

MINUTES OF THE REGULAR MEETING OF THE SHOW LOW CITY COUNCIL HELD ON TUESDAY, FEBRUARY 16, 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; Justen Tregaskes, Planning and Zoning Director; Jay Brimhall, Community Services Director; Jeff McNeil, Police Commander; Nicole Hudson, Assistant City Clerk; and Rachael Hall, City Clerk.

GUESTS: John C. Hannah, Catrina Jenkins, Janelle Linn, Gary Martinson, and others.

3. Invocation.

Councilman Hatch gave the invocation.

3. Pledge of Allegiance.

Councilwoman Wilson 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 within the jurisdiction of the City Council 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. COVID-19 Update by Navajo County Health Department.

Navajo County Board Supervisor Daryl Seymore introduced Janelle Linn, Navajo County Public Health Director, and Catrina Jenkins, Navajo County Emergency Manager.

Ms. Linn updated the Council regarding COVID-19 in Navajo County. She said the current COVID-19 case count was 14,793, with 6,332 being non-reservation cases.

Mayor Leech asked how case counts were determined when someone tested positive for COVID-19 in one location but was transferred to a different location to be treated. Ms. Linn said the case would be counted in the county of the patient's primary residency.

Ms. Linn gave information regarding the three variant strains that had been contracted in the states. The Pfizer and Moderna mRNA vaccine showed an efficacy against all three variant strains.

Ms. Linn said the County had administered 16,484 non-tribal vaccines, with 12,062 of those being first doses and 4,410 being second doses. Arizona had administered 1,227,271 vaccines to date.

Mayor Leech asked how long citizens were to wait before they get the second dose. Ms. Linn said citizens were to wait 28 days between doses.

Vice Mayor Kakavas asked if the County had separated data by each community within the County. Ms. Linn said there was some data that was separated by zip code such as case counts and positivity rates.

Vice Mayor Kakavas asked how citizens could register for an appointment to receive a vaccine. Ms. Linn said the County had a registration link for citizens to register for an appointment to receive a vaccine. She said there was a limited amount of appointments due to a limited amount of vaccines that were available. The County created the number of appointments based on the number of vaccines that were available in a certain time frame.

Councilwoman Wilson asked if the County was testing for COVID-19. Ms. Linn said the Public Health Department was not testing citizens for COVID-19, they focused more on contact tracing of COVID-19 positive patients.

Councilman Allsop asked if the Council could provide any support in trying to get more vaccines to the area for the citizens. Ms. Linn said yes, the Council could make calls to the Governor or state representatives to try to get more vaccines for the area.

Ms. Jenkins said the County has begun preparations for Point of Dispensing (POD) locations and would put the PODs in place once consistent supplies of the vaccine were available. Appointments would continue to be necessary to administer the vaccines at the PODs. There would be eight locations throughout the County.

Ms. Jenkins said the County had practiced using PODs in recent years when giving out the annual flu shots. The County also partnered with public safety to provide traffic control and security to help when administering the flu shots.

Ms. Jenkins thanked local libraries with assisting citizens in registering for the vaccines.

Councilman Clark thanked Ms. Linn and Ms. Jenkins for their work and effort during this pandemic.

7. **CONSENT CALENDAR:**

- A. Consideration of Minutes of Show Low City Council meetings:
(1) Regular Meeting of February 2, 2021.

VICE MAYOR KAKAVAS MOVED TO APPROVE THE CONSENT CALENDAR AS PRESENTED; SECONDED BY COUNCILMAN CLARK; 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. Consideration of Award of Purchase for Flooring Replacement at Show Low City Campus Gym. (Bill Kopp)

Mr. Kopp said the 2020-21 budget included \$55,000.00 for “replacing the carpet in the carpet gym”. Staff received a quote from Continental Flooring – the State Bid Contract flooring vendor. The quote was for an amount of approximately \$28,000.00. The work included furnishing and installing 6,200 square feet of Mohawk Broadloom carpet with court striping, removing old carpet, and installing new cove base.

Mr. Kopp said at the October 2020 City Council Retreat, Council members expressed concerns about the carpet and whether it was the appropriate material to use in the facility. Because of the concerns expressed by the Council, staff prepared additional information which compared four options for flooring: carpet, vinyl “sport court”, traditional hardwood gym flooring, and painted concrete subfloor. This information was presented in a study session on November 23, 2020. The Council directed staff to seek information for additional options.

Mr. Kopp said the flooring information was updated to include an actual quote for the wood flooring. In the previous presentation the wood flooring was estimated to be between \$110,000.00 and \$120,000.00. The actual cost was quoted at \$113,000.00. In addition to this, staff also added two additional flooring systems to the options, both at the Council’s request. The first additional option was interlocking rubber panels, the second was a poured urethane floor. The urethane floor was called a “pad and pour” floor. The surface was constructed with a self-leveling urethane material poured over a rubber pad.

Mr. Kopp said at a study session held on January 19, 2021, a discussion was held to consider six types of flooring in ten categories: cost, maintenance, warranty, moisture sensitivity, comfort (temperature), Americans with Disabilities Act (ADA) access, force reduction (how much the floor would give under foot), ball bounce, noise, and uses. After considering the information presented, the Council directed staff to obtain updated quotes for two flooring systems, roll vinyl “sport court” and “pad and pour”.

Mr. Kopp said staff received two quotes for pad and pour with the only difference in the quotes being pad thickness, seven millimeter compared to nine millimeter. The cost difference was about \$2,000.00 and the thicker pad would provide an upgraded system that had higher force reduction and better ball bounce. A spreadsheet was sent to the Council comparing the two finalist flooring systems. The most notable differences were: price, warranty, and general usability over multiple uses. The pad and pour cost was \$122,353.38 compared to \$72,717.68 for roll vinyl. The pad and pour warranty was 30 years compared to 15 years for roll vinyl. The pad and pour was more versatile in multiple uses and was much less susceptible to tearing, gouging, and wear.

Councilman Allsop commented on the 30-year warranty and preferred the pad and pour flooring type.

Councilwoman Wilson asked if the restocking fee was included in the quote that was provided. Mr. Kopp said no, the restocking fee for the carpet was not included and would be added to the quoted fee.

Councilwoman Wilson asked if sound panels would be an additional cost. Mr. Kopp said yes, the sound panels would be an additional cost. He said there was \$6,000 in funds for sound panels in the 2020-21 budget. Staff would make a request in the 2021-22 budget if more sound panels were needed.

Councilman Clark asked if any local gyms used a pad and pour flooring. Mr. Kopp said he believed one of the Show Low School District gyms had a pad and pour floor which had been done many years prior.

Mayor Leech expressed concerns about cracks that were currently in the floor at the gym. He asked if the warranty for the pad and pour flooring would cover cracks in the floor. Mr. Kopp said there would be preparation work and any cracks that were present would be filled in before any new flooring was laid down. He believed the building was settled and there shouldn't be any other cracks coming through. He didn't know if the warranty would cover cracks from any structural issues.

Councilman Hatch asked if an assessment on the building had been done recently. Mr. Kopp said no, an assessment of the building had not been done. He said the building was a concrete block building that was in good condition and well maintained.

Councilman Adams asked if the Show Low Junior High School gym had the pad and pour flooring. Mr. Kopp said he did not know exactly which gym had the pad and pour flooring.

Councilman Clark expressed his concern with the surface of the pad and pour flooring at the Show Low Junior High School gym.

Vice Mayor Kakavas asked if the roof had been inspected on the City Campus gym. Mr. Kopp said no, but the roof seemed to be functioning well and there were no known issues or leaks in the roof.

Vice Mayor Kakavas asked if Mr. Kopp had any experience with "sport court" type flooring. Mr. Kopp said no, the only experience he had with the "sport court" type of flooring was visiting a local school that had that type of flooring. He could see where the seams were located on the floor and staff worried about tables and chairs creating blemishes by being drug across the floor.

COUNCILMAN ALLSOP MOVED TO AWARD THE PURCHASE OF “PAD AND POUR” FLOORING FOR THE CITY CAMPUS GYM TO CONTINENTAL FLOORING IN AN AMOUNT NOT TO EXCEED \$122,353.38 AND APPROVE THE ASSOCIATED BUDGET TRANSFERS; SECONDED BY COUNCILWOMAN WILSON; MOTION FAILED 3 TO 4 WITH MAYOR LEECH AND COUNCIL MEMBERS ALLSOP, AND WILSON VOTING IN FAVOR AND VICE MAYOR KAKAVAS, AND COUNCIL MEMBERS ADAMS, CLARK, AND HATCH CASTING THE DISSENTING VOTES.

COUNCILMAN CLARK MOVED TO AWARD THE PURCHASE OF “SPORT COURT” FLOORING FOR THE CITY CAMPUS GYM TO CONTINENTAL FLOORING IN AN AMOUNT NOT TO EXCEED \$72,717.68 AND APPROVE THE ASSOCIATED BUDGET TRANSFERS; SECONDED BY VICE MAYOR KAKAVAS; PASSED 4 TO 3 WITH VICE MAYOR KAKAVAS AND COUNCIL MEMBERS ADAMS, CLARK, AND HATCH VOTING IN FAVOR AND MAYOR LEECH, AND COUNCIL MEMBERS ALLSOP, AND WILSON CASTING THE DISSENTING VOTES.

- B. Consideration of Preliminary Development Plan for Bison Pass, a 16-lot subdivision. (Justen Tregaskes)

Mr. Tregaskes said at the regular meeting of February 9, 2021, the Planning and Zoning Commission voted 7 to 0 to recommend approval of the preliminary development plan for Bison Pass, a 16-lot subdivision submitted by Bison Homes LLC, located at 4800 West Joe Tank Road, that being A.P.N. 309-30-001Q. This development was located at the northwest corner of Joe Tank Road and Clark Road. The applicant had indicated this subdivision would be for single-family homes, with detached garages, manufactured homes prohibited. Each cabin would have a defined building envelope with the remainder of the property being common area. The applicant had committed to provide the City with an assurance for the future improvements to Joe Tank Road.

Mr. Tregaskes said the gross area of the preliminary development plan was approximately 3.63 acres with minimum lot size of 1,815 square feet, average lot size of 2,345 square feet, and maximum lot size of 2,478 square feet. Tract A consisted of 0.36 acres of private drive. The width of the drive would be a total of 30 feet to back of curb, which was similar to the Retreat Villas at Bison Crossing, located off of West Old Linden Road. Tract B included 974 square feet for a public sewer lift station. Tract C provided 3.04 acres for private parking, utilities, drainage and open space. The proposed development was zoned planned unit development (PUD) and was part of Bison Ridge. This portion of the Bison Ridge Master Plan

was identified as commercial. According to the Bison Ridge project narrative the resort and commercial PUD areas of the Bison Ridge Master Plan should allow all residential and C-2 (general commercial) uses.

Mr. Tregaskes said staff reviewed the submitted preliminary development plan and found that it has met all requirements of the City Code. The subject property should meet all underlying zoning requirements of the PUD zoning. Condition nine of Ordinance No. 509 stated, “A 30-foot height restriction should apply to residential development areas along the ridge line, and a 30-foot setback should be required on the northwest side of Joe Tank Road.”

Mr. Tregaskes read the Commission’s conditions aloud:

1. All development should comply with all applicable federal, state, and local requirements.
2. Public sewer and water lines within the development should have dedicated public easements.
3. Drainage ways including basins and culverts should be designated as private drainage easements.
4. As required by Ordinance No. 509, a 30-foot height restriction should apply to residential development areas along the ridge line, and a 30-foot setback should be required along Joe Tank Road
5. The applicant should provide an assurance acceptable to the City for future improvements to Joe Tank Road.
6. An in-lieu fee may be substituted for any required sidewalks or trails.
7. All development of Bison Pass at Bison Ridge should be in substantial conformance to the submitted preliminary development plan, deed restrictions and the Bison Ridge Master Plan.

Vice Mayor Kakavas asked if the assurances for the improvements to Joe Tank Road would include the standard paving requirements within the City limits. Mr. Tregaskes said yes, the assurances for Joe Tank Road would include all required improvements to bring up to City standards.

Vice Mayor Kakavas asked about the in-lieu fee that could be substituted for any required sidewalk or trail. Mr. Tregaskes said the sidewalk

improvements were generally required but with this project there was a concern that sidewalks would lead to nowhere with no connection and serve no purpose. He said the in-lieu fee could be substituted for sidewalks or trails to be constructed in another part of the City that had a more practical use.

Vice Mayor Kakavas asked if sidewalks or trails were needed in the future on Joe Tank Road would the City then pay for the improvement. Mr. Tregaskes said yes, if there was a need for sidewalks or trails on Joe Tank Road in the future the City would pay for the improvement.

Mayor Leech asked staff to mention the Bison Pass the in-lieu fee as a funding source when it was used at a later time so the Council would know where the funds came from.

Councilman Allsop asked where the improvements would begin and end on Joe Tank Road. Mr. Tregaskes said typically a developer would be required to do the improvements end-to-end of their project. Mr. Tregaskes said the City applied for and was awarded a Federal Lands Access Program (FLAP) grant for Joe Tank Road improvements from Highway SR260 to forest property. Staff had concerns that the grant could be jeopardized if the developer improved part of Joe Tank Road.

Councilman Clark asked what the overall density of the area would be with the added 16 units. Mr. Tregaskes said the total unit count under the PUD was 401 units and the developer would be around 340 units total with the addition of these 16 units.

MAYOR LEECH MOVED TO APPROVE THE PRELIMINARY DEVELOPMENT PLAN FOR BISON PASS, A 16-LOT SUBDIVISION, SUBJECT TO THE CONDITIONS OF APPROVAL SPECIFIED BY THE PLANNING AND ZONING COMMISSION; SECONDED BY COUNCILMAN ADAMS; PASSED 7 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, AND COUNCIL MEMBERS ADAMS, ALLSOP, CLARK, HATCH, AND WILSON VOTING IN FAVOR.

9. **SUMMARY OF CURRENT EVENTS:**

A. Council Members

Councilman Allsop attended a Meals on Wheels meeting where they discussed the need for more volunteer drivers. He thanked public works staff for the snow removal during the recent storm.

Councilman Adams encouraged citizens to learn about the City's history by visiting the local museum.

B. Mayor

Mayor Leech said City continued preparations for the eighth annual BBQ Throwdown special event. More information would be forthcoming.

C. City Manager

Mr. Muder said the recreation department continued accepting registrations for spring one pitch softball through March 1.

Mr. Muder said in public works projects, the City's contractor continued working on the SR260 waterline crossing project at night with the final crossing near the Victorian building. Work continued on the West Cooley phase II sewer project along West Cooley between 6th and 8th Avenues with the contractor adjusting collars, cleaning up and finishing the paving back. Work also continued on the fence in the Meadow along White Mountain Road. He thanked citizens for their patience as these important projects were completed.

Mr. Muder also thanked public works staff for their efforts on snow removal during the recent storms.

10. **SCHEDULING OF MEETINGS:**

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

None.

COUNCILMAN CLARK MOVED TO RECESS INTO EXECUTIVE SESSION TO DISCUSS AGREEMENT FOR ACQUISITION OF A.P. NO. 210-41-001B, AND REVIEW THE EXECUTIVE SESSION MINUTES OF DECEMBER 1, 2020; 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.

The Show Low City Council recessed in Executive Session at 8:01 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) Agreement for Acquisition of A.P. No. 210-41-001B.

- 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 December 1, 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 8:23 p.m.

- A. Consideration of Approval of the Minutes of the Executive Session of the Show Low City Council Held on December 1, 2020.

COUNCILMAN ALLSOP MOVED TO APPROVE THE EXECUTIVE SESSION MINUTES OF DECEMBER 1, 2020; SECONDED BY COUNCILMAN CLARK; PASSED 7 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, AND COUNCIL MEMBERS ADAMS, ALLSOP, CLARK, HATCH, AND WILSON VOTING IN FAVOR.

13. **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 FEBRUARY 16, 2021 AT 8:24 P.M.**

ATTEST:

APPROVED:

Rachael Hall, City Clerk

John Leech, Jr., Mayor

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 February 16, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 20____.

(SEAL)

Rachael Hall, City Clerk