

MINUTES OF THE REGULAR MEETING OF THE SHOW LOW CITY COUNCIL HELD ON TUESDAY, APRIL 21, 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 Clark, Councilman Hatch, Councilwoman Kakavas, Councilman Kelley, and Councilman Leech.

COUNCIL MEMBERS ABSENT: None.

STAFF MEMBERS PRESENT: Ed Muder, City Manager; F. Morgan Brown, City Attorney; Justin Johnson, Deputy City Manager; Bill Kopp, Public Works Director; Shane Hemesath, City Engineer; Joe Shelley, Police Chief; Justen Tregaskes, Planning and Zoning Director; Tom Bahr, Airport Manager; Rachael Hall, Assistant City Clerk; and Tamra Reidhead, City Clerk.

GUESTS:

3. Invocation.

Vice Mayor Allsop gave the invocation.

4. Pledge of Allegiance.

Mayor Seymore led the Council and audience in the pledge of allegiance.

Mayor Seymore gave an update of COVID-19 statistics. Navajo County currently had 485 confirmed cases with 11 deaths. In the state of Arizona, there were 5,251 cases with 208 deaths. He thanked first responders and those working in the medical field for their service.

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. **CONSENT CALENDAR:**

- A. Proclamation by the Mayor Proclaiming April 2020 as **Fair Housing Month** in the City of Show Low.
- B. Proclamation by the Mayor Proclaiming April 2020 as **Child Abuse Prevention Month** in the City of Show Low.
- C. Proclamation by the Mayor Proclaiming April 12 through 18, 2020 as **Public Safety Telecommunicators Week** in the City of Show Low.
- D. Proclamation by the Mayor Proclaiming April 24, 2020 as **Arbor Day** in the City of Show Low.
- E. Consideration of Noncommercial Ground Lease with BTNJ One Property Management, LLC. (Tom Bahr)
- F. Consideration of Resolution No. R2020-05 Authorizing and Submitting Grant Application for Federal Land Access Program for Reconstruction of Joe Tank Road to United States Forest Service Boundary. (Lisa Robertson/Shane Hemesath)
- G. Consideration of Resolution No. R2020-06 Approving Submitting Application for 2020 BUILD Grant Program for Scott Ranch Road and Bridge Project. (Lisa Robertson)
- H. Consideration of Resolution No. R2020-07 Appointing Accounting Manager as Applicant Agent for Public Assistance During COVID-19 Public Health Emergency. (Justin Johnson)
- I. Consideration of Contract for Carpet Cleaning Services, City of Show Low Project No. FM-1720. (Bill Kopp)
- J. Consideration of Minutes of Show Low City Council meetings:
 - (1) Regular Meeting of March 17, 2020.

COUNCILMAN LEECH MOVED TO APPROVE THE CONSENT CALENDAR AS PRESENTED; SECONDED BY COUNCILWOMAN KAKVAS; PASSED 7 TO 0 WITH MAYOR SEYMORE, VICE MAYOR ALLSOP, AND COUNCIL MEMBERS CLARK, HATCH, KAKAVAS, KELLEY, AND LEECH VOTING IN FAVOR.

7. **NEW BUSINESS:**

- A. **PUBLIC HEARING** – Application Submitted by Kim Kenneth Kwiatkowski on Behalf of Circle K Store #9526 for #9, *Liquor Store*, Liquor License for its Location at 5250 South White Mountain Road, Show Low, Arizona. (Tamra Reidhead)

Ms. Reidhead said Kim Kenneth Kwiatkowski, representing Circle K #9526, submitted an application for a person/location transfer for a #9, *Liquor Store*, liquor license for its actual location at 5250 South White Mountain Road. The property was posted per state law and no public input was received.

Ms. Reidhead said the Show Low Police Department conducted a background check on the applicant and other associated individuals 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 denial.

Mayor Seymore opened the matter for a public hearing. There being no input, he closed the public hearing.

- B. Consideration of Application Submitted by Kim Kenneth Kwiatkowski on Behalf of Circle K Store #9526 for #9, *Liquor Store*, Liquor License for its Location at 5250 South White Mountain Road, Show Low, Arizona. (Tamra Reidhead)

VICE MAYOR ALLSOP MOVED TO RECOMMEND APPROVAL TO THE STATE LIQUOR BOARD OF THE APPLICATION SUBMITTED BY KIM KENNETH KWIATKOWSKI FOR A #9, LIQUOR STORE, LIQUOR LICENSE ON BEHALF OF CIRCLE K STORE #9526 FOR ITS LOCATION AT 5250 SOUTH WHITE MOUNTAIN ROAD, SHOW LOW; SECONDED BY COUNCILMAN LEECH; PASSED 7 TO 0 WITH MAYOR SEYMORE, VICE MAYOR ALLSOP, AND COUNCIL MEMBERS CLARK, HATCH, KAKAVAS, KELLEY, AND LEECH VOTING IN FAVOR.

- C. Consideration of Application Submitted by James Edward Girard on Behalf of White Mountain Base Submarine Veterans for Special Event Liquor License for 2020 Cruz'n the Rim Car Show on June 6 at Frontier Fields. (Tamra Reidhead)

Ms. Reidhead said James Edward Girard, representing the White Mountain Base Submarine Veterans, submitted an application for a special event liquor license for the 2020 Cruz'n the Rim car show at Frontier Fields, scheduled for June 6, contingent on the ability to have an event with a large group gathering.

Ms. Reidhead said the license would allow the Submarine Veterans to sell alcohol during the event. There was an existing six-foot chain-link fence surrounding Frontier Fields where the alcohol would be sold and consumed. Two entrance/exit gates would be open for participants to enter and leave the area, which would be manned by White Mountain Submarine Veterans personnel to ensure no alcohol was brought in or could leave the premises. Additional Submarine Veterans would patrol and monitor the entire area to ensure there was no underage consumption.

Ms. Reidhead said the Show Low Police Department 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.

VICE MAYOR ALLSOP MOVED TO APPROVE THE APPLICATION SUBMITTED BY JAMES EDWARD GIRARD FOR A SPECIAL EVENT LIQUOR LICENSE FOR THE 2020 CRUZ'N THE RIM CAR SHOW ON JUNE 6 AT FRONTIER FIELDS, SHOW LOW, ARIZONA; SECONDED BY COUNCILMAN HATCH; PASSED 6 TO 1 WITH VICE MAYOR ALLSOP, AND COUNCIL MEMBERS CLARK, HATCH, KAKAVAS, KELLEY, AND LEECH VOTING IN FAVOR AND MAYOR SEYMORE CASTING THE DISSENTING VOTE.

- D. Consideration of Construction Contract for North 16th Avenue Sidewalk and Walking Path Improvement Project, City of Show Low Project No. R-1520-A and Approval of Associated Budget Transfers. (Shane Hemesath)

Mr. Hemesath said the City's fiscal year 2020 capital improvements program budget included \$165,000 for a sidewalk connectivity project labeled "North 16th Avenue McNeil to OLR." The scope of work included installing curb, gutter, five-foot sidewalk, ADA ramps, driveways, required drainage facilities for the work, and a detached asphalt walking path along North 16th Avenue from West McNeil to Old Linden Road. The proposed improvements were located along the west side of 16th Avenue.

Mr. Hemesath said the project was designed by City engineering staff with a construction estimate of \$235,000. The project was originally publically

bid in February, and after ten contractors attended the pre-bid meeting, no bids were submitted for the work. Comments received ranged from busy schedules to it being a challenging project to bid because it had a large amount of concrete work combined with an asphalt path increasing the need for more subcontractors.

Mr. Hemesath said city staff re-evaluated the project design and modified the bid documents to include additive alternates for construction to entice more bids. The base bid was revised to include concrete sidewalk along 16th Avenue from West McNeil to the north corner of the K-Bar RV Park property and then a detached six-foot concrete sidewalk from K-Bar to Old Linden Road. An additive alternate no. 1 was included to allow for the contractor to replace the detached six-foot concrete sidewalk with the eight-foot wide detached asphalt walking path as an additional option. The project was publicly bid according to statutory requirements with the following results:

<u>Contractor</u>	<u>Base Bid</u>	<u>Additive Alternate No. 1</u>
Hatch Construction	\$233,405.00	\$208,955.00
McCauley Construction	\$249,447.50	\$241,685.00
Development Specialist	\$289,998.00	\$280,393.00
Visus Engineering	\$318,000.00	-----
Western Utility Contractors	\$370,845.00	\$354,570.00
Surface Contracting	\$389,930.00	\$347,280.00
Navapache Construction	Bid Tab Error	Bid Tab Error

Mr. Hemesath said after evaluating the bids submitted, staff decided to award the bid to the low bidder, Hatch Construction, with the additive alternate no. 1 option, which included the detached asphalt path for the north portion of the project. Staff identified bid savings from the Sierra Vista subdivision roadway reconstruction project to help fund the overage amount to award the project.

Mr. Hemesath said staff recommended awarding the construction contract for the North 16th Avenue sidewalk and walking path improvement project, City of Show Low Project No. R-1520-A, to Hatch Construction in an amount not to exceed \$208,955 and approve the associated budget transfers.

Councilwoman Kakavas asked if the asphalt pathway would be a temporary fix. She suggested concrete would be better for long term. Mr. Hemesath said the original CIP called for a detached asphalt walkingpath, which would go better with that area.

Councilman Leech asked if utilities were located on the side of the road where construction would be taking place. Mr. Hemesath said there were

utilities in some of the areas, but most of the powerlines were overhead, and the water and sewer would not be in the way at this time.

Mayor Seymore said something should be installed to deter drivers from driving over the walking path. Mr. Hemesath said staff could install boulders or other distractions to keep the walking path clean and safe.

VICE MAYOR ALLSOP MOVED TO AWARD THE CONSTRUCTION CONTRACT FOR THE NORTH 16TH AVENUE SIDEWALK AND WALKING PATH IMPROVEMENT PROJECT WITH ADDITIVE ALTERNATE NO. 1, CITY OF SHOW LOW PROJECT NO. R-1520-A, TO HATCH CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$208,955.00 AND APPROVE THE ASSOCIATED BUDGET TRANSFERS; SECONDED BY COUNCILMAN LEECH.

Councilman Leech asked if adding deterrents could be done along with this project or if they would be done at a later time. Mayor Seymore said they could have staff look into the project right now to see if it could be done concurrently.

Councilwoman Kakavas asked if doing a concrete sidewalk instead of asphalt would be more of a deterrent and asked if there were funds to do a concrete sidewalk. Mr. Hemesath said yes, if someone had to drive over a curb versus a walking path then that would be more a deterrent for drivers. There was additional funding that could pay for the sidewalk. Mr. Muder said it would be up to the Council to decide whether they wanted an asphalt walking path or concrete.

Vice Mayor asked if the project would have to be re-bid if they decided to do all concrete. Mr. Hemesath said no, the base bid without the alternate no. 1 was for concrete sidewalks with a detached portion. The alternate no. 1 was for the detached portion to be asphalt instead of concrete.

Councilman Kelley said staff had put in time and effort for this recommendation and he would like to postpone this item for a future study session. Mayor Seymore the difference would only be concrete compared to asphalt and he preferred concrete.

VICE MAYOR ALLSOP AMENDED THE MOTION AND MOVED TO AWARD THE CONSTRUCTION CONTRACT FOR THE NORTH 16TH AVENUE SIDEWALK AND WALKING PATH IMPROVEMENT PROJECT, CITY OF SHOW LOW PROJECT NO. R-1520-A, TO HATCH CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$233,405.00 AND APPROVE THE ASSOCIATED BUDGET TRANSFERS; COUNCILMAN LEECH SECONDED THE AMENDED MOTION.

Councilman Kelley felt this was the wrong way to proceed on this item. Mr. Muder said staff gave the additive alternate option to the Council so they would have the choice to choose between concrete or asphalt. He said staff was in agreeance to either choice.

MOTION PASSED 6 TO 1 WITH MAYOR SEYMORE, VICE MAYOR ALLSOP, AND COUNCIL MEMBERS CLARK, HATCH, KAKAVAS, KELLEY, AND LEECH VOTING IN FAVOR AND COUNCIL MEMBER KELLEY CASTING THE DISSENTING VOTE.

8. **SUMMARY OF CURRENT EVENTS:**

A. Council Members

Councilman Leech was part of an ambassador program to contact local businesses during this time. He was able to reach out to 70 to 75 businesses to see how they were doing during COVID-19 and to see if there was anything the City could do to support them.

Councilman Kelley encouraged citizens to help their neighbors and to be safe during this time.

Councilwoman Kakavas said Summit Healthcare had ten confirmed patients with COVID-19 with all patients being at their homes. She thanked the community for the tribute and support shown for Summit Healthcare last Wednesday.

Vice Mayor Allsop attended a Main Street meeting to discuss further plans for the corner of 9th Street and Deuce of Clubs. He said Meals on Wheels was doing well and was serving seniors with meals seven days a week. He thanked citizens for their donations. He also thanked the utilities companies and employees for keeping services going while citizens are home during this time. He thanked Mayor Seymore for his service to the City and Navajo County.

Councilman Hatch thanked Councilman Leech for his service as part of the ambassador program to call local businesses. He thanked Councilwoman Kakavas and Summit Healthcare's cardiac recovery department for their continued support and care during this time.

B. Mayor

Mayor Seymore thanked staff and the community for turning our City "blue" in support for healthcare workers and first responders.

C. City Manager

Mr. Muder said the City's next free excess trash collection service was scheduled for the week of May 4 through 7. This service, available to all City of Show Low refuse customers, was provided by Waste Management on the regularly scheduled collection day during the first full week of odd-numbered months.

Mr. Muder said the 22nd annual Project Clean Sweep, would kick off mid-May. Show Low residents could dump green waste for free for two weeks at Dirty Deeds Green Waste at 890 Cinder Pit Road, from May 11, to May 16, and again from Monday, May 18, to May 23, from 8:00 a.m. to 4:00 p.m. Other services through Project Clean Sweep would take place beginning in June. A flyer with more information would be distributed with the next utility billing.

Mr. Muder said the 2020 Census was underway and over 50% of households across America have responded to date. The rate of response from residents living in Show Low, however, was only 32.1%, significantly lower than the national response rate. He reminded residents that census population figures determined how much each city would receive in annual state and federal monies to fund community programs and services. Every resident who was counted equaled more shared revenues, which were used to build and maintain roads, water and sewer services, recreational facilities and parks, and funds the police, senior citizen centers, schools, day care centers, etc. This year was the first time that the U.S. Census Bureau had provided online forms with electronic submittal. Individuals who chose not to participate in the online version of the Census would be visited at a later date by a Census worker. However, because of the COVID-19 outbreak, the U.S. Census Bureau was adjusting 2020 Census operations to protect the health and safety of the American public and Census Bureau employees. Field data collection was temporarily suspended in March, and steps were being taken to reactivate field offices beginning June 1. Remember, participating in the Census was an easy way to benefit your community for the next ten years.

Mr. Muder said the U.S. Forest Service, Southwestern Region, had enacted a campfire ban in the following National Forests: Apache-Sitgreaves, Coconino, Coronado, Kaibab, Prescott, and Tonto. Igniting, building, maintaining, attending, or using a fire would be prohibited on all six of these national forests in Arizona until June 30, 2020, or until rescinded.

A tribute video was shown for healthcare workers.

9. **SCHEDULING OF MEETINGS:**

None.

10. **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 APRIL 21, 2020 AT 7:56 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 April 21, 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