

**MINUTES OF THE REGULAR MEETING OF THE SHOW LOW CITY COUNCIL HELD ON TUESDAY, NOVEMBER 19, 2019 AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, 181 NORTH 9TH STREET, SHOW LOW, NAVAJO COUNTY, ARIZONA**

1. Call to Order.

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

2. Roll Call.

**COUNCIL MEMBERS PRESENT:** Mayor Seymore, Vice Mayor Allsop, Councilman Leech, Councilwoman Kakavas, and Councilman Kelley.

**COUNCIL MEMBERS ABSENT:** Councilman Crittenden and Councilman Hatch.

**STAFF MEMBERS PRESENT:** Ed Muder, City Manager; F. Morgan Brown, City Attorney; Justin Johnson, Deputy City Manager; Bill Kopp, Public Works Director; Joe Shelley, Police Chief; Shirley Patterson, Magistrate Court Judge; Rachael Hall, Assistant City Clerk; and Tamra Reidhead, City Clerk.

**GUESTS:** Vicky Solomon from Nexus Coalition for Drug Prevention, Representative Arlando Teller, Steve Beardsley, and others.

3. Invocation.

Councilman Kelley gave the invocation.

4. Pledge of Allegiance.

The Show Low High School Show Biz Choir sang the national anthem in lieu of 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 by Show Low High School Show Biz Choir.**

Cynthia Whipple, Show Biz Choir director, announced the 35th annual Feast of Carols on December 5, 6, and 7 at Whipple Ranch Elementary School. The choir students would perform four shows, including dessert only on Thursday and full-course meals on Friday and Saturday nights. A matinee would be performed at noon on Saturday where soup, salad, and dessert would be served. Tickets were available for purchase at Lofgreen Photography.

The choir students performed “Angels We Have Heard on High” for the Council and audience.

**B. Presentation by Nexus Coalition for Drug Prevention.**

Vicky Solomon, Nexus Coalition for Drug Prevention Executive Director, said the Friends of Navajo County Anti-Drug Coalition, Inc. was a 501 (c)(3) non-profit fiscal agent for Nexus Coalition for Drug Prevention. They were a community alliance working toward a healthy, substance-free environment for youth. The two main goals were to; 1) reduce substance abuse amount youth and 2) establish and strengthen collaboration amount community organizations.

Ms. Solomon said the Junior Leadership Academy was a summertime program for kids and they served 440 meals and 240 snacks last summer. The program always received positive feedback and frequently saw returning students each year.

Ms. Solomon said the “Safety Town: A Statewide Mobile Injury Prevention Program” reached over 180 adults and 505 students.

Ms. Solomon discussed talking with children about poison and medication safety. She said they focused on “Peer-to-Peer Education” and “Over the Counter Medicine Safety Program 101” to educate students.

Ms. Solomon said they offered Drug Diversion classes to educate the youth on harmful effects of drugs and alcohol. The leadership and prevention program called “MPOWRD” and “2B MPOWRD” provided materials for age-appropriate discussion groups to present challenging topics facing adolescents. The program created opportunities for teens to develop confidence and understand how to coop with stress.

Ms. Solomon discussed having naloxone in emergency kits and providing free drug testing kits to parents and high schools. In April and October, Nexus partnered with local law enforcement, fire departments, and Summit Healthcare to participate in the nationwide US Drug Enforcement Agency “Drug Take Back Day.”

Mayor Seymore asked how individuals could obtain naloxone. Ms. Solomon said individuals could contact her and she could provide the naloxone to them.

Item D was presented next.

D. Presentation by Representative Arlando Teller.

House Representative Arlando Teller said he was elected in November 2018 as the House Representative for District 7. He worked in the transportation industry since 1996 and was heavily relied on for issues that were related to transportation and infrastructure. He supported Arizona’s Highway User Revenue Fund (HURF) to help rural areas in the state.

Representative Teller gave an update on bills he would be introducing at the next session in January 2020. Some of those included appropriations towards Vernon Fire District, small community beautification, farmers’ market initiatives, recruiting teachers of color, and vaping issues in rural Arizona.

Representative Teller said another legislative act he was currently working on was concerning violence against women. He also supported certificates of educational convenience for students to attend a school out of their district out of convenience for parents and their job locations. He said he would continue conversations concerning transportation, and he supported airport improvement plans and roadway improvements.

Mayor Seymore said he traveled with representatives from the Apache and Navajo Counties Mayors and Councilmembers Association once a year in January. He asked Representative Teller to make the effort to be there to meet with the representatives from the Association.

C. Presentation Regarding Show Low Senior Center and Meals on Wheels Program.

Steve Beardsley, White Mountain Meals on Wheels board chairman, said the program was going very well and by the end of December they projected to have delivered over 1,100 meals. They held three craft fairs, attended health expositions, participated in Show Low Days and the

Fourth of July parade, held numerous fundraising events, and placed a banner across the Deuce of Clubs. These efforts were made to show the services that were available to seniors in the community.

Mr. Beardsley said there were two upcoming events. First was the annual Thanksgiving lunch on November 23. Second was the Pancake Breakfast with Santa on December 23. He thanked the volunteers for their time and service and thanked the Council for their support.

Mr. Beardsley said the Senior Center was very active this year with seminars and exercise classes being conducted, and the facility was always being used. He encouraged donations through the state tax credit program.

Vice Mayor Allsop clarified that the date for the Thanksgiving lunch would be November 26. He said that Meals on Wheels and the Senior Center had active Facebook pages that highlighted the activities and what services were being offered.

Councilman Kelley said the state tax credit program was a tax credit and not a tax deduction. It would be a direct credit dollar for dollar.

7. **CONSENT CALENDAR:**

- A. Consideration of Resolution No. R2019-30 Authorizing an Intergovernmental Agreement with Town of Pinetop-Lakeside for Information Systems Employee. (Joe Shelley)
- B. Consideration of Minutes of Show Low City Council meetings:
  - (1) Regular Meeting of November 5, 2019.

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

8. **NEW BUSINESS:**

- A. Consideration of Appointment of Associate City Magistrate. (Shirley Patterson)

Judge Shirley Patterson said when she was unavailable, or should a conflict arise with a certain case, it was necessary to have an additional judge (Associate Magistrate) available to preside at the Magistrate Court.

Judge Patterson said Rae Lynn Atencio would preside only as needed if Judge Patterson was unavailable or if a conflict arose. Judge Atencio had been employed with the Show Low Justice Court since 2014. Prior to 2014, she was a judicial associate and field trainer for Apache County for 10 years.

Judge Patterson recommended Rae Lynn Atencio's appointment as Associate Magistrate to a two-year term ending December 31, 2021. The hourly rate for Judge Atencio's services would be \$45.99 per hour.

**COUNCILMAN LEECH MOVED TO APPOINT RAE LYNN ATENCIO AS ASSOCIATE MAGISTRATE EFFECTIVE DATE JANUARY 1, 2020, TO A TWO-YEAR TERM ENDING DECEMBER 31, 2021; SECONDED BY COUNCILWOMAN KAKAVAS; PASSED 5 TO 0 WITH MAYOR SEYMORE, VICE MAYOR ALLSOP, AND COUNCIL MEMBERS KAKAVAS, KELLEY, AND LEECH VOTING IN FAVOR.**

- B. Consideration of Animal Shelter Service Agreement with Pet Allies. (Joe Shelley)

Chief Shelley said Show Low Animal Control had worked closely with Pet Allies to shelter, adopt, and rescue animals that would come into the animal control shelter. In 2018, these efforts resulted in 1,131 dogs and cats being rescued, adopted, or returned to their owners. Pet Allies also provided services such as selling dog licenses, low-cost vet care, vaccinations, and low-cost Rabies clinics for Show Low's animal control program.

Chief Shelley said Pet Allies would take dogs dropped off by Show Low residents at both the Show Low shelter and the Humane Society. For those animals dropped off at the Humane Society (by Show Low residents only), Pet Allies would pick them up and bring them back to the shelter if the Humane Society did not wish to keep the animal.

Chief Shelley said the City's budgeted cost of running the shelter and taking in surrendered animals was \$20,000. This amount included all operations and utilities associated with the Shelter. This amount had already been programmed into the 2019-20 budget.

Chief Shelley said as part of the agreement, Pet Allies would keep the shelter open to the public at least 15 hours per week. All impound and boarding fees would be maintained at the rates previously set by the City Council. The contract also provided both parties the ability to cancel the contract should it not work for either party or for cause.

**COUNCILMAN KELLEY MOVED TO RENEW THE AGREEMENT WITH PET ALLIES TO PROVIDE ANIMAL SHELTER SERVICES TO THE CITY OF SHOW LOW FOR AN AMOUNT NOT TO EXCEED \$20,000 FOR THE 2019-20 BUDGET YEAR; SECONDED BY VICE MAYOR ALLSOP; PASSED 5 TO 0 WITH MAYOR SEYMORE, VICE MAYOR ALLSOP, AND COUNCIL MEMBERS KAKAVAS, KELLEY, AND LEECH VOTING IN FAVOR.**

C. Consideration of Notice of Intention to Increase Water Rights Preservation Fee. (Morgan Brown/Justin Johnson)

Mr. Brown said Arizona Revised Statutes Section 9-511.01 required the City to adopt a Notice of Intention to Increase Water Fees, publish the notice, and hold a public hearing at the date and time specified prior to taking any action on a rate increase. This notice only sets a public hearing. Adoption of the notice and holding a public hearing did not obligate the City Council to implement proposed water fees. Adoption of these fees would require approval of a separate resolution following the public hearing on January 21, 2020. The proposed fee increase was from \$1.50 per connection per month to \$3.00 per connection per month for residential customers with commercial customers paying anywhere from \$3 to \$15 per month based on their meter size. Staff recommended that the upcoming customer price index (CPI) increase for water due to be effective in January 2020 be waived for this year.

Mr. Brown said the following timetable for adoption of the water fees complied with the requirements of A.R.S. Section 9-511.01:

11/19/2019	Adopt Notice of Intention	Declares the Council's intent to consider possible rate increase; sets public hearing.
12/27/2019	Publication in paper	Publish Notice of Intent in local paper, prior to public hearing.
1/21/2020	Public hearing & fee consideration	Public Hearing on the proposed water fees.
2/20/2020	Effective date (if approved)	New rate effective 30 days after adoption; rate will be reflected in April 2020 customer bill for month of March.

Councilman Leech asked if the top two levels were combined into one level as suggested during the Council Retreat. Mr. Johnson said yes, there were five levels in the beginning, and the top levels for the commercial meters were combined to create only four levels.

Vice Mayor Allsop said he liked that staff suggested waiving the upcoming CPI increase to help citizens. Mr. Johnson said the trend for the last

several years for the CPI increase was 2.5% and would cost customers \$0.75.

Mayor Seymore said the action required tonight was only to approve the notice of intention to increase the water rights preservation fee and not increase fees.

Councilman Kelley asked about clarification on the stated \$3.00 increase. He wanted to make sure that citizens knew the current rate was at \$1.50; therefore, the increase would only be \$1.50 more. He said if the upcoming CPI increase was waived, then that would help offset the increase to the citizens.

**VICE MAYOR ALLSOP MOVED TO APPROVE THE NOTICE OF INTENTION TO INCREASE THE WATER RIGHTS PRESERVATION FEE, PROVIDING FOR A PUBLIC HEARING AT 7:00 P.M. ON JANUARY 21, 2020; SECONDED BY COUNCILMAN LEECH; PASSED 5 TO 0 WITH MAYOR SEYMORE, VICE MAYOR ALLSOP, AND COUNCIL MEMBERS KAKAVAS, KELLEY, AND LEECH VOTING IN FAVOR.**

9. **SUMMARY OF CURRENT EVENTS:**

A. Council Members

Vice Mayor Allsop attended a Main Street meeting where they discussed work that would soon be done on the corner of 9th Street and the Deuce of Clubs. They also discussed the success of the Spooktacular event and the Farmers Market. He said the Christmas Tree lighting was scheduled for December 7, which would take place at the library after the annual Christmas Light Parade. He congratulated Mayor Seymore on his appointment to the Navajo County Board of Supervisors.

Councilwoman Kakavas expressed appreciation to the volunteers who participated in the Veteran's Day celebration. She said Summit Healthcare served about 850 meals to veterans and their family members during the event.

B. Mayor

Mayor Seymore attended the meeting for the Northland Pioneer College accreditation. He said it was important to have the college in our community, and he hoped they received the accreditation that was deserved.

Mayor Seymore said the Community Fast celebration would be this Sunday at the Show Low School District Auditorium.

Mayor Seymore wished everyone a happy Thanksgiving holiday.

C. City Manager

Mr. Muder said the Muppet Christmas Carol movie would be shown at the city campus gym this Friday for kids ages 12 and under. Registration was underway for the Christmas parade on Saturday, December 7. Youth basketball registration had begun for children in 1st through 6th grades.

Mr. Muder said the Show Low Family Aquatic Center would hold a free family swim night on Monday, November 25. Children must be accompanied by an adult. The aquatic center would be closed for two weeks from November 28, through December 14, for annual maintenance.

Mr. Muder said work was almost completed on the sidewalk on the west side of South Central Avenue from McNeil to Owens. Work continued on the 24th Drive sewer main replacement, and the Sierra Vista subdivision roadway reconstruction was completed. Pavement was being replaced where work was done on the Fairway Park Phase IV waterline project. Public works crews would be cleaning up in the downtown area prior to Thanksgiving. He thanked Show Low's residents for their patience as work continued on infrastructure projects around the City.

10. **SCHEDULING OF MEETINGS:**

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

**VICE MAYOR ALLSOP MOVED TO RECESS INTO EXECUTIVE SESSION TO DISCUSS THE ANNUAL EVALUATION OF CITY MAGISTRATE, TIMBER MESA FIRE AND MEDICAL DISTRICT INTERGOVERNMENTAL AGREEMENT, AND REVIEW THE EXECUTIVE SESSION MINUTES OF NOVEMBER 5, 2019; SECONDED BY COUNCILMAN LEECH; PASSED 5 TO 0 WITH MAYOR SEYMORE, VICE MAYOR ALLSOP, AND COUNCIL MEMBERS CRITTENDEN, KELLEY, AND LEECH VOTING IN FAVOR.**

The Show Low City Council recessed into Executive Session at 7:57 p.m.

11. **EXECUTIVE SESSION.**

A. Confidentiality Statement.

B. Discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a



public officer, appointee or employee of any public body. Pursuant to A.R.S. Section 38-431.03(A)(1).

(1) Annual Evaluation of City Magistrate.

C. 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) Timber Mesa Fire and Medical District Intergovernmental Agreement.

D. 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 November 5, 2019.

## 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 8:49 p.m.

**COUNCILMAN LEECH MOVED TO APPROVE THE SAME PERCENTAGE INCREASE FOR THE CITY MAGISTRATE AS RECEIVED BY OTHER CITY EMPLOYEES; SECONDED BY COUNCILWOMAN KAKAVAS; PASSED 5 TO 0 WITH MAYOR SEYMORE, VICE MAYOR ALLSOP, AND COUNCIL MEMBERS KELLEY, KAKAVAS, AND LEECH VOTING IN FAVOR.**

A. Consideration of Approval of the Minutes of the Executive Session of the Show Low City Council Held on November 5, 2019.

**MAYOR SEYMORE MOVED TO APPROVE THE EXECUTIVE SESSION MINUTES OF NOVEMBER 5, 2019; SECONDED BY VICE MAYOR ALLSOP; PASSED 5 TO 0 WITH MAYOR SEYMORE, VICE MAYOR ALLSOP, AND COUNCIL MEMBERS KELLEY, KAKAVAS, AND LEECH VOTING IN FAVOR.**

## 13. **ADJOURNMENT.**

There being no further business to be brought before the Council, **MAYOR SEYMORE ADJOURNED THE REGULAR MEETING OF THE SHOW LOW CITY COUNCIL OF NOVEMBER 19, 2019 AT 8:50 P.M.**

ATTEST:

APPROVED:

\_\_\_\_\_  
Tamra Reidhead, City Clerk

\_\_\_\_\_  
Daryl Seymore, Mayor

T:\docs\cc110519

**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 November 5, 2019. 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