

**MINUTES OF THE REGULAR MEETING
OF THE HONORABLE TOWN COUNCIL
OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA,
HELD ON THURSDAY, MAY 7, 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 4:00 p.m.

➤ **Roll Call**

The following Council Members were present:

Stephanie Irwin	Mayor
Jerry Smith	Vice Mayor <i>participated telephonically</i>
Kathy Dahnk	Council Member <i>participated telephonically</i>
Carla Bowen	Council Member <i>participated telephonically</i>
Jim Snitzer	Council Member <i>participated telephonically</i>
Mazie Hastings	Council Member <i>participated telephonically</i>
Lynn Krigbaum	Council Member <i>participated telephonically</i>

Also Present:

Keith Johnson	Town Manager
Kevin Rodolph	Finance Director
Jill Akins	Town Clerk
Dan Barnes	Chief of Police
Cody Blake	Community Development Director
Matt Patterson	Public Works Director <i>participated telephonically</i>
Tony Alba	Community Services Manager
Annie DeRosier	Visitor Information Specialist
Rob Hephner	Birdman Media

➤ Pledge of Allegiance and Invocation

Mayor Irwin led the Pledge of Allegiance to the Flag.

Community Development Director Cody Blake delivered the Invocation.

B. Consent Agenda

Mayor Irwin announced consideration of the Consent Agenda and explained that all items listed would be acted upon by a single vote of the Council, unless a member of the Council asked that specific items be removed from the Consent Agenda, discussed and voted upon separately.

Vice Mayor Smith moved for passage of the Consent Agenda as presented. Councilmember Dahnk seconded the motion and by verbal roll call the following vote was recorded:

<u>AYES</u>	<u>ABSTAIN</u>	<u>NAYS</u>
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 all consent agenda items in these minutes were approved, passed and adopted with a 7-0 vote.

B.1 Approval of the Minutes of the Town Council Regular Meeting held on April 2, 2020.

By a unanimous vote under the Consent Agenda, Town Council approved the minutes of the Town Council Regular Meeting held on April 2, 2020.

- B.2 Consider the Special Event Liquor License Application from the Pinetop-Lakeside Chamber of Commerce for the 2020 Balloon Festival located at Mountain Meadow Recreation Complex, 1101 S. Woodland Road, Lakeside, AZ 85929.**
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By a unanimous vote under the Consent Agenda, Town Council approved the Special Event Liquor License.

- B.3 Consider appointments to the Pinetop-Lakeside Police Department Public Safety Personnel Retirement System (PSPRS) Local Board.**
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By a unanimous vote under the Consent Agenda, Town Council approved the appointments of Robert Railey, Michaela Raimo and Bridgette Blake to the Pinetop-Lakeside Police Department Public Safety Personnel Retirement System (PSPRS) Local Board.

- B.4 Consider approval of the Town Check Register for the period March 1, through 31, 2020.**
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By a unanimous vote under the Consent Agenda, Town Council approved Town Check Register for the period March 1, through 31, 2020.

C. 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.

- C.1 51st Annual Professional Municipal Clerks Week Proclamation.**

Mayor Irwin read the “Professional Municipal Clerks Week” proclamation and proclaimed the Week of May 3-9, 2020 as the “Professional Municipal Clerks Week”.

C.2 Consider the submission of a U.S. Department of Transportation 2020 BUILD Grant for Porter Mountain Road Improvements and the approval of Resolution No. 20-1548.

Mayor Irwin announced that this agenda item will be pulled from tonight's meeting and asked Public Works Director Matt Patterson to explain why the item is being removed.

Public Works Director Matt Patterson explained that BUILD grants are extremely complicated, complex, and very competitive and involve many steps to complete. He said that a NEPA study would have to be done and several other items would have to be completed before the grant could be submitted. He said that he would not be able to meet the May 15, 2020 deadline, but said he will move forward in the future with the grant.

C.3 Consider the submission of an application to the Water Infrastructure Finance Authority of Arizona (WIFA) for The Woods Cement Drainage Channel and the approval of Resolution No 20-1549.

Director Patterson said that staff recommends approving an application submission to the Water Infrastructure Finance Authority of Arizona for consideration to install a cement drainage channel to correctly divert storm water run-off in The Woods subdivision. The Town of Pinetop-Lakeside accepted The Woods subdivision plat in May of 1988, which included a drainage plan. The original developer filed bankruptcy, and in August 1995 another developer submitted a plat to the Town. The Town accepted the roads by plat on July 18, 1996, however, the drainage was not completed by the developer. Subsequently, several properties at the base of the incline are impacted by storm water run-off. Additionally, homeowners have encroached upon the easement which has also affected the drainage and contributed to the negative impact during storm events.

Director Patterson explained that the Water Infrastructure Finance Authority of Arizona (WIFA) provides financing for construction, rehabilitation and/or improvement for water infrastructure. WIFA provides significant savings due to lower interest rates and no closing costs. Additionally, projects may be approved for principal forgiveness. Projects are typically financed for twenty (20) years but cannot extend beyond the useful life of the infrastructure.

Project Budget

Construction of cement channel	\$340,000.00
Completed Engineering	\$ 66,364.00
Additional Engineering Needed	\$ 43,500.00
Town of Pinetop-Lakeside Staff	\$ 25,000.00
Total Estimated Project Cost/WIFA Loan	\$474,864.00

In response to Mayor Irwin, Director Patterson said that he does not have a timeline, but said he hopes that it is a quick process.

In response to Councilmember Bowen, Director Patterson explained that when the grant became available, he added in the upper channel. He said that he did not know that he could apply for a grant/loan to WIFA for drainage systems. He said that they are very specific on how we can apply to WIFA and said it must be an existing infrastructure and that it is not being upgraded. Since this situation is not an upgrade it has helped us to apply for more funds to fix other issues in that area and not just the concrete ditch.

Councilmember Bowen said that this is an increase of \$320,000.00 and if the grant is not received, she assumes that the project will not be completed.

Director Patterson explained that as soon as he receives the information back regarding the terms and amounts, at that point the decision would be made about what work can be completed. He said he wanted to apply for the full amount and if granted the full amount all the issues could be fixed.

Councilmember Dahnk moved to adopt Resolution No. 20-1549, authorizing the submission of an application to the Water Infrastructure Finance Authority of Arizona for The Woods Cement Drainage Channel, and authorize the Town Manager to execute any and all documents reasonably necessary for this project including any applications and related documents. Councilmember Bowen seconded the motion and by verbal roll call 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 Resolution No. 20-1549, authorizing the submission of an application to the Water Infrastructure Finance Authority of Arizona for The Woods Cement Drainage Channel, and authorize the Town Manager to execute any and all documents reasonably necessary for this project including any applications and related documents as presented was approved, passed and adopted with a 7-0 vote.

C.4 Consider the approval of entering into a Memorandum of Understanding between Navajo County Sexual Assault Response Team (SART) and the Pinetop-Lakeside Police Department and the approval of Resolution No. 20-1551.

Chief Barnes stated that the purpose of this agreement is for Pinetop-Lakeside Police detectives to partner with the Navajo County Sexual Assault Response Team (SART) to promote a multidisciplinary collaborative response that provides a coordinated, immediate, victim-centered response to sexual assault. The Navajo County SART recognizes best practices in providing supportive, coordinated, and collaborative partnerships with law enforcement as members of the multidisciplinary team.

Chief Barnes explained that in the past and current years, the Pinetop-Lakeside Police Department has assigned criminal investigators to the Navajo County SART to assist when needed. Department member involvement is limited to information sharing and periodic planning meetings.

Councilmember Krigbaum moved to adopt and approve Resolution No. 20-1551 entering into a Memorandum of Understanding between the Navajo County Sexual Assault Response Team (SART) and the Pinetop-Lakeside Police Department. Councilmember Snitzer seconded the motion and by verbal roll call 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 Resolution No. 20-1551 entering into a Memorandum of Understanding between the Navajo County Sexual Assault Response Team (SART) and the Pinetop-Lakeside Police Department as presented approved, passed and adopted with a 7-0 vote.

C.5 Public Hearing regarding eliminating Town Code Chapter 3.12 Development Impact Fees Sections 3.12.010 through 3.12.160; and approving Resolution No. 20-1550 and Ordinance No. 20-432 eliminating Town Code Chapter 3.12 Development Impact Fees Sections 3.12.010 through 3.12.160.

Director Blake said that staff recommends that the Town Council eliminate the Town's Development Impact Fees. The Town is required by State law to renew the development impact fees every 5 years through a study that costs about \$50,000. The Town is able to use impact fees collected to pay for the study. In 2019 the Town commissioned TishlerBise to complete this study. TishlerBise recommended the Town implement a higher fees schedule. Town staff met to discuss the proposed new fees and the consensus was that the restriction of expending the fees imposed by the State make it very difficult to find approved ways to spend the monies collected.

Director Blake explained that an additional study of building permit fees was completed to compare local jurisdictions fees. In the study we found that with the impact fees the Town is dramatically more expensive than our surrounding associates, particularly when it comes to commercial projects. Without the impact fees we are still slightly higher than most of the other City/Towns.

Vice Mayor Smith said this is a great move in the right direction and said that the Town needs to attract businesses and said he supports doing away with these fees.

Councilmember Bowen stated that she has talked to several commercial properties that said they probably would have come here if we did not have the impact fees.

In response to Councilmember Bowen, Director Blake said that the existing fees must be left in the fund and spent as directed.

Councilmember Hastings said that she is in favor of removing the fees.

Mayor Irwin said there is approximately \$150,000.00 in the impact fees fund and said that during the budget process we need to look and see if there is anything that the Town can use these funds towards.

In response to Councilmember Bowen, Finance Director Rodolph stated that he is looking into using the funds for the expansion for the Police Department.

Councilmember Snitzer said that this has been discussed over the years and said that he is in support of removing the impact fees.

Mayor Irwin asked Finance Director Rodolph to find out if the funds can be used on the expansion of the Police Department.

Councilmember Bowen moved to adopt Ordinance No. 20-432 and Resolution No. 20-1550 eliminating Town Code Chapter 3.12 Development Impact Fees. Councilmember Dahnk seconded the motion and by verbal roll call the following vote was recorded:

<u>AYES</u>	<u>ABSTAIN</u>	<u>NAYS</u>
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. 20-432 and Resolution No. 20-1550 eliminating Town Code Chapter 3.12 Development Impact Fees as was approved as presented, passed, and adopted with a 7-0 vote.

C.6 Report and Update from Mayor Irwin and Town Manager Johnson.

Mayor Irwin said that the governor has allowed certain businesses to reopen. She asks that everyone continue to be cautious, wear your masks in public and wash your hands. She said she appreciates everyone that has supported our business community and she encourages everyone to continue to support the restaurants with take-out, since they will not be able to open to full capacity. Please continue to support our small businesses.

Town Manager Johnson said that this has been a challenge for the Town, Navajo County, and the entire state. He said that the CDC continues to encourage physical distancing, wash your hands, sanitize your hands and to wear cloth masks when out in public. He encourages everyone to be a responsible citizen and to help protect yourself and everyone around you.

Town Manager Johnson provided the following update:

- The Town has been reviewing the White House and CDC Guidelines for the Three Phase Opening of the Economy. Each Phase is supposed to be implemented after two weeks of reduced positive tests. Governor Ducey extended the Stay Home Order until May 15th and he has only implemented a portion of Phase One. We believe he will open the state to the rest of Phase One beginning on May 16th which, according to White House Guidelines would continue another two weeks or the end of the May. Town Hall, Public Works and the Library are planning to open on June 1, 2020. The Library will have reduced hours including being closed on Saturdays.
- Park ramadas, bathrooms and the fishing dock at Woodland Lake Park will be reopened on Friday, May 8, 2020. No reservations for the ramadas will be needed until later in the summer.
- The May 21st Town Council meeting will be closed to the public.
- The Town Council meeting on June 4, 2020 will be open to the Public unless conditions change.
- Planning and Zoning will meet on June 11, 2020 and will be an open meeting.
- The Budget Hearing scheduled for May 27th is moved to June 9th at 9:00 a.m.
- Additional Budget Hearing is scheduled for June 24th at 9:00 a.m.
- Tentative Budget Hearing and approval will be July 16th during the regular Town Council meeting.
- Unisource Franchise Election FAQ sheet will be presented to Council during the June 18th regular meeting.

Vice Mayor Smith asked Town Manager Johnson to share with the Council the status of the Woodland Park closing.

Town Manager Johnson answered that it is going through the process and said that he would be calling the Forest Service the next day. He said one of the struggles to complete is the utility easements that are within the park boundary. He said that Woodland Lake Road is on Forest Service property and the Town does not have a true easement through the road and said that it may be by a special permit. He said that most of the utility easements exist in the right-of-way for the road. He said that once we own the park, most of the utilities do not have easements with us in our road right-of-ways.

Councilmember Bowen said that she has a point of order and said since this item is not specified on the agenda, are we free to discuss it.

Mayor Irwin said that this is an update.

Town Manager Johnson said that this is a part of the report and updates listed on the agenda.

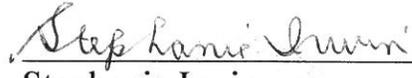
Mayor Irwin stated that there would be no discussion on the subject, but thanked Councilor Bowen for pointing this out.

Councilmember Bowen said she just wanted to make sure that this was not a violation to have an update on.

Town Manager Johnson said that he has asked the Forest Service if we can eliminate most of the easements and said that our franchise and license agreements state that the Town does not have to have an easement with them. Frontier, Pinetop Water, Sanitary District and the irrigations company do require easements. He said that he is working to complete these easements and eliminate the others and said that when these are done, they hope to close on the property within the next thirty (30) days.

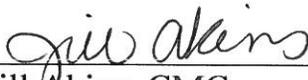
D. Adjournment

There being no further business at this time, the meeting was adjourned at approximately 4:57 p.m.


Stephanie Irwin
Mayor



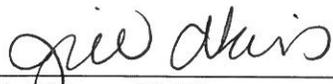
ATTEST:


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 7th day of May 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 7th day of May 2020.


Jill Akins, CMC
Town Clerk

