

**MINUTES OF THE REGULAR MEETING OF THE SHOW LOW CITY COUNCIL HELD ON TUESDAY, JUNE 02, 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; Justen Tregaskes, Planning and Zoning Director; Tom Bahr, Airport Manager; Lisa Robertson, Grants/Transit Manager; Joe Shelley, Police Chief; Cari Bilbie, Accounting Manager; Rachael Hall, Deputy City Clerk; and Tamra Reidhead, City Clerk.

**GUESTS:** Curt Fernau, Dawn Wilson, Sharon Stone, Doug Roberts, Neil Traver, AC and Pat Cucuel, Bob Schultz, Mike Bosley, and others.

3. Invocation.

Councilman Kelley gave the invocation.

4. Pledge of Allegiance.

Councilman Clark 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.

Allison Hephner, 40 South Paloma, said she opposed cancelling of FreedomFest activities this year. She was also concerned with increased traffic in her neighborhood during the display of fireworks. She asked the City to have a plan in place for mitigating traffic during the fireworks.

Mike Bosley, 680 South Angela's Place, said FreedomFest was an economic boost to the community, and many businesses looked forward to the visitors during the holiday. As a citizen, he always looked forward to the Fourth of July parade and activities. He asked the City Council to reconsider cancelling FreedomFest.

Bob Schultz, 4561 West Rogers Drive, said he was disappointed that the City was not going to have the Fourth of July parade.

Mayor Seymore said the decision to cancel activities was due to the current situation during COVID-19 and the executive order by the Governor concerning large gatherings. The main priority for City staff and the Council was the safety of citizens, staff, and first responders. The fireworks would be changed and would have a higher projectile so citizens could view them at a further viewing distance. Also, the fireworks would be televised, and staff asked radio stations to play patriotic music during the fireworks display.

6. **SPECIAL EVENTS:**

A. Special Presentation in Recognition of Retired City Employee.

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

Mr. Bahr introduced Arthur "AC" Cucuel, a retired employee who served the City for over 25 years at the Show Low Airport. He thanked Mr. Cucuel for his service at the Airport and for the community. Mr. Kopp also thanked Mr. Cucuel for his service.

B. Presentation of Certificates of Appreciation to Outgoing Members of Planning and Zoning Commission.

Mayor Seymore presented certificates of appreciation to outgoing Planning and Zoning Commission members Kathleen Behrends and Brandt Clark and thanked them for their service.

C. Presentation Regarding Wildfire Mitigation by Arizona Public Service.

Neal Traver, Arizona Public Service (APS) Division Manager for Northeast Arizona, said APS had a comprehensive fire mitigation plan that was currently in effect until the monsoon season began. The plan had multiple

facets that included vegetation management, creating defensible space around power poles, line safety inspections, operation protocols (turning off power line devices), and customer communication.

Mr. Traver said due to the operational protocols, there could be momentary power outages that would likely be extended for an hour or two or even longer. APS would continue to work with the Forest Service to determine when the policy would end once enough moisture was on the ground and the fire danger was reduced.

D. Presentation of Changes to Fiscal Year 2021 City Manager's Recommended Budget for Fiscal Year Ending June 30, 2021.

Mr. Johnson said staff was directed by the Council to make a few changes to the recommended budget. Tonight he would review the draft tentative budget. The tentative budget would be presented to the Council for adoption on June 16 and would establish the expenditure limitation for next fiscal year. The tentative budget and a notice of a July 21 public hearing for the final budget would be advertised twice in the local paper, and the final budget would be adopted at the July 21 Council meeting. The secondary property tax levy for the streetlight improvement district would be adopted at the August 4 meeting.

After moving budgeted carryovers to the fiscal year 2020-21 budget, the fiscal year 2021 budget, with modifications, totaled near \$60.2 million.

Mr. Johnson said the recommended budget presented in March was \$43,993,047. With revenue modifications of \$694,032, and unbudgeted reserves of \$5,823,862, the total draft tentative budget revenues would be \$60,292,185. The unbudgeted reserves of \$5,823,862, included \$2,746,063 in the General Fund, \$437,799 for wastewater operations, \$940,000 for water operations, and \$1,700,000 for a water treatment plant. Staff was striving to create a three-month reserve of operational costs.

Mr. Johnson reviewed the revenue changes. The fund balance increased by \$3,731,900, operating revenues increased by \$662,040, and operating transfers increased by \$31,992. Total revenue changes came to \$4,425,932.

Mr. Johnson said recommended budget expenditures totaled \$55,824.116 but there were \$4,468,069 in modifications, which increased the draft tentative budget expenditures to \$60,292,185. Expenditure modifications from capital carryovers were \$3,183,605 and other various expenditure modifications totaled \$1,284,464.

Mr. Johnson said staff would continue to monitor revenues and economic activity. Reductions could still be made until the final adoption on July 21, but no increases would be allowed. A deferred list would be created as in prior years. The dollar amount would be increased from \$500,000 to \$1.0 million. The recreation staff would move to the aquatic center with no impact to the budget.

Mr. Johnson said the estimated state shared revenues were reduced by \$240,000, or 5.2%.

Mayor Seymore asked if the reduction was based on the state's feelings of a reduction of state revenue during this time. Mr. Johnson said yes, it was based on a reduction of state revenue estimates.

Councilman Leech asked if the City was responsible for the Fool Hollow Lake fishing docks. The fishing docks had been broken for the last two years. Mr. Muder said no, the City did not own the fishing docks at Fool Hollow Lake, but he believed Arizona Game and Fish and State Parks were working on a plan for the fishing docks at Fool Hollow Lake.

Mr. Johnson said the current contract with Waste Management allowed them to make a fuel and Customer Price Index (CPI) adjustment. This year with the fuel adjustment and CPI the sanitation rates would increase by \$0.69 per month. The regular trash and recycling fees, were currently \$15.09 per month, and customers with an extra regular cart paid an additional \$6.74. With the increase the monthly fee would be \$15.78, and the fee for an extra cart would remain the same. The new rate would still be lower than the rate paid in 2013.

Vice Mayor Allsop asked if the contract was renewed every year. Mr. Johnson said no, the contract was a ten-year contract that began in 2014.

Vice Mayor Allsop thanked staff for their time and efforts working on the budget and being flexible with budget changes during this time.

7. **CONSENT CALENDAR:**

- A. Consideration of Acceptance of Grant Funds from Arizona Game and Fish Department-Heritage Fund and Approval of Associated Budget Transfers (Lisa Robertson)
- B. Consideration of Award of Construction Contract to Spray Systems Environmental for Removal of Asbestos and Lead Paint. (Lisa Robertson)
- C. Consideration of Minutes of Show Low City Council meetings:

- (1) Study Session Minutes of April 16, 2020.
- (2) Regular Meeting of May 19, 2020.

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

8. **NEW BUSINESS:**

- A. Consideration of Appointment of Planning and Zoning Commission Members. (Tamra Reidhead)

Ms. Reidhead said there were currently two vacancies on the Planning and Zoning Commission. Kathleen Behrends had informed staff that due to health issues, she was regrettably unable to fulfill her term, which expired March 2021. Brandt Clark, whose term expired March 2023, was recently appointed to fill a vacancy on the City Council, so his seat on the Commission needed to be filled, as well. Per policy, City staff advertised the vacancies. Staff received applications from Bill Bess, James Hoffman, Stephen Roberts, and Dawn Wilson. The applicants were interviewed by the Council on June 2 in a Special meeting prior to the Regular meeting.

Ms. Reidhead said the names of the applicants were included on a questionnaire for Council members to mark their two choices. After the results were tallied, a formal motion should be made based on the results.

The Council members marked their preferences for the two vacant positions. Selections by the Council for the four seats;

- ▶ Councilman Clark  
William Bess and Dawn Wilson
- ▶ Councilman Hatch  
Stephen Roberts and Dawn Wilson
- ▶ Councilwoman Kakavas  
William Bess and Dawn Wilson
- ▶ Councilman Kelley  
Stephen Roberts and Dawn Wilson
- ▶ Councilman Leech  
William Bess and Dawn Wilson
- ▶ Vice Mayor Allsop  
William Bess and Stephen Roberts
- ▶ Mayor Seymore  
Stephen Roberts and Dawn Wilson

Mayor Seymore said Ms. Wilson had obtained the most votes and would have one of the vacant seats. He said there was a tie between Mr. Bess and Mr. Roberts for the second highest number of votes and he would have them draw from a deck of cards for the deuce of clubs for the vacant seat.

Mr. Bess and Mr. Roberts drew from the City's deck of cards, and Mr. Bess ultimately drew the deuce of clubs.

**COUNCILWOMAN KAKAVAS MOVED TO APPOINT BILL BESS TO THE SHOW LOW PLANNING AND ZONING COMMISSION FOR A TERM EXPIRING MARCH 2021 AND DAWN WILSON FOR A TERM EXPIRING MARCH 2023; SECONDED BY VICE MAYOR ALLSOP; PASSED 7 TO 0 WITH MAYOR SEYMORE, VICE MAYOR ALLSOP, AND COUNCIL MEMBERS CLARK, HATCH, KAKAVAS, KELLEY, AND LEECH VOTING IN FAVOR.**

- B. **PUBLIC HEARING** – Application Submitted by Jeffrey Pavone on Behalf of Black Jack's for #10, *Beer and Wine Store*, Liquor License for its Location at 480 E. Deuce of Clubs, Show Low, Arizona. (Tamra Reidhead)

Ms. Reidhead said Jeffery Pavone, representing Black Jack's, had submitted an application for a #10, *Beer and Wine Store*, Liquor License for its location at 480 East Deuce of Clubs, Show Low, Arizona. This location previously had a #10, *Beer and Wine Store*, liquor license, but the owners were new. State law allowed only a few types of liquor licenses to be transferred, and a *Beer and Wine Store* license was not transferable. The property was posted per state law and no public input was received.

Ms. Reidhead said Mr. Pavone also applied for an interim permit (valid for 105 days) to allow him to sell alcohol while the #10 application was being processed. If the application was not approved before the interim permit expires, the applicant must request a second interim permit.

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 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 denial.

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

- C. Consideration of Application Submitted by Jeffrey Pavone on Behalf of Black Jack's for #10, *Beer and Wine Store*, Liquor License for its Location at 480 E. Deuce of Clubs, Show Low, Arizona. (Tamra Reidhead)

**VICE MAYOR ALLSOP MOVED TO RECOMMEND APPROVAL TO THE STATE LIQUOR BOARD OF THE APPLICATION SUBMITTED BY JEFFERY PAVONE ON BEHALF OF BLACK JACK'S FOR #10, BEER AND WINE STORE, LIQUOR LICENSE FOR ITS LOCATION AT 480 EAST DEUCE OF CLUBS, SHOW LOW, ARIZONA; 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.**

- D. Consideration of Resolution R2020-10 Approving Intergovernmental Agreement with Timber Mesa Fire and Medical District. (Morgan Brown/Ed Muder)

The Council reserves the right to adjourn into Executive Session for 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)(7).

Mr. Brown said on December 2, 2015 the City and Timber Mesa Fire and Medical District (Fire District) approved an intergovernmental agreement (IGA) that combined several IGAs between the City and Fire District into one IGA. Approximately a year ago, the Fire District approached the City about renegotiating certain terms of the IGA, including costs associated with the Aircraft Rescue Firefighting services (ARFF). The parties negotiated for many months and were able to agree on most of the changes, but the compensation for ARFF services remained at an impasse.

Mr. Brown said on March 23, 2020 the Fire District gave notice that they were cancelling the IGA effective June 23, 2020 and rejected the latest proposal from the City. Thereafter, the City advertised for a Request for Proposals for ARFF services at the airport and received five proposals. In the interim, the City and the Fire District continued to discuss a resolution. The City gave a final proposal to the Fire District on May 21. On Wednesday, May 27 the Timber Mesa Fire and Medical District Board approved the recent proposal from the City. The agreement stated the City would pay \$75,000 to Timber Mesa in this fiscal year and \$150,000 in FY2021 and \$178,000 in FY2022. In succeeding years, the amount would

be increased by the consumer price index for the western region of the United States.

Mr. Brown said the IGA also contained language that the City would be responsible for the repairs to the ARFF fire trucks and the foam for the trucks. In addition, there was language for training for joint emergency operations and language that addressed the use of the City water system, fire hydrants, and City assistance with snow removal when requested by the Fire District.

Mr. Brown said staff recommended approving the IGA with the Timber Mesa Fire and Medical District.

**COUNCILWOMAN KAKAVAS MOVED TO ADOPT RESOLUTION NO. R2020-10 APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH TIMBER MESA FIRE AND MEDICAL DISTRICT; SECONDED BY COUNCILMAN CLARK; PASSED 7 TO 0 WITH MAYOR SEYMORE, VICE MAYOR ALLSOP, AND COUNCIL MEMBERS CLARK, HATCH, KAKAVAS, KELLEY, AND LEECH VOTING IN FAVOR.**

9. **SUMMARY OF CURRENT EVENTS:**

A. Council Members

Councilwoman Kakavas said currently, Summit Healthcare had eight hospitalized patients that tested positive for COVID-19, and ten hospitalized patients that were pending test results. Summit also had 83 tests waiting for results, with 86 confirmed positive tests, and 1,378 negative tests. Navajo County Health Department has expressed that the peak for the area would be June 14. She said it was important to be cautious and safe and to follow the guidelines that the Center for Disease Control and Prevention had given.

Vice Mayor Allsop said the Show Low Family Aquatic Center and Library were opened on June 1, with new guidelines in the facilities. He thanked staff for their efforts in reopening City facilities.

B. Mayor

Mayor Seymore talked with Supervisor Dawnafe Whitesinger and Pinetop-Lakeside's Mayor Stephanie Irwin concerning the need that White Mountain Apache Tribe currently had regarding COVID-19. The local communities were being asked to collect items that the Tribe needed during this time when individuals were put on quarantine. The items that were needed were bleach, cleaning supplies, hand sanitizer, disinfectant wipes, gloves, liquid soaps, face masks, trash bags, bottled water, paper



products, food boxes, mops, brooms, dust pans, and baby diapers. The items could be dropped off at City Hall or Blue Ridge High School by June 11.

C. City Manager

Mr. Muder said this was the final week for Project Clean Sweep, with bulky item pickup on regularly scheduled trash collection days. Saturday was the last day debris could be hauled for free to the Lone Pine Transfer Station.

Mr. Muder said in public works projects, the City's contractor would begin slurry sealing selected city streets on June 8, and the project was scheduled to last approximately four weeks. The schedule was posted to the City's website; although, it was subject to change due to inclement weather. Crews would notify affected residents two days prior to the project beginning in their neighborhood. Also, work had begun on the North 16th Avenue sidewalk and walking path from West McNeil to Old Linden Road. He thanked citizens for their patience as crews worked on projects around the City.

Mr. Muder said the Show Low Family Aquatic Center reopened yesterday in a phased approach to ensure public safety in the ongoing efforts to stop the spread of COVID-19. Operations would be temporarily different and he asked for patience with the changes and with staff as they kept the public safe. A detailed reopening plan was available to read at the Aquatic Center and was also posted on the City's website.

Mr. Muder said the Library also reopened yesterday with new temporary hours. Only 75 people would be allowed in the Library at any one time, and computer time would be limited to one 60-minute session per person per day. Patrons would not be required to wear masks but would need to follow social distancing guidelines. The library held a drive-by Summer Reading kickoff last Friday, with 169 registering to participate.

Mr. Muder said the Recreation department was accepting registrations for Pee Wee T-ball through June 30, for kids ages 3 to 6. Play was tentatively scheduled to begin July 6.

Chief Shelley said Governor Ducey issued a statewide declaration of emergency including putting in a place a curfew from 8:00 p.m. to 5:00 a.m. that was in effect until June 8 at 5:00 a.m. The Governor's order was to help keep the peace and protect life and property. The order was not intended to interfere with every-day activities such as shopping, eating, attending meetings, and such.

Mayor Seymore expressed his condolences to the family of Larry Whipple, who passed away recently. A graveside service would be held this Saturday.

10. **SCHEDULING OF MEETINGS:**

None.

11. **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 JUNE 2, 2020 AT 8:05 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 June 2, 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