

MINUTES OF THE REGULAR MEETING OF THE SHOW LOW CITY COUNCIL HELD ON TUESDAY, MARCH 07, 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 Adams, Councilman Clark, Councilman Allsop, and Councilman Judd.

COUNCIL MEMBERS ABSENT: Councilman Hatch.

STAFF MEMBERS PRESENT: Morgan Brown, City Manager; Anna Atencio, City Attorney; Greg Westover, Police Commander; Bill Kopp, Public Works Director; Jay Brimhall, Community Services Director; Kathy Clements, Assistant City Clerk; and Rachael Hall, City Clerk.

GUESTS: Gordan Terracina and others.

3. Invocation.

Councilman Judd 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 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, said he wanted to inform the Council members that suspected underage drivers were driving around his neighborhood

on dirt bikes, quads, four-wheelers, and go-karts, creating an unsafe environment.

Mr. Terracina said he contacted the Show Low Police Department numerous times and provided an address where the suspected underage drivers lived. The police responded and spoke with the residents. However, the activity continued. Mr. Terracina said he was concerned that someone would get hurt and that this behavior must be stopped.

Mayor Leech asked Mr. Brown to have the police department drive through the neighborhood more frequently.

6. **CONSENT CALENDAR:**

- A. Consideration of Minutes of Show Low City Council meetings:
(1) Regular Meeting of February 21, 2023.

COUNCILMAN CLARK 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, ALLSOP, CLARK, AND JUDD VOTING IN FAVOR.

7. **NEW BUSINESS:**

- A. Consideration of Acceptance of Grant Funds from Arizona Department of Forestry and Fire Management for the Healthy Forest Initiative Grant and Authorization of Associated Budget Transfers (Jay Brimhall)

Mr. Brimhall said that in the Spring of 2022, the Arizona Department of Forestry and Fire Management (DFFM) solicited proposals from Arizona municipal and county government agencies to promote forest health for fire prevention, critical infrastructure protection, and forest and watershed restoration through the reduction of hazardous vegetation.

Mr. Brimhall said staff applied for and received funds from DFFM in the Fall of 2022 for five properties in Show Low that were densely wooded and needed fuels reduction. The properties were City Park (public, City of Show Low), Menhennett (private, between Lowes and the Circle K along White Mountain Road west of Wal-Mart, east of Wal-Mart and Home Depot), White Mountain Vacation Village (private, east along White Mountain Road behind Tractor Supply), North Woolford Road property (private, behind the Speedway and Horne used automobile lot), and Bison Preserve (private, north of State Route 260 between City Park and Bison Retreat). Maps for each property were included with the presentation.

Mr. Brimhall said priority was given to roadway frontage acreage; however, staff expected more acreage covered than just frontage thinning due to economies of scale.

Mr. Brimhall said staff asked property owners if they were willing to participate in and financially support the City by contributing a 20% match for the fuel abatement of their properties. Each landowner agreed, including the City as one of the recipients.

Mr. Brimhall said landowners would select the low bid from at least three contractors for the work and would pay their entire bill directly to the contractor. The landowners would submit their paid invoices to the City, which would reimburse 80% of the landowners' paid bill. After which, the City would request reimbursement from DFFM for 80% of the total project costs.

Mr. Brimhall said staff recommended accepting the grant funds for the Healthy Forest Initiative from Arizona Department of Forestry and Fire Management in the amount of \$182,000.00 and authorizing the associated budget transfers.

COUNCILMAN CLARK MOVED TO ACCEPT GRANT FUNDS FOR FROM ARIZONA DEPARTMENT OF FORESTRY AND FIRE MANAGEMENT FOR THE HEALTHY FOREST INITIATIVE GRANT IN THE AMOUNT OF \$182,000.00 AND AUTHORIZE ASSOCIATED BUDGET TRANSFERS; SECONDED BY COUNCILMAN ADAMS; PASSED 6 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, AND COUNCIL MEMBERS ADAMS, ALLSOP, CLARK, AND JUDD VOTING IN FAVOR.

- B. Consideration of Award of Construction Contract for Show Low Public Restroom Americans with Disabilities Act Upgrades, City of Show Low Project No. FM-1922B (Bill Kopp)

Mr. Kopp said the City of Show Low applied for and was awarded a Community Development Block Grant program grant to rebuild public restrooms to meet Americans with Disabilities Act (ADA) requirements.

Mr. Kopp said this project included remodeling three public restrooms to comply with the Americans with Disabilities Act. The restrooms were located at the "Senior" and "Ponderosa" ballfields at Show Low City Park and in the City Gym at 760 East McNeil. Each restroom had separate men's and women's facilities. The improvements included new stainless-steel plumbing fixtures, partitions, wallboard, paint, re-finishing concrete floors, lighting, doors, windows, paper and soap product dispensers, and other necessary appurtenances. The scope included the necessary demolition and disposal of generated waste materials. The project also

included connections to existing power, water, and sewer services. In-slab plumbing would be reconfigured in some areas. Schematic plans were provided in the bid packet for each facility. These plans were prepared for the purpose of illustrating the general layout, materials, and dimensions. The selected contractor would be responsible for preparing permittable plans for the construction.

Mr. Kopp said the request for proposals was advertised per statutory requirements, and only one bid was received. The proposal was evaluated based on cost, value, and experience. The proposal was well within the grant amount, and staff had worked on several successful projects with the contractor.

<u>Contractor</u>	<u>Total Bid</u>
LD&B, LLC	\$255,000.00

Mr. Kopp said staff recommended awarding the construction contract for Show Low Public Restroom Americans with Disabilities Act Upgrades Project No. FM-1922B, to LD&B, LLC, in an amount not to exceed \$255,000.00.

Councilman Allsop asked when the construction would start. Mr. Kopp said the contractor should begin work next week when the ground should be drier.

Councilman Clark asked if LD&B, LLC was the contractor that did the restrooms by the basketball courts and the little league field. Mr. Kopp said yes, LD&B, LLC did the work on those restrooms.

Mayor Leech asked if the restrooms were structurally sound. Mr. Kopp said yes that structurally they were fine.

COUNCILMAN ALLSOP MOVED TO AWARD THE CONSTRUCTION CONTRACT FOR SHOW LOW PUBLIC RESTROOM AMERICANS WITH DISABILITIES ACT UPGRADES, CITY OF SHOW LOW PROJECT NO. FM-1922B TO LD&B, LLC IN AN AMOUNT NOT TO EXCEED \$255,000.00; SECONDED BY VICE MAYOR KAKAVAS; PASSED 6 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, AND COUNCIL MEMBERS ADAMS, ALLSOP, CLARK, AND JUDD VOTING IN FAVOR.

- C. Consideration of Resolution No. R2023-07 Approving and Authorizing Intergovernmental Agreement with Navajo County Regarding Funds from One Arizona Plan Opioid Settlement (Anna Atencio)

Ms. Atencio said the people of the State of Arizona, including Show Low, had been harmed by the opioid epidemic caused by entities within the Pharmaceutical Supply Chain. The State of Arizona and certain other participating local governments had joined in litigation seeking to hold the pharmaceutical supply chain participants accountable for the damage they caused.

Ms. Atencio said, in 2020, the State, including Show Low, entered into the One Arizona Opioid Settlement Memorandum of Understanding (“MOU”) to jointly approach settlement negotiations with the pharmaceutical supply chain participants.

Ms. Atencio said the MOU created a plan for distributing certain settlement proceeds between the State, Counties, and Municipalities throughout the State of Arizona that had or may come from ongoing multi-state litigation in the federal courts related to the ongoing opioid crisis. The MOU provided detailed information about how the “One Arizona Plan” settlement proceeds could be utilized. The MOU provided detailed reporting requirements for documenting how settlement monies were utilized once received by the recipient jurisdictions and to monitor compliance.

Ms. Atencio said the MOU allowed for coordination and cooperation between Navajo County and the municipalities located therein in determining how the resources received as a result of the One Arizona Plan must be utilized to benefit the residents of the County and municipalities to remediate the impact of opioids in their respective regions.

Ms. Atencio said the Cities of Show Low, Holbrook, Winslow, and the Towns of Snowflake, Taylor, Pinetop-Lakeside, and Navajo County sought to act jointly and cooperatively consistent with their independent authority to create the Navajo County Opioid Settlement Steering Committee that would coordinate with the Navajo County Public Health Services District in identifying priorities and projects to remediate the opioid crisis throughout Navajo County on non-tribal lands, as set forth in the Intergovernmental Agreement for the Use of Opioid Settlement Proceeds Pursuant to the One Arizona Plan.

Ms. Atencio said staff believed the mutual coordination and cooperation regarding the use of opioid settlement proceeds was in the best interests of the citizens of Show Low and desired to centralize reporting requirements to relieve the City reporting separately to the County Health Department.

Ms. Atencio said staff recommended approving and authorizing the Intergovernmental Agreement for the Use of Opioid Settlement Proceeds Pursuant to the One Arizona Plan.

COUNCILMAN JUDD MOVED TO ADOPT RESOLUTION NO. R2023-07 APPROVING AND AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN NAVAJO COUNTY AND THE CITIES AND TOWNS OF HOLBROOK, WINSLOW, SNOWFLAKE, TAYLOR, PINETOP-LAKESIDE, AND SHOW LOW REGARDING THE DISTRIBUTION OF FUNDS OF THE ONE ARIZONA OPIOID SETTLEMENT; SECONDED BY VICE MAYOR KAKAVAS; PASSED 6 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, AND COUNCIL MEMBERS ADAMS, ALLSOP, CLARK, AND JUDD VOTING IN FAVOR.

8. **SUMMARY OF CURRENT EVENTS:**

A. Council Members

Councilman Allsop congratulated the Show Low High School girls' basketball team for making it to the State Championship and thanked Public Works Department for all the work they did this winter.

B. Mayor

Mayor Leech congratulated the Show Low High School girls' basketball team for an awesome job.

C. City Manager

Mr. Brown said the recreation department was making plans for the upcoming Spring Play Days, which would be held during spring break, March 13 through 16, for kids ages 5 to 11.

Mr. Brown said the Turn of the Card Community Center was hosting the "Famous Pat's Place St. Patrick Special" luncheon on March 17. Tickets could be purchased at the Community Center.

9. **SCHEDULING OF MEETINGS:**

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

Mr. Brown said a special meeting would be scheduled for the Council to interview the applicants for the vacancies on the Parks and Recreation Advisory Committee, Board of Adjustment, Planning and Zoning Commission, and Aviation Advisory Committee. The meeting would be held on Marcy 21.

10. **EXECUTIVE SESSION.**

- A. Confidentiality Statement.
- B. Discussion or consultation with the attorney or attorneys of the public body for legal advice or to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation. Pursuant to A.R.S. Sections 38-431.03(A)(3) and 38-431.03(A)(4).
 - (1) Northeastern Arizona Community Resource Network, Inc. Lease Agreement.
- 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 January 17, 2023.

11. **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.

- A. Consideration of Approval of the Minutes of the Executive Session of the Show Low City Council Held on January 17, 2023.

VICE MAYOR KAKAVAS MOVED TO APPROVE THE MINUTES OF THE EXECUTIVE SESSIONS OF THE SHOW LOW CITY COUNCIL HELD ON JANUARY 17, 2023; SECONDED BY COUNCILMAN CLARK; PASSED 6 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, AND COUNCIL MEMBERS ADAMS, CLARK, ALLSOP, AND JUDD VOTING IN FAVOR.

12. **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 07, 2023, AT 7:42 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