

MINUTES OF THE REGULAR MEETING OF THE SHOW LOW CITY COUNCIL HELD ON TUESDAY, MARCH 2, 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 Clark, Councilman Hatch, and Councilwoman Wilson.

COUNCIL MEMBERS ABSENT: Councilman Allsop.

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; Joe Shelley, Police Chief; Shane Hemesath, Engineer; Tom Bahr, Airport Manager; Nicole Hudson, Assistant City Clerk; and Rachael Hall, City Clerk.

GUESTS: Brian Swanty, David Clouse, Wylie Williams, Tori Gorman, Doug Roberts, Daniel Rawlings, John Hannah, Kurt Fernau, Bruce Ironside, and others.

3. Invocation.

Councilman Clark gave the invocation.

4. 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. Presentation by Navajo County Sheriff's Office.

Sheriff David Clouse, with the Navajo County Sheriff's Office, gave a brief introduction on the Navajo County Major Crimes Apprehension Team (MCAT). He introduced Chief Deputy Brian Swanty and Lieutenant Wiley Williams who work with the MCAT task force. Sheriff Clouse said last year Chief Deputy Swanty joined the Sheriff's Office and began a redirection process for the MCAT task force. MCAT would now focus on local and direct enforcement on crimes that were in the surrounding communities and help local municipalities with major crimes.

Chief Deputy Swanty gave a brief report about MCAT. The multi-agency task force included the Sheriff's Office, Show Low Police Department, Winslow Police Department, High Intensity Drug Trafficking Area (HIDTA), Arizona Department of Public Safety Criminal Target Unit, Arizona State Gang Task Force, United States Marshal's Office, Homeland Security Investigations, Drug Enforcement Agency (DEA), Federal Bureau of Investigation, and Navajo County Probation Department.

Chief Deputy Swanty said in 2020, MCAT seized 166.1 pounds of Methamphetamine, 15.6 pounds of Heroin, 16.09 pounds of Cocaine, 449.6 pounds of Marijuana, 53,572 Fentanyl pills, and \$48,361.50 in US currency.

Chief Deputy Swanty said in 2020, the Sheriff's Office had 96 physical arrests, 323 agency assists, 95 search warrants, and 13 agency assists with Show Low Police Department. He said arrest numbers looked low due to the restructuring of MCAT during 2020 and said the number should be higher in 2021. He said MCAT focused on more intelligence-led investigations.

Chief Deputy Swanty said in June 2020, MCAT detectives executed a search warrant at 1131 East Deuce of Clubs, following a dangerous drug sales investigation. Methamphetamine, Heroin, Marijuana, unknown pills, and sales indicia were seized. Two subjects were arrested on dangerous drug sales charges.

Chief Deputy Swanty said in August 2020, MCAT detectives responded to assist a Show Low police officer who had information on a dangerous drug sales incident. An investigation resulted in the seizure of 81 Fentanyl pills,

5.7 grams of Methamphetamine, 3.5 grams of Heroin, and 6.9 grams of Marijuana. The suspects were arrested for dangerous drug sales and crimes against children. The case was turned over to HIDTA Maricopa County Task Force for further investigation.

Chief Deputy Swanty said in May 2020, MCAT detectives conducted a fraudulent credit card scam stemming from a report taken at Tractor Supply in Show Low. Four subjects were arrested in Apache County.

The Council thanked Sheriff Clouse, Chief Deputy Swanty, and Lieutenant Williams for their work.

7. **CONSENT CALENDAR:**

- A. Consideration of Acceptance of West Cooley Sewer Replacement Phase 2, City of Show Low Project No. S-0521. (Shane Hemesath)
- B. Consideration of Resolution No. R2021-02 Approving Intergovernmental Agreement with Town of Snowflake. (Jay Brimhall)
- C. Consideration of Acceptance of State of Arizona Department of Homeland Security Grant and Authorization of Associated Budget Transfers. (Joe Shelley)
- D. Consideration of Acceptance of Grant Amendment from Governor's Office of Highway Safety and Authorization of Associated Budget Transfers. (Joe Shelley)
- E. Consideration of Acceptance of Grant from Governor's Office of Highway Safety and Authorization of Associated Budget Transfers. (Joe Shelley)
- F. Consideration of Minutes of Show Low City Council meetings:
 - (1) Regular Meeting of February 18, 2020.

Mayor Leech asked Mr. Brimhall to give a brief explanation about item 7-B (Consideration of Resolution No. R2021-02 Approving Intergovernmental Agreement with Town of Snowflake.) Mr. Brimhall said the Snowflake-Taylor Public Library contacted the Show Low Public Library and expressed a need for shelving. Staff said there were excess shelving units in storage and created an intergovernmental agreement to provide the excess shelving to the Snowflake-Taylor Public Library in exchange for help from the Snowflake-Taylor Police Department during the City's parades such as Fourth of July parade.

Mayor Leech recognized how well the City worked with other communities.

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

8. **NEW BUSINESS:**

- A. Consideration of Award of Construction Contract for 11th Avenue Waterline Replacement, City of Show Low Project No. W-0621. (Shane Hemesath)

Mr. Hemesath said the City's fiscal year 2020-21 Capital Improvements Plan budget included a total of \$170,000.00 for a waterline improvement project labeled "11th Avenue Owens to McNeil." The scope of work for this project consisted of replacing approximately 1,500 lineal feet of aging and deteriorating eight-inch AC waterline with new eight-inch PVC water main, installing new water services and fire hydrants, and replacing any existing pavement or concrete required for the improvements. The work would take place on 11th Avenue from West Owens to West McNeil.

Mr. Hemesath said the project was designed by City engineering staff, with a construction estimate of \$148,000.00. The project was publicly bid in accordance with statutory requirements with the following results:

<u>Contractor</u>	<u>Total Bid</u>
Apache Underground and Excavating	\$144,020.00
Rawlings Specialty Contracting	\$178,495.00

Mr. Hemesath said staff recommended awarding the construction contract for the 11th Avenue Waterline Replacement, City of Show Low Project No. W-0621, to Apache Underground and Excavating in an amount not to exceed \$144,020.00.

COUNCILMAN HATCH MOVED TO AWARD THE CONSTRUCTION CONTRACT FOR THE 11TH AVENUE WATERLINE REPLACEMENT, CITY OF SHOW LOW PROJECT NO. W-0621, TO APACHE UNDERGROUND AND EXCAVATING IN AN AMOUNT NOT TO EXCEED \$144,020.00; SECONDED BY COUNCILMAN ADAMS; PASSED 6 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, AND COUNCIL MEMBERS ADAMS, CLARK, HATCH, AND WILSON VOTING IN FAVOR.

- B. Consideration of Award of Construction Contract for North 8th Street and East Huning Waterline Replacement, City of Show Low Project No. W-1121. (Shane Hemesath)

Mr. Hemesath said the City's fiscal year 2020-21 Capital Improvements Plan budget included a total of \$75,000.00 for a waterline improvement project labeled "Downtown AC Replacement." The scope of work for this project consisted of replacing approximately 700 lineal feet of aging and deteriorating six-inch AC waterline with new eight-inch PVC water main, installing new water services and fire hydrants, and replacing any existing pavement or concrete required for the improvements. The work would take place on North 8th Street from East McNeil to East Huning and on East Huning from North 8th Street to North 9th Street.

Mr. Hemesath said the project was designed by City engineering staff, with a construction estimate of \$86,000.00. The project was publicly bid in accordance with statutory requirements with the following results:

<u>Contractor</u>	<u>Total Bid</u>
Apache Underground and Excavating	\$ 66,615.00
Rawlings Specialty Contracting	\$ 83,300.00
ASR Construction	\$108,816.31

Mr. Hemesath said staff recommended awarding the construction contract for the North 8th Street and East Huning Waterline Replacement, City of Show Low Project No. W-1121, to Apache Underground and Excavating in an amount not to exceed \$66,615.00.

Councilwoman Wilson asked for justification on the cost difference between the bids. Mr. Hemesath said ASR Construction was not locally based and therefore would have extra costs included in their bid to bring crews in for the project.

Councilman Clark asked what the cost savings were for the current bid. Mr. Hemesath said the bidders were very aggressive on this bid. He said the engineer's estimate was based on the past two-to-three projects.

Councilman Clark asked if the City would be extending sidewalks down Huning. Mr. Muder said yes, sidewalk extensions would be part of a future project.

COUNCILMAN CLARK MOVED TO AWARD THE CONSTRUCTION CONTRACT FOR THE NORTH 8TH STREET AND EAST HUNING WATERLINE REPLACEMENT, CITY OF SHOW LOW PROJECT NO. W-

1121, TO APACHE UNDERGROUND AND EXCAVATING IN AN AMOUNT NOT TO EXCEED \$66,615.00; SECONDED BY COUNCILWOMAN WILSON; PASSED 6 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, AND COUNCIL MEMBERS ADAMS, CLARK, HATCH, AND WILSON VOTING IN FAVOR.

- C. Consideration of Recommendation to Federal Aviation Administration to Award Professional Construction Administration Services Contract for Show Low Regional Airport Runway South Apron Rehabilitation Project. (Thomas Bahr)

Mr. Bahr said on July 16, 2019, the City Council awarded a professional services contract to Armstrong Consultants for engineering services at the Show Low Regional Airport. Engineering and construction administration services for several projects, including the rehabilitation of the south apron, were included in the services provided by Armstrong Consultants.

Mr. Bahr said on January 15, 2021, the Federal Aviation Administration (FAA) requested the City of Show Low submit a recommendation to award Armstrong Consultants a contract for the construction administration services for the South Apron rehabilitation project.

Mr. Bahr said an independent fee estimate for the construction administration services was received from Independent Fee Estimates, LLC in the amount of \$209,072.45, and Armstrong Consultants' fees for these services was \$207,160.00.

Mr. Bahr said staff recommended submitting to the FAA a recommendation to award Armstrong Consultants a professional construction administration services contract for the rehabilitation of the south apron at the Show Low Regional Airport with administrative services costs not to exceed \$207,160.00 and authorizing the Mayor to sign the recommendation.

Mr. Bahr said 95% of the cost share for this project would be paid by FAA, 2.5% would be paid by Arizona Department of Transportation, and 2.5% would be paid by the City.

Councilwoman Wilson asked if this was a different project from what was awarded previously in 2019. Mr. Bahr explained that when the original contract was awarded there was a list of projects that the consultant would work on and this project was part of the list. He said the FAA required a recommendation of award for each major project being worked on due to the grant process.

VICE MAYOR KAKAVAS MOVED TO RECOMMEND TO THE FEDERAL AVIATION ADMINISTRATION THE AWARD OF A PROFESSIONAL CONSTRUCTION ADMINISTRATION SERVICES CONTRACT TO ARMSTRONG CONSULTANTS FOR THE REHABILITATION OF THE SOUTH APRON AT THE SHOW LOW REGIONAL AIRPORT WITH ADMINISTRATIVE SERVICES COSTS NOT TO EXCEED \$207,160.00 AND AUTHORIZE THE MAYOR TO SIGN THE RECOMMENDATION; SECONDED BY COUNCILMAN ADAMS; PASSED 6 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, AND COUNCIL MEMBERS ADAMS, CLARK, HATCH, AND WILSON VOTING IN FAVOR.

- D. Consideration of Abandonment of Condominium Plat for Torreon Residential Storage Facility Condominiums. (Justen Tregaskes)

Mr. Tregaskes said on December 16, 2008, the City Council approved the final plat for the Torreon Residential Storage Facility Condominiums. The plat was subsequently recorded in Navajo County. This development allowed for the construction of nine storage unit buildings, housing a total of 269 condominium storage units. An office was also included as part of this plat.

Mr. Tregaskes said this parcel was originally platted as Tract K and a portion of Tract L of the Torreon Woods subdivision and was approved separately as “Torreon Residential Storage Facility Condominiums”. The property owner had now requested that the Torreon Residential Storage Facility Condominiums plat be abandoned and revert back to a single parcel. Torreon Golf Club, L.L.C. had ownership of all condominium spaces. This request was made in an effort to reduce taxes on the existing property. The storage units would then be rented to Torreon property owners as opposed to being individually owned. As indicated on the attached Condominium Plat Abandonment, “All easements recorded with the Torreon Woods Final Plat shall remain.” Any future development of this property would be required to comply with the underlying zoning and resubmitting and approving preliminary development plans and final plats also would be required. No public roadways or utilities were affected by this request.

Vice Mayor Kakavas asked how the condominiums were accessed by the residents. Mr. Tregaskes said the condominiums were accessed internally from within the Torreon subdivision.

Councilman Adams asked if it was common for the storage units to be abandoned for this purpose. Mr. Tregaskes said yes, it was common for storage units to be owned by one owner and each unit be leased or rented

out to other residents. He said it was not common for each individual storage unit to be condominiumized and owned individually and separately.

Mayor Leech asked if the abandonment was for tax purposes as well. Mr. Tregaskes said yes, currently each individual unit had its own assessor parcel number and were taxed separately. He said this would combine the units into one parcel number which would result in one tax bill.

MAYOR LEECH MOVED TO ABANDON THE CONDOMINIUM PLAT FOR TORREON RESIDENTIAL STORAGE FACILITY CONDOMINIUMS AND REVERT TO ACREAGE TRACT “K” AND A PORTION OF TRACT “L” OF TORREON WOODS, MORE PARTICULARLY DESCRIBED AS A.P. NOS. 309-04-001 THROUGH 271 AND 309-86-997A, AND AUTHORIZE THE MAYOR TO SIGN THE ASSOCIATED DOCUMENTS; SECONDED BY COUNCILWOMAN WILSON; PASSED 6 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, AND COUNCIL MEMBERS ADAMS, CLARK, HATCH, AND WILSON VOTING IN FAVOR.

9. **SUMMARY OF CURRENT EVENTS:**

A. Council Members

Councilman Adams said the Show Low Museum would be opening soon and encouraged citizens to visit.

Vice Mayor Kakavas Arizona Department of Health Services opened up vaccinations for citizens aged 55 years or older and encouraged citizens to sign up for vaccinations.

B. Mayor

Mayor Leech said the City continued to plan for the eighth annual BBQ Throwdown special event.

Mayor Leech said the recreation department currently had an event to find painted clover rocks hidden throughout the City Park that could be found and claimed for a small prize at the Show Low Family Aquatic Center.

C. City Manager

Mr. Muder said the recreation department was making plans for the upcoming Spring Play Days, which would be held during spring break, March 15 through 18, at the Show Low Family Aquatic Center for boys and girls ages 5 to 12. The cost was \$12 per day or \$45 for the week.

Mr. Muder said The Hare Raising Easter Express, a drive-by event, was scheduled for Saturday, March 27, for ages 1 to 10 at the Show Low Family Aquatic Center. Cars would be able to drive-by to receive a free Easter basket for each child in their vehicle. There would be 300 baskets available to hand out on a first come first serve basis. Registration continued for summer coed, men's and women's softball coed, men's, and women's leagues through March 30 or until sold out.

10. **SCHEDULING OF MEETINGS:**

Mr. Muder said there would be a special meeting scheduled for the Council to interview the applicants for the vacancies on the Planning and Zoning Commission, Board of Adjustment, Aviation Advisory Committee, and Parks and Recreation Advisory Committee. The meeting would be held on March 23.

Mr. Muder said there was a need for a study session with the Council to discuss the final report from Sports Facilities Advisory Group. The Council directed staff to have the study session on March 30, at 6:00 p.m.

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 MARCH 2, 2021 AT 7:46 P.M.**

ATTEST:

APPROVED:

Rachael Hall, 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 March 2, 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