

MINUTES OF THE REGULAR MEETING OF THE SHOW LOW CITY COUNCIL HELD ON TUESDAY, FEBRUARY 21, 2023, 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 Clark, Councilman Allsop, and Councilman Judd (arrived at 7:34 p.m.).

COUNCIL MEMBERS ABSENT: Councilman Hatch and Councilman Adams.

STAFF MEMBERS PRESENT: Morgan Brown, City Manager; Anna Atencio, City Attorney; Brad Provost, Police Chief; Greg Westover, Police Commander; Cameron Peterson, Public Information Officer; Stephanie McQuillan, Human Resources Manager; Kent McQuillan, Information Technology Specialist; Cari Bilbie, Accounting Manager; Shannon Adams, Grants Coordinator; Dispatcher Audriana Watson; Officer Joseph Hubbard; Officer James Barber; Officer Bernard Huser; Officer Elijah Toth; Sergeant Richard Rosales; Officer Ismael Naranjo; Officer Jessica Mikita; Dispatch Supervisor Maria Garvin; Dispatcher Dezeræ Pease; Officer Joseph Raimo; Sergeant Justin Hart; Sergeant Ashley Ellsworth; Sergeant Troy Eberline; Kathy Clements, Assistant City Clerk; and Rachael Hall, City Clerk.

GUESTS: Ed and Kathy Muder, Eric Ashworth, Richard Wallace, Jill Stansberry, John and Betty Jarrett, Marchelle Haverland, Gordan Terracina, John Hannah, the Barber Family, Richard Bilbie, Riala Leech, Joey Leech, Gary Martinson, and others.

3. Invocation.

Councilman Clark gave the invocation.

4. Pledge of Allegiance.

Vice Mayor Kakavas 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.

Gordan Terracina, 861 North 33rd Avenue, expressed his displeasure about a City snowplow driver driving down the wrong side of the road in his neighborhood. Mr. Terracina wanted to know what the snowplow policy was regarding snowplows driving against the flow of traffic. Mayor Leech said he believed the City policy regarding snowplows was that they moved with the flow of traffic and asked Mr. Brown to verify the policy. Mr. Brown said he would confirm what the policy stated.

6. **SPECIAL EVENTS:**

A. Public Safety Presentation.

Chief Provost said the Show Low Police Department was very fortunate to have the strong support of the community, Council, and administration that believed in setting high expectations and standards. Tonight, the department was here to celebrate its successes.

Chief Provost presented a Certificate of Lifesaving to Dispatcher Audriana Watson for initiating Emergency Medical Dispatch Protocols and directing a caller to begin CPR on a male experiencing cardiac arrest. Audriana guided the lifesaving efforts for over eight minutes and counted off over 1,000 chest compressions before rescue crews arrived. The Fire Medic and the patient's son credited Audriana's guidance for saving the man's life.

Chief Provost presented a Certificate of Lifesaving to Officer Joseph Hubbard for responding to a call regarding a female subject who was not breathing and had no pulse. Officer Hubbard determined the subject had overdosed and immediately administered NARCAN and took over CPR until Emergency Medical Services arrived. Officer Hubbard's appropriate assessment and rapid actions saved the woman's life.

Chief Provost presented a Certificate of Lifesaving to Officer James Barber, who responded to a call regarding an unconscious subject who was not breathing and had no pulse. Officer Barber quickly began CPR and continued until medical crews arrived. When medical took over, they observed that the man was breathing and had a pulse. One of Officer Barber's fellow officers stated, "with a doubt," Officer Barber saved the man's life.

Chief Provost presented Certificates of Commendation to Officer Bernard Huser and Officer Elijah Toth, who discovered a subject had an active warrant while making a traffic stop. The man became irate and said the officers would have to kill him because he was not going back to jail. Officers Huser and Toth attempted to de-escalate the situation, but the man became increasingly erratic and began moving and reaching around his vehicle. The officers deployed less lethal measures to safely remove the man from the vehicle and placed him in custody without injury. After securing the man, the officers found a large hunting knife on the vehicle's floorboard. Officers Huser and Toth showed great judgment with the action taken, as this event could have easily turned into a deadly force situation.

Chief Provost presented Certificates of Commendation to Sergeant Richard Rosales, Officer Elijah Toth, Officer Ismael Naranjo, Officer Jessica Mikita, Dispatch Supervisor Maria Garvin, and Dispatcher Dezeræ Pease who, with planning and strong communication, executed a tactical response and deployed less than lethal force to safely deal with a subject who entered the lobby of the police station armed with a sword stating he was dealing with mental health issues.

Chief Provost presented a Certificate of Commendation to Officer Joseph Raimo, who was investigating a run-away juvenile case and found the juvenile and her 16-year-old sister returning home as he arrived. Officer Raimo escorted the girls into the home, where the 16-year-old began arguing with her grandmother and threatening to kill herself. The girl entered the kitchen and grabbed a large kitchen knife. Officer Raimo, recognizing the danger, followed the girl into the kitchen and was able to disarm her. Officer Raimo's rapid and decisive actions prevented a tragic outcome.

Chief Provost presented the 2022 Service Recognition award to Ed Muder for his years of service and support to the Show Low Police Department.

Chief Provost presented the 2022 Chief's Award to Retired Commander John Jarrett for his work creating and establishing the Navajo County Peace Officer Memorial.

Chief Provost presented the 2022 Special Recognition award to Deacon Richard Wallace on behalf of Porter Mountain Fellowship Church. The award recipient was chosen by the Show Low Police Department's line-level staff to recognize and show appreciation for all the support the Church had provided over the years to the officers, dispatchers, and other employees.

Chief Provost presented the 2022 Volunteer of the Year Award to Jill Stansberry on behalf of her husband, Chaplain Jim Stansberry, who couldn't attend. This award recipient was chosen by the Show Low Police Department's line-level staff to recognize and show appreciation for all the work Dr. Stansberry had done with the department in the chaplaincy role.

Chief Provost presented the 2022 Unit Citation to Patrol Sergeants Richard Rosales, Justin Hart, Ashley Ellsworth, and Troy Eberline for going above and beyond and for the extortionary work that they have done in overseeing the service delivery of the Show Low Police Department.

Chief Provost presented the 2022 Civilian of the Year Award to Kent McQuillan, Information Technology Specialist, for his work on information technology systems and radios. Mr. McQuillan's efforts fundamentally changed how staff worked in the field.

Chief Provost presented the 2022 Dispatcher of the Year Award to Audriana Watson for her high-performance ratings, feedback received from the community, and awards she received. She had also taken it upon herself to send a card on behalf of the City of Show Low to every agency in the county that had a fallen officer or firefighter to let them know the City was thinking of them.

Chief Provost presented the 2022 Officer of the Year Award to Elijah Toth.

The Council members commended law enforcement, dispatchers, civilian staff, and volunteers for their outstanding work.

Mayor Leech called for a short break at 7:25 p.m. The meeting reconvened at 7:30 p.m.

B. Presentation of Midyear Financial Report for Fiscal Year Ending June 30, 2023. (Cari Bilbie)

Ms. Bilbie said the benchmark for revenues and expenditures from July 1 through December 31 was 50%. She would review General Fund revenues and expenses, sales tax revenues, key revenues, and expenses compared to the budget, and then review debt service.

Ms. Bilbie said General Fund revenues were at 46.3% of the budget. The General Fund expenditures were at 21.6%. Grants revenue was relatively low at 1.0% because the City was waiting on reimbursements from several grants.

Ms. Bilbie said sales tax collections and franchise taxes were at 75.16%, up 26.83% compared to collections at the same time last year.

Ms. Bilbie said State Shared Revenues were at 49.9% and Highway User Revenue Funds were at 45.2%. The fines and forfeitures, which included all fines and fees collected by the court, were at 88.3% of the budget.

Ms. Bilbie said airport revenues, consisting of leases and fees, were at 67.6%, and the fuel, oil, and resale were at 79.6% of the budget.

Ms. Bilbie said utility fund revenues comprised water, wastewater, and sanitation. Water was at 49.2% of budgeted revenues, wastewater was at 27.5%, and sanitation was at 47.0%. The utility fund revenues were on track for the year. Due to the City's billing cycle, the numbers shown were based on five months rather than six months.

Ms. Bilbie said utility fund expenses for water and wastewater were at 29.7% and 37.4%, respectively, but were on track for the year.

Ms. Bilbie said there would be an increase in debt service for fiscal year 2023 due to the excise revenue obligation bonds for Highway User Revenue Funds and wastewater that Council previously approved.

Mayor Leech asked what was driving the 137% revenue number for the library. Ms. Bilbie said the library collected fees and donations from various events had exceeded revenue predictions.

Vice Mayor Kakavas asked if the library revenue included the library grants. Ms. Bilbie said most of the library's grant funds were reflected in the Grants section of the budget.

7. **CONSENT CALENDAR:**

- A. Consideration of Resolution No. R2023-04 Rescinding Resolution No. R2023-03 and Authorizing Submitting Application for Funding Under 2023 Rebuilding American Infrastructure with Sustainability and Equity Discretionary Grants Program to Complete Scott Ranch Road Bridge Project. (Shannon Adams)
- B. Consideration of Resolution No. R2023-05 Deeding a Portion of City Property to Don and Pauline Romero and Paul Cruz in Exchange for Abandoning Roadway Easement. (Morgan Brown)
- C. Consideration of Resolution No. R2023-06 Approving and Authorizing Intergovernmental Agreement with Maricopa County for Maricopa County Sheriff's Office Sworn Officer Training Academy. (Brad Provost)
- D. Consideration of Minutes of Show Low City Council meetings:

(1) Regular Meeting of February 7, 2023.

VICE MAYOR KAKAVAS MOVED TO APPROVE THE CONSENT CALENDAR AS PRESENTED; SECONDED BY COUNCILMAN CLARK; PASSED 5 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, AND COUNCIL MEMBERS ALLSOP, CLARK, AND JUDD VOTING IN FAVOR.

8. **NEW BUSINESS:**

- A. **PUBLIC HEARING** – Application Submitted by Eric Harold Ashworth and Tania Stephanie Mikus for #6, *Bar*, Liquor License on Behalf of One Eyed Jacks Sports Lounge for its Location at South 4481 White Mountain Road, Show Low, Arizona. (Rachael Hall)

Ms. Hall said Eric Harold Ashworth and Tania Stephanie Mikus, representing One Eyed Jacks Sports Lounge, submitted a “location transfer” application for a #6, *Bar*, Liquor License for its location at 4481 South White Mountain Road #2. The request would transfer the existing #6, *Bar* license from the current location, 480 West Deuce of Clubs in Show Low, to the new location. As required by state law, the property was posted, and no public input was received.

Ms. Hall said the Show Low Police Department conducted a background check on the applicants and found nothing amiss. The Department of Liquor Licenses and Control conducts its own internal investigations and background checks. Based on the investigator’s findings and the recommendation of the City Council, the State Liquor Board would decide whether to approve or deny the application. If the City Council chose to recommend denial of the application, the motion must state the reasons for the denial.

Mayor Leech opened the matter for a public hearing.

There being no input, Mayor Leech closed the public hearing.

- B. Consideration of Application Submitted by Eric Harold Ashworth and Tania Stephanie Mikus for #6, *Bar*, Liquor License on Behalf of One Eyed Jacks Sports Lounge for its Location at 4481 South White Mountain Road, Show Low, Arizona. (Rachael Hall)

Councilman Allsop asked if the Show Low Police Department had any concerns regarding issuing a liquor license to One Eyed Jacks Sports Lounge. Chief Provosts said no, there were no concerns.

COUNCILMAN CLARK MOVED TO RECOMMEND APPROVAL TO THE STATE LIQUOR BOARD OF THE APPLICATION SUBMITTED BY ERIC

HAROLD ASHWORTH AND TANIA STEPHANIE MIKUS FOR #6, BAR, LIQUOR LICENSE ON BEHALF OF ONE EYED JACKS SPORTS LOUNGE FOR ITS LOCATION AT SOUTH 4481 WHITE MOUNTAIN ROAD, SHOW LOW, ARIZONA; SECONDED BY MAYOR LEECH; PASSED 5 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS AND COUNCIL MEMBERS ALLSOP, CLARK, AND JUDD VOTING IN FAVOR.

- C. **PUBLIC HEARING** – Application Submitted by Marchelle Eva May Haverland for #6, Bar, Liquor License on Behalf of Rocky’s Cocktail Lounge for its Location at 480 West Deuce of Clubs, Show Low, Arizona. (Rachael Hall)

Ms. Hall said Marchelle Eva May Haverland, representing Rocky’s Cocktail Lounge, submitted an application for a new #6, Bar, Liquor License for its location at 480 West Deuce of Clubs. This location previously had a #6, Bar, Liquor License, but the owner was new, and the former owners were transferring the #6, Bar Liquor License to their new location. As required by state law, the property was posted, and no public input was received.

Ms. Hall said Ms. Haverland also applied for an interim permit (valid for 105 days) to allow the sale of alcohol while the #6 application was being processed. The applicant would have to request a second interim permit if the application was not approved before the interim permit expires.

Ms. Hall said the Show Low Police Department conducted a background check on the applicant and found nothing amiss. The Department of Liquor Licenses and Control would conduct its own internal investigations and background checks. Based on the investigator’s findings and the recommendation of the City Council, the State Liquor Board would decide whether to approve or deny the application. If the City Council chose to recommend denial of the application, the motion must state the reasons for the denial.

Mayor Leech opened the matter for a public hearing.

There being no input, Mayor Leech closed the public hearing.

- D. Consideration of Application Submitted by Marchelle Eva May Haverland for #6, Bar, Liquor License on Behalf of Rocky’s Cocktail Lounge for its Location at 480 West Deuce of Clubs, Show Low, Arizona. (Rachael Hall)

Mayor Leech asked that since this was a request for a new liquor license if it would come back to Council for additional approval. Ms. Hall said no, as Ms. Haverland already received an interim license from the State Liquor

Board to sell alcohol because there was previously a #6 bar, liquor license at the location. The Council was considering the actual liquor license.

Councilman Clark asked about Ms. Haverland's experience operating a bar. Ms. Haverland said she had been a bartender on the mountain for the past 20 years and listed off her experience. Starting her own business was her dream, and she had been saving for the past 16 years to open her own establishment.

COUNCILMAN CLARK MOVED TO RECOMMEND APPROVAL TO THE STATE LIQUOR BOARD OF THE APPLICATION SUBMITTED BY MARCHELLE EVA MAY HAVERLAND FOR #6, BAR, LIQUOR LICENSE ON BEHALF OF ROCKY'S COCKTAIL LOUNGE FOR ITS LOCATION AT 480 WEST DEUCE OF CLUBS, SHOW LOW, ARIZONA; SECONDED BY COUNCILMAN JUDD; PASSED 5 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, AND COUNCIL MEMBERS ALLSOP, CLARK, AND JUDD VOTING IN FAVOR.

- E. **PUBLIC HEARING** – Application Submitted by Dana Gail Foster and Gary Arthur Martinson for #6, Bar, Liquor License on Behalf of Buffalo Bills Tavern & Museum for its Location at 400 North Clark Road, Show Low, Arizona. (Rachael Hall)

Ms. Hall said Dana Gail Foster and Gary Arthur Martinson, representing Buffalo Bills Tavern & Museum, submitted a "location transfer" application for a #6, Bar, Liquor License for its location at 400 North Clark Road. The request would transfer the existing #6, Bar license from the current location at AZ-260 and Bison Parkway in Show Low to the new location. As required by state law, the property was posted, and no public input was received.

Ms. Hall said the Show Low Police Department conducted a background check on the applicants and found nothing amiss. The Department of Liquor Licenses and Control would conduct its own internal investigations and background checks. Based on the investigator's findings and the recommendation of the City Council, the State Liquor Board would decide whether to approve or deny the application. If the City Council chose to recommend denial of the application, the motion must state the reasons for the denial.

Mayor Leech opened the matter for a public hearing.

There being no input, Mayor Leech closed the public hearing.

- F. Consideration of Application Submitted by Dana Gail Foster and Gary Arthur Martinson for #6, Bar, Liquor License on Behalf of Buffalo Bills

Tavern & Museum for its Location at 400 North Clark Road, Show Low, Arizona. (Rachael Hall)

COUNCILMAN CLARK MOVED TO RECOMMEND APPROVAL TO THE STATE LIQUOR BOARD OF THE APPLICATION SUBMITTED BY DANA GAIL FOSTER AND GARY ARTHUR MARTINSON FOR #6, BAR, LIQUOR LICENSE ON BEHALF OF BUFFALO BILLS TAVERN & MUSEUM FOR ITS LOCATION AT 400 NORTH CLARK ROAD, SHOW LOW, ARIZONA; SECONDED BY VICE MAYOR KAKAVAS; PASSED 5 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, AND COUNCIL MEMBERS ALLSOP, CLARK, AND JUDD VOTING IN FAVOR.

9. **SUMMARY OF CURRENT EVENTS:**

A. Council Members

Council members congratulated the Show Low High School girls' basketball team for making the quarter-finals and asked the community to support them in their bid to win the championship.

B. Mayor

Mayor Leech asked that with the winter storms the City was experiencing, the members of the community park their vehicles off the street so the City snowplows could clear the streets efficiently.

C. City Manager

Mr. Brown said the City was still accepting applications from citizens interested in serving on the Show Low Aviation Advisory Committee, Board of Adjustment, Parks and Recreation Advisory Committee, and the Planning and Zoning Commission. Applications were available at City Hall or on the City's website at showlowaz.gov. The City Clerk's office was accepting applications through March 3.

Mr. Brown said softball registration opened on February 1 for spring one-pitch coed softball, and the games would start mid to late March.

Mr. Brown said that regarding public works projects, the City's contractor completed the Citywide Paving and Sidewalk Connectivity project. The contractor started on services and was finishing work on the fire hydrants on the East Mills and Owens Waterline Replacement project. Work would start again in mid-March on the 5th and 6th Place Sewer Replacement project. Core samples were completed on the West McNeil Roadway Reconstruction project, and the contractor was waiting on the final report and weather before replacing the asphalt. Mr. Brown thanked

the citizens for their patience as these important projects were completed.

10. **SCHEDULING OF MEETINGS:**

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

None.

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 21, 2023, AT 7:55 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 February 21, 2023. 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