

**MINUTES OF THE REGULAR MEETING
OF THE HONORABLE TOWN COUNCIL
OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA,
HELD ON THURSDAY, MARCH 5, 2020
IN THE TOWN COUNCIL CHAMBERS LOCATED AT
325 W. WHITE MOUNTAIN BOULEVARD, LAKESIDE, AZ 85929**

A. Call to Order

Mayor Irwin called the meeting to order at 6:04 p.m.

➤ **Roll Call**

The following Council Members were present:

Stephanie Irwin	Mayor
Jerry Smith	Vice Mayor
Kathy Dahnk	Council Member
Carla Bowen	Council Member
Jim Snitzer	Council Member
Mazie Hastings	Council Member
Lynn Krigbaum	Council Member

Also, Present:

Keith Johnson	Town Manager
Kevin Rodolph	Finance Director
Matt Patterson	Public Works Director
Dan Barnes	Chief of Police
Cody Blake	Community Development Director
Tony Alba	Community Services Manager
Kendra Abel	Library Manager

Council Work Session held on February 13, 2020 and the Town Council Work Session held on February 20, 2020.

C.2 Approval of the Minutes of the Planning and Zoning Commission Meeting held on January 23, 2020.

By a unanimous vote under the Consent Agenda, Town Council approved the minutes of the Planning and Zoning Commission Meeting held on January 23, 2020.

C.3 Approval of the Minutes of the Mayor’s Youth Advisory Committee Meeting held on January 9, 2020.

By a unanimous vote under the Consent Agenda, Town Council approved the minutes of the Mayor’s Youth Advisory Committee Meeting held on January 9, 2020.

C.4 Consider approval of the Town Check Register for the period January 1 through 31, 2020.

By a unanimous vote under the Consent Agenda, Town Council approved the Town Check Register for the period January 1 through 31, 2020.

D. Business Before the Council

Mayor Irwin announced that Public Comment will be taken at the beginning of each agenda item, after the subject has been announced by the Mayor and explained by Staff. Any citizen, who wishes, may speak one time for five minutes on each agenda item before or after Council discussion. Questions from Council Members, however, may be directed to staff or a member of the public through the Mayor at any time.

D.1 Presentation and Update from TRACKS, White Mountain Trail System of Arizona.

Jim Snitzer, President of TRACKS, said that TRACKS is a five hundred plus member volunteer organization 501C3 that maintains the White Mountain Trail System through cooperation with the US Forest Service and Arizona Game and Fish. TRACKS promotes trail use and safety by distributing trail maps which are also available on-line. They maintain emergency locaters every quarter of a mile on all the trails to help stranded trail users contact first responders quickly. Each one of the markers are a GPS locater and the first responders have maps that tell them

exactly where people are. There are over two hundred miles of non-motorized trails for hikers, equestrians, trail runners, mountain bikers, bird watchers, photographers and cross-country skiers seeking to enjoy outstanding outdoor opportunities and the varies wildlife habitats. Those visitors contribute significantly to our local businesses. In 2019 the TRACKS trail crew worked 1,759 hours on the White Mountain Trails System, work which is valued at \$44,700.00. TRACKS volunteers are found at nearly every event freely giving help where needed. In 2019 members volunteered 21,827 hours valued at \$555,000 at events and other service activities. The 2019 highlights include volunteer support to Epic Rides Tour of the White Mountains. Epic Rides donated funds to community organizations including TRACKS who helped with the event. There was a significant increase in volunteer hours and membership last year and with over five-hundred members TRACKS is one of the largest organizations of this type if the State and these numbers are current members. Membership is free. TRACKS members participate in Statewide events, including, for example, as trash collectors on Lake Powell. The TRACKS members helped to build and improve a mountain bike trail behind Blue Ridge Junior High School. TRACKS continues to build the Moonridge Trail along Billy Creek which is the second trail within Town limits. It is a beautiful, short trail. TRACKS sponsors and supports The Walk for the Woods to raise funds to buy Woodland Lake Park. Free TRACKS membership includes a newsletter and an invitation to monthly social meetings and special interest groups of hiking, mountain biking, cross country skiing and camping. Tax deductible donations are the primary financial support of TRACKS and are used for trail maintenance and organizational purposes. TRACKS is listed on Amazon Smile so that users can designate TRACKS for donations. We encourage you to join and support a wonderful group of dedicated outdoor enthusiasts and their efforts that truly make a difference in Arizona and in our Town.

D.2 Consider Authorizing the Call of Election and Resolution No. 20-1541 for the Town’s 2020 Primary Election (August 4, 2020) and General Election, if needed, (November 3, 2020).

Town Manager Johnson said that the Town is preparing for the Primary Election 2020 and the General Election 2020 and the Call of Election needs to be authorized by the Town Council in order to move forward. The following items will be on the ballot for the Primary Election:

Section 1. Designation of Election Date; Purpose

August 4, 2020, have been set as:

- A. The time for holding the Primary Election of the Town of Pinetop-Lakeside for the purpose of nominating candidates for Mayor and Council and whose names shall appear on the ballot at the General Election to be held on November 3, 2020. Candidates will be elected to fill three Town Council positions with terms of four years and one Council position with a term of two years. In addition, one candidate will be elected to fill the position of Mayor that currently has a two-year term. Any candidates receiving a majority of all the votes cast at the Primary Election will be declared elected as of the date of the General Election without running at the General Election.

- B. The time for holding an election to allow the voters of the Town of Pinetop-Lakeside to decide:
 1. If the Town of Pinetop-Lakeside should issue a natural gas franchise to UNS Gas, Inc.
 2. If the Mayor of the Town of Pinetop-Lakeside should be directly elected to serve as Mayor for a four-year term, staggered term, with such election not occurring until 2022 if the voters approve a four-year staggered term for the Mayor.

Section 2. Deadline for Voter Registration

Navajo County registration and voting lists will be used for the municipal election. In order to be qualified to vote you must be registered by Monday, July 6, 2020.

Section 3. Designating Date and Place to File Candidate Nomination Form

Candidates seeking municipal office may obtain nomination papers and other materials which must be filed by candidates at the Town Clerk's Office, Town Hall, 325 W. White Mountain Blvd., Candidates seeking municipal office may obtain candidate packets, which contain nomination papers and other election materials, that must be filed by candidates for public office at the Pinetop-Lakeside Town Clerk's Office, 325 W. White Mountain Blvd., Lakeside AZ 85929.

Candidates must file nomination papers and other nomination forms by 5:00 p.m. on April 6, 2020 at the Pinetop-Lakeside Town Clerk's Office for their names to appear on the Primary Election Ballot. The earliest date for filing nomination papers is March 9, 2020. Candidates seeking nomination for Mayor and Councilmember will be required to obtain a minimum of 41 signatures.

UNS GAS, INC. FRANCHISE

PROPOSITION 423

SHALL A FRANCHISE BE GRANTED TO UNS GAS, INC. TO CONSTRUCT, MAINTAIN AND OPERATE A NATURAL GAS UTILITY SYSTEM UPON, OVER, ALONG, ACROSS AND UNDER PRESENT AND FUTURE PUBLIC RIGHTS OF WAY IN THE TOWN OF PINETOP-LAKESIDE, ARIZONA, IN ACCORDANCE WITH PROPOSED RESOLUTION NO. 20-1542, SUBMITTED BY THE TOWN COUNCIL OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA, TO THE QUALIFIED ELECTORS OF PINETOP-LAKESIDE AND ITS FUTURE ADDITIONS?

OFFICIAL TITLE: Pursuant to Arizona Revised Statutes, the Town of Pinetop-Lakeside, Arizona seeks voter approval of a twenty-five year franchise to be granted to UNS Gas, Inc. to use the Town’s public rights-of-way for the purpose of constructing, operating and maintaining its natural gas system and distributing natural gas within the Town.

DESCRIPTIVE TITLE: Shall the Town of Pinetop-Lakeside grant a twenty-five year franchise to UNS Gas, Inc.?

A “**YES**” vote shall have the effect of granting a twenty-five year franchise to UNS Gas, Inc to use the Town’s public rights-of-way to construct, operate and maintain its natural gas system and to distribute and sell natural gas within the Town.

A “**NO**” vote shall have the effect of not granting a twenty-five year franchise to UNS Gas, Inc to use the Town’s public rights-of-way to construct, operate and maintain its natural gas system and to distribute and sell natural gas within the Town.

Vice Mayor Smith moved to approve Resolution No. 20-1541 for the Call of Election for the Town’s 2020 Primary Election (August 4, 2020) and General Election, if needed, (November 3, 2020). Council Member Snitzer seconded the motion and by show of hands the following vote was recorded:

AYES
Mayor Irwin
Vice Mayor Smith

ABSTAIN

NAYS

Council Member Dahnk
Council Member Bowen
Council Member Snitzer
Council Member Hastings
Council Member Krigbaum

Mayor Irwin then declared Resolution No. 20-1541 was approved, passed and adopted with a 7-0 vote.

D.3 Consider the Franchise Agreement and Resolution No. 20-1542 declaring a UNS Gas, Inc franchise submitted to the voters of the Town of Pinetop-Lakeside at the August 4, 2020 election.

Town Manager Johnson explained that A.R.S. §9-501 provides that the Town shall not grant a franchise for a public utility unless authorized by a majority vote of the Town's qualified electors. The Town of Pinetop-Lakeside has determined granting of the proposed franchise for UNS Gas, Inc. will be beneficial to the Town.

Under Arizona Law, in order to approve a franchise agreement with a utility provider, the mayor and Town Council must (1) adopt a Resolution declaring that the granting of the franchise would be beneficial to the Town; and (2) submit a question to the electors of the Town as to whether or not to grant the franchise. The terms of the proposed franchise agreement will need to be published for at least thirty consecutive days prior to the election and if approved by the voters, the Town may enter into the agreement.

If the Mayor and Council deem that the agreement would be beneficial to the Town, this matter would be placed on the August 4, 2020 ballot. The cost of that election would be borne by UNS Gas, Inc. if the Town does not have any other ballot items on that date.

Through the current Franchise agreement with UNS Gas, Inc. the Town of Pinetop-Lakeside receives approximately \$28,000 a year. The current fee of 2% will be continued with the approval by the voters

Council Member Dahnk moved to Adopt Resolution No.20-1542, Finding and Declaring the Grant of an Natural Gas Utility Franchise Beneficial for the Town of Pinetop-Lakeside and ordering that the Question as to Whether a Franchise is Granted to UNS Gas, Inc. is Submitted to the Voters of Town of Pinetop-Lakeside

at the August 4, 2020 Primary Election; Providing for the Giving of Notice of the Election; Prescribing the Form of the Ballot to be Used at the Election. Vice Mayor Smith seconded the motion and by show of hands the following vote was recorded:

AYES

ABSTAIN

NAYS

Mayor Irwin
Vice Mayor Smith
Council Member Dahnk
Council Member Bowen
Council Member Snitzer
Council Member Hastings
Council Member Krigbaum

Mayor Irwin then declared Resolution No. 20-1542 was approved, passed and adopted with a 7-0 vote.

D.4 Consider Ordinance No 20-426 if the Mayor of the Town of Pinetop-Lakeside should be directly elected to serve as Mayor for a four-year term if approved by the voters.

Town Manager Johnson stated that extending the term for the office of mayor lends stability to the municipal government. It also keeps it at the same length of term as the Town Council. He said that staff recommends approval of this ordinance.

In May 2015 the Town Council approved Ordinance 15-388 that provided for the direct election of the Mayor and specifying a term of two years. The Ordinance was approved by the voters in 2016 and in 2018 the Town held its first direct election of the mayor. If the Council approves this Ordinance, the question would go to the voters on the August 4, 2020 ballot. If approved by the voters, then the direct election of the mayor for a four-year term would be on the ballot of the Primary Election in 2022.

Vice Mayor Smith moved to adopt Ordinance 20-426, Providing for Direct Election of the Mayor; specifying a Four-Year term of Office; Providing for submission of the Question of Direct Election of the Mayor for a Four-Year Term to the Voters at the Next Regular Election and Conditional Enactment. Council Member Snitzer seconded the motion and by show of hands the following vote was recorded:

AYES

ABSTAIN

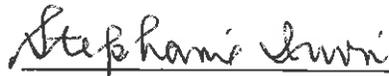
NAYS

Mayor Irwin
Vice Mayor Smith
Council Member Dahnk
Council Member Bowen
Council Member Snitzer
Council Member Hastings
Council Member Krigbaum

Mayor Irwin then declared that Ordinance No. 20-426 was approved, passed and adopted with a 7-0 vote.

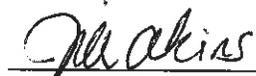
E. Adjournment

There being no further business at this time, the meeting was adjourned at approximately 6:30 p.m.



Stephanie Irwin
Mayor

ATTEST:



Jill Akins, CMC
Town Clerk



CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular meeting of the Town Council of Town of Pinetop-Lakeside, Arizona, held on the 5th day of March 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 5th day of March 2020.



Jill Akins, CMC
Town Clerk

