

**MINUTES OF THE REGULAR MEETING OF THE SHOW LOW CITY COUNCIL HELD ON TUESDAY, JANUARY 7, 2020 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 Hatch, Councilwoman Kakavas, Councilman Kelley, and Councilman Leech.

**COUNCIL MEMBERS ABSENT:** Councilman Crittenden.

**STAFF MEMBERS PRESENT:** Ed Muder, City Manager; F. Morgan Brown, City Attorney; Bill Kopp, Public Works Director; Joe Shelley, Police Chief; Brad Provost, Police Commander; Justen Tregaskes, Planning and Zoning Director; John Wilhelm, Building Official; Jay Brimhall, Community Services Director; Lisa Lewis, Library Services Manager; Shane Hemesath, City Engineer; and Rachael Hall, Assistant City Clerk.

**GUESTS:** Daniel Rawlings and family, Laura Singleton, Conrad Loney, Dawn Wilson, Jimmie Applegate, and others.

3. Invocation.

Councilman Kelley gave the invocation.

4. Pledge of Allegiance.

Councilman Leech led the Council and audience in the pledge of allegiance.

A brief video in honor of Councilman Crittenden was shown. Mayor Seymore and all the Council members gave their condolences to the Crittenden family on the loss of Councilman Crittenden.

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.

Daniel Rawlings, 5811 C Wagon Wheel Lane, said it was an honor to live in the White Mountains. He thanked the community for the tender mercies that were shown and given to his family during their time of need and loss.

6. **SPECIAL EVENTS:**

A. Special Presentation in Recognition of Retired City Employee.

Chief Shelley introduced Joe Kohler, a retired Show Low police officer who served the City for over 24 years. He had served as a patrol officer, criminal investigation detective, school resource officer, and in a variety of leadership roles. He thanked Mr. Kohler for his service and commitment to the citizens.

Mayor Seymore presented Mr. Kohler with a clock from the Council for his years of service.

Mr. Kohler thanked the City for the opportunity to serve.

7. **CONSENT CALENDAR:**

- A. Consideration of Acceptance of Grant Funds from “Libraries Lead With Digital Skills” and Authorization of Associated Budget Transfers. (Lisa Lewis)
- B. Consideration of Acceptance of Grant Funds from Cornerstones of Science for “NASA @ My Library Patron Experience Pilot” and Authorization of Associated Budget Transfers. (Lisa Lewis)
- C. Proclamation by the Mayor Proclaiming January 20, 2020 as MARTIN LUTHER KING, JR. DAY OF SERVICE in the City of Show Low.
- D. Consideration of Minutes of Show Low City Council meetings:
  - (1) Regular Meeting of December 3, 2019.

**COUNCILMAN LEECH MOVED TO APPROVE THE CONSENT CALENDAR AS PRESENTED; SECONDED BY VICE MAYOR ALLSOP; PASSED 6 TO 0 WITH MAYOR SEYMORE, VICE MAYOR ALLSOP, AND COUNCIL MEMBERS HATCH, KAKAVAS, KELLEY, AND LEECH VOTING IN FAVOR.**

8. **NEW BUSINESS:**

- A. Consideration of Ordinance No. 2020-01 Amending Sections 7-2-4, 7-3-2, 7-4-1, 7-4-2, and 7-6-6 of Chapter 7, *Building*, of the Show Low City Code and Adopting Resolution No. R2020-01 Declaring as a Public Record That Document Titled “*Revisions to Sections 7-2-4, 7-3-2, 7-4-1, and 7-6-6 of Chapter 7, Building, of the Show Low City Code*” Thereby Adopting 2018 Building Codes. (Justen Tregaskes)

Mr. Tregaskes said at the Council Retreat held October 11, 2019, staff presented information related to the adoption of the 2018 IRC (International Residential Code) and the 2018 IBC (International Building Code). Currently, the City used the 2006 versions of these codes. Staff recommended that the Council amend Sections 7-2-4, 7-3-2, 7-4-1, 7-4-2, and 7-6-6 of Chapter 7, *Building*, of the City Code to replace the 2006 codes with the 2018 versions of these codes. Also included in the proposed changes were specifying the use of the 2018 International Fuel Gas, Mechanical, and Plumbing Codes and the 2017 National Electric Code. The recommendation was based on Show Low’s ISO (Insurance Services Organization) rating as well as other area jurisdictions adopting newer versions of the building codes. ISO recognized building codes as having a service life of six years. Codes older than that had a negative impact on the communities’ ISO rating. The ISO rating could also negatively impact homeowners’ insurance rates.

Mr. Tregaskes said staff had reviewed the 2018 versions of the building codes and compared them to the currently adopted 2006 building codes. While there were changes throughout the document, the changes that appeared to have the most impact on homebuilders was the requirement to install rain gutters, the requirement for arc-fault electrical throughout the home, and a change in the calculation of deck height in relation to guard rails. Staff held an open house with contractors to discuss these revisions on November 20, 2019. Flyers were distributed at the building counter for the two weeks prior to the meeting, emails were sent to 178 contractors with a valid email address, and letters were sent to an additional 54 contractors inviting them to this open house. Approximately 20 contractors attended. Invitations were also sent to all local government agencies, including Timber Mesa Fire and Medical District, Apache County, Navajo County, Springerville, Eagar, St. Johns, Pinetop-Lakeside, Snowflake, and Taylor, with a number of jurisdictions attending. No opposition was received, and several items were clarified for the contractors.

Mr. Tregaskes said as with previous building code adoptions, staff was recommending a 12-month grace period from the effective date of the ordinance. The grace period would allow contractors to submit building plans under either the 2006 or the 2018 building codes. All submittals

received after the expiration of the grace period would be required to meet the 2018 building code.

**COUNCILMAN HATCH MOVED TO ADOPT RESOLUTION NO. R2020-01 DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND TITLED “REVISIONS TO SECTIONS 7-2-4, 7-3-2, 7-4-1, 7-4-2, AND 7-6-6 OF CHAPTER 7, BUILDING, OF THE SHOW LOW CITY CODE”; SECONDED BY COUNCILMAN KELLEY; PASSED 6 TO 0 WITH MAYOR SEYMORE, VICE MAYOR ALLSOP, AND COUNCIL MEMBERS HATCH, KAKAVAS, KELLEY, AND LEECH VOTING IN FAVOR.**

By unanimous consent, Ms. Hall read Ordinance No. 2020-01 by title only.

*“AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SHOW LOW, ARIZONA, AMENDING CERTAIN SECTIONS OF CHAPTER 7, BUILDING, OF THE SHOW LOW CITY CODE, AND ADOPTING THAT DOCUMENT TITLED “REVISIONS TO SECTIONS 7-2-4, 7-3-2, 7-4-1, 7-4-2, AND 7-6-6 OF CHAPTER 7, BUILDING, OF THE SHOW LOW CITY CODE,” BY REFERENCE”*

**COUNCILMAN LEECH MOVED TO ADOPT ORDINANCE NO. 2020-01; SECONDED BY VICE MAYOR ALLSOP; PASSED 6 TO 0 WITH MAYOR SEYMORE, VICE MAYOR ALLSOP, AND COUNCIL MEMBERS HATCH, KAKAVAS, KELLEY, AND LEECH VOTING IN FAVOR.**

- B. Consideration of Application Submitted by James Applegate on Behalf of Show Low Chamber of Commerce for Special Event Liquor License for Wine and Whiskey Tasting Event on February 14, 2020, at Hampton Inn. (Tamra Reidhead)

Ms. Hall said James Applegate, representing the Show Low Chamber of Commerce, submitted an application for a special event liquor license for a wine and whiskey tasting event on February 14 from 6:30 p.m. to 9:00 p.m. at Hampton Inn, located at 1501 East Woolford, Show Low.

Ms. Hall said the license would allow the Show Low Chamber of Commerce to sell alcohol during the event. This was an indoor event with the main entry and exit doors being secured by Chamber staff and Board volunteers to check identifications, collect or verify payment, and prevent any alcoholic beverages from being taken out of the event room. Other doors that were located in the event room were emergency exits, and volunteers would be posted at each door to prevent usage unless there was an emergency.

Ms. Hall said the Show Low Police Department previously performed a background check on the applicant and found nothing that would preclude approval of this special event liquor license. The application and action taken by the Council would be forwarded to the Department of Liquor Licenses and Control. Unlike regular liquor licenses, the Council’s decision was final for such an application.

**COUNCILMAN LEECH MOVED TO APPROVE THE APPLICATION SUBMITTED BY JAMES APPLGATE FOR A SPECIAL EVENT LIQUOR LICENSE FOR A WINE AND WHISKEY TASTING EVENT ON FEBRUARY 14 AT HAMPTON INN; SECONDED BY VICE MAYOR ALLSOP; PASSED 6 TO 0 WITH MAYOR SEYMORE, VICE MAYOR ALLSOP, AND COUNCIL MEMBERS HATCH, KAKAVAS, KELLEY, AND LEECH VOTING IN FAVOR.**

- C. Consideration of Award of Construction Contract for North 16th Avenue Waterline Extension, City of Show Low Project No. W-2019. (Shane Hemesath)

Mr. Hemesath said the City’s fiscal year 2019-20 Capital Improvements Plan budget included a total of \$150,000 for small waterline improvement projects labeled “General Improvements.” This budget line item was used for small waterline projects identified during the current budget year to better improve the water distribution system. A project was identified along North 16th Avenue to connect an existing water main in Old Linden Road to an existing dead end section of waterline main located in West Willis. The looping of the water distribution system would increase redundancy, increase fire flow in the area, and eliminate a dead end section of waterline. This project consisted of installing approximately 1,400 linear feet of eight-inch PVC water main, installing a new water service and fire hydrants, and replacing existing pavement.

Mr. Hemesath said the project was designed by City engineering staff, with a construction estimate of \$80,000. 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	\$ 75,050.00
Rock Country Builders Inc.	\$ 91,725.00
Rawlings Specialty Contracting	\$ 97,750.00
Navapache Equipment Services	\$ 98,485.00
Western Grade LLC	\$ 98,908.25
PAP LLC	\$129,010.00
Surface Contracting	\$157,700.00
Standard Construction	\$255,537.00

Mr. Hemesath said staff recommended awarding the construction contract for the North 16th Avenue waterline extension, City of Show Low Project No. W-2019, to Apache Underground and Excavating in an amount not to exceed \$75,050.

Mayor Seymore asked if Apache Underground was in good standing with the City. Mr. Hemesath said yes, Apache Underground had completed a project last year and was in good standing.

Councilwoman Kakavas was concerned with the difference between the bids and asked if the contractor was aware of ramifications they might encounter with such a low bid. Mr. Hemesath said the contractor was aware that the bid was lower than some of the other contractors' bids but that they were happy with their bid. The highest bid was considerably high considering the scope of work for the project.

**VICE MAYOR ALLSOP MOVED TO AWARD THE CONSTRUCTION CONTRACT FOR THE NORTH 16TH AVENUE WATERLINE EXTENSION, CITY OF SHOW LOW PROJECT NO. W-2019, TO APACHE UNDERGROUND AND EXCAVATING IN AN AMOUNT NOT TO EXCEED \$75,050; SECONDED BY COUNCILWOMAN KAKAVAS.**

Vice Mayor thanked staff for moving forward with this project for the residents who lived in that area.

**MOTION PASSED 6 TO 0 WITH MAYOR SEYMORE, VICE MAYOR ALLSOP, AND COUNCIL MEMBERS HATCH, KAKAVAS, KELLEY, AND LEECH VOTING IN FAVOR.**

- D. Consideration of Award of Construction Contract for West Cooley Sewer Replacement Phase 1, City of Show Low Project No. S-0419, and Approval of Associated Budget Transfers. (Shane Hemesath)

Mr. Hemesath said the City's fiscal year 2019 Capital Improvements Plan (CIP) budget included \$331,040 for a sewer line replacement project labeled "West Cooley Sewer Improvements." The existing wastewater collection system consisted of aging six-inch clay pipe and it would require more maintenance and repairs. The West Cooley Sewer Main Replacement project originally consisted of replacing the sewer main in West Cooley and connecting streets from Central Avenue to 8th Avenue. During the budget process the available funding further divided the scope of work into two phases. The first phase was funded in the 2019 CIP. This scope of work included installing approximately 2,400 linear feet (LF) of new eight-inch PVC sewer line, eight new concrete manholes, new sewer services, and replacing the existing asphalt that would be removed.

Mr. Hemesath said the project was designed by Ironside Engineering with a construction estimate of \$370,000. Arizona Department of Environmental Quality approvals to construct were obtained. The project was publicly bid in accordance with statutory requirements with the following results:

<u>Contractor</u>	<u>Base Bid</u>
Rawlings Specialty Contracting	\$327,010.00
Apache Underground and Excavating	\$367,310.00
Rock Country Builders	\$458,500.00
PAP LLC	\$516,510.00
Navapache Equipment Services	\$561,650.00
Standard Construction	\$826,620.00

Mr. Hemesath said after the costs for the design were paid, \$268,290 remained available for construction. A budget transfer from CIP General Improvements in the amount of \$58,750 was proposed to fund the scope of work for Phase 1. Staff recommended awarding the construction contract for the West Cooley Sewer Replacement Phase 1, City of Show Low Project No. S-0419, to Rawlings Specialty Contracting in an amount not to exceed \$327,010 and approve the associated budget transfers.

Councilwoman Kakavas asked why there was not a line showing a sewer line between 3rd Avenue and 2nd Drive. Mr. Hemesath said a sewer line did not exist in that section. He said the sewer went in two different directions in that area but residents were still being served.

Mayor Seymore asked if Rawlings Specialty Contracting was in good standing with the City. Mr. Hemesath said yes, the contractor was in good standing.

**COUNCILWOMAN KAKAVAS MOVED TO AWARD THE CONSTRUCTION CONTRACT FOR THE WEST COOLEY SEWER REPLACEMENT PHASE 1, CITY OF SHOW LOW PROJECT NO. S-0419, TO RAWLINGS SPECIALTY CONTRACTING IN AN AMOUNT NOT TO EXCEED \$327,010 AND APPROVE THE ASSOCIATED BUDGET TRANSFERS; SECONDED BY VICE MAYOR ALLSOP.**

Councilman Leech asked if the work would be completed in the road or south of the road. Mr. Hemesath said work would be completed in the middle of the road where the existing sewer line was located.

Councilman Allsop asked if the residents could expect a better surface on Cooley after this job was completed. Mr. Hemesath said the waterline was scheduled to be fixed after this project was completed and then the paving project of Cooley could be done.

**MOTION PASSED 6 TO 0 WITH MAYOR SEYMORE, VICE MAYOR ALLSOP, AND COUNCIL MEMBERS HATCH, KAKAVAS, KELLEY, AND LEECH VOTING IN FAVOR.**

9. **SUMMARY OF CURRENT EVENTS:**

A. Council Members

Vice Mayor attended the City's Christmas luncheon, and met with new staff from the police department. He attended the New Year's Eve Deuce of Clubs Drop and said many in attendance were from out of state.

Councilman Hatch thanked the individuals that sent him words of encouragement during his absence.

B. Mayor

Mayor Seymore gave his condolences to the Jack Latham family on the passing of his wife.

C. City Manager

Mr. Muder said candidate packets for a seat on the City Council were available beginning today. The necessary paperwork must be filed between March 9 and April 6. The Primary Election would be held August 4.

Mr. Muder said staff was beginning the process to prepare the City's annual budget for fiscal year 2021. In addition to a budget study session with the City Council on Tuesday, January 21, at 6:00 p.m., a town hall budget meeting would be held specifically for citizen input on Thursday, January 23 at 6:00 p.m. All budget meetings would be held in Council Chambers and open to the public.

Mr. Muder said the recreation department had begun selling tickets to the Daddy Daughter Dance on February 7 at the city campus gym. Registration was also open for the 2020 BBQ Throwdown and winter pickleball.

10. **SCHEDULING OF MEETINGS:**

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



Mr. Muder reminded the Council there would be a joint meeting with the Timber Mesa Fire and Medical District on January 14 at City Hall in the Deuce of Clubs Room at 7:00 p.m.

Mr. Muder said there would be a budget study session in Council Chambers on Tuesday, January 21, at 6:00 p.m. and a budget town hall for citizen input on Thursday, January 23, at 6:30 p.m.

**VICE MAYOR ALLSOP MOVED TO RECESS INTO EXECUTIVE SESSIONS TO DISCUSS THE TIMBER MESA FIRE AND MEDICAL DISTRICT INTERGOVERNMENTAL AGREEMENT, ANNUAL EVALUATION OF CITY MANAGER, ANNUAL EVALUATION OF CITY ATTORNEY, AND REVIEW THE EXECUTIVE SESSION MINUTES OF DECEMBER 3, 2019; SECONDED BY COUNCILMAN LEECH; PASSED 6 TO 0 WITH MAYOR SEYMORE, VICE MAYOR ALLSOP, AND COUNCIL MEMBERS HATCH, KAKAVAS, KELLEY, AND LEECH VOTING IN FAVOR.**

The Show Low City Council recessed into Executive Session at 7:45 p.m.

11. **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) Timber Mesa Fire and Medical District Intergovernmental Agreement.
- C. 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 Manager.
- D. 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 Attorney.

E. 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 3, 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 9:02 p.m.

**VICE MAYOR ALLSOP MOVED TO APPROVE THE SAME 2% INCREASE FOR THE CITY MANAGER AND CITY ATTORNEY AS RECEIVED BY OTHER CITY EMPLOYEES, RETROACTIVE TO THE FIRST PAY PERIOD OF FISCAL YEAR 2019-20; SECONDED BY COUNCILWOMAN KAKAVAS; PASSED 6 TO 0 WITH MAYOR SEYMORE, VICE MAYOR ALLSOP, AND COUNCIL MEMBERS HATCH, KAKAVAS, KELLEY, AND LEECH VOTING IN FAVOR.**

A. Consideration of Approval of the Minutes of the Executive Session of the Show Low City Council Held on December 3, 2019.

**COUNCILWOMAN KAKAVAS MOVED TO APPROVE THE EXECUTIVE SESSION MINUTES OF DECEMBER 3, 2019; SECONDED BY COUNCILMAN HATCH; PASSED 6 TO 0 WITH MAYOR SEYMORE, VICE MAYOR ALLSOP, AND COUNCIL MEMBERS HATCH, KAKAVAS, KELLEY, 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 JANUARY 7, 2020 AT 9:03 P.M.**

ATTEST:

APPROVED:

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

\_\_\_\_\_  
Daryl Seymore, 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 January 7, 2020. 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