE NO. 2021-01 ADOPTING “THE SHOW LOW CITY CODE” WITH THE CORRECTION TO SECTION 1.10.010 TO READ “NAMED BY THE TURN OF A CARD”; SECONDED BY COUNCILWOMAN WILSON; PASSED 7 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, AND COUNCIL MEMBERS ADAMS, ALLSOP, CLARK, HATCH, AND WILSON VOTING IN FAVOR.

Mr. Brown said once the Code was approved, Code Publishing would make the required updates to the Code when the Council adopted any amendments to the Code.

9. **SUMMARY OF CURRENT EVENTS:**

A. Council Members

Councilman Clark attended a Show Low Chamber of Commerce Board meeting regarding preparations for special events this year.

Councilman Allsop attended a Show Low Main Street meeting and thanked them for their work in the downtown area. He gave words of encouragement and advice to the new Council members in their new positions. He shared appreciation for previous Mayors and Council members for their words of encouragement when he began his public service in the Council.

Vice Mayor Kakavas wished everyone a happy and healthy New Year. She expressed gratitude for Councilman Allsop and for his service with Show Low Main Street.

Councilwoman Wilson encouraged community members to donate to the Senior Center and Meals on Wheels program.

B. Mayor

Mayor Leech encouraged citizens to participate during the City's upcoming budget meetings.

C. City Manager

Mr. Muder said staff was beginning the process to prepare the City's annual budget for fiscal year 2022. In addition to a budget study session with the City Council on January 19, at 6:00 p.m., a town hall budget meeting would be held specifically for citizen input the on January 21, at 6:00 p.m. All budget meetings were held in Council Chambers and are open to the public.

Mr. Muder said residents could recycle Christmas trees until January 10, in the designated area at the Frontier Parking lot. All lights and decorations would need to be removed. The trees will be taken to NOVO Power in Snowflake for use as biomass fuel.

Mr. Muder said in public works projects, construction had been completed on the East Hall sidewalk and drainage project from 11th Street to White Mountain Road, and crews began paving East Hall by the library today. Work continued on the West Cooley phase II sewer project along West Cooley between 4th and 8th Avenues. The City's contractor had begun working on the SR260 waterline crossing project, with the work being done at night. He thanked the citizens for their patience as these important projects were completed.

Mr. Muder wished everyone a happy New Year.

Mr. Muder gave his condolences to the Kelley family on the loss of former Councilman Kelley.

10. **SCHEDULING OF MEETINGS:**

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

None.

11. **ADJOURNMENT.**

There being no further business to be brought before the Council, **MAYOR LEECH ADJOURNED THE REGULAR MEETING OF THE SHOW LOW CITY COUNCIL OF JANUARY 5, 2021 AT 7:53 P.M.**

ATTEST:

APPROVED:

Tamra Reidhead, City Clerk

John Leech, Jr., 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 January 5, 2021. 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