

**MINUTES OF THE REGULAR MEETING OF THE HONORABLE TOWN  
COUNCIL OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA, HELD  
ON THURSDAY, MARCH 16, 2023, IN THE TOWN COUNCIL  
CHAMBERS LOCATED AT 325 W. WHITE MOUNTAIN BOULEVARD,  
LAKESIDE, AZ 85929**

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➤ **Call to Order**

Mayor Irwin called the meeting to order at 6:00 p.m.

➤ **Roll Call**

The following Council Members were present:

Name	Position
Stephanie Irwin	Mayor
Sterling Beus	Vice Mayor
Jim Snitzer	Council Member
Jerry Smith	Council Member

The following Council Members were absent:

Name	Position
Lynn Krigbaum	Council Member
Taber Heisler	Council Member
James Brimhall	Council Member

Also Present:

Name	Position
Keith Johnson	Town Manager
Kevin Rodolph	Assistant Town Manager/Finance Director
Kristi Salskov	Town Clerk
Jeremiah Loyd	Community Development Director
Dan Barnes	Police Chief
Daniel Wilkey	Police Commander
Matt Patterson	Public Works Director
Malaina Spillman	Assistant to the Public Works Director
Annie DeRosier	Marketing Specialist
Rob Hephner	Creative Services Specialist
Betsy Peck	Library Manager
Stacy MacArthur	Accountant

➤ **Pledge of Allegiance and Invocation**

Mayor Irwin led the Pledge of Allegiance to the Flag.

Vice Mayor Beus offered the Invocation.

**B. Call to the Public**

Mayor Irwin called for public comments.

Dorothy Kary offered comments. *“My name is Dorothy Kary. I live at 328 West Summer Haven lane. I have come to address the Council and I thank you for this invitation to speak. I have put the word out to other members of Summer Haven since obviously, most of them are gone. I must commend my neighbor who researched. I presented the letter that she wrote concerning the research of what dollar stores do to communities in general. She went in depth, and I commend her for that. The only thing that she did not address is that letter is what I am concerned about, which is traffic. It is very difficult to make a left turn from Summer Haven and very dangerous. I do understand that ADOT will have their input. I have concerns about the situation and other people do too. I just wanted to address this with you at this time. We have an appeal in and I believe the letter that your Clerk has will accompany that appeal. Thank you.”*

Randy Harris offered comments, *“My name is Randy Harris. I live at 364 West Summer Haven Lane. I have been a 20 plus year resident of Summer Haven. Last week, we were at the Planning and Zoning Commission meeting regarding the Dollar Tree construction. I read five letters against that and there is at least eight more residents that are in opposition to the Dollar Tree going in. Our main concern is traffic, noise, light pollution, and the devaluing of our properties. The Planning and Zoning Commission approved the preliminary plan the developer submitted. We have submitted an Appeal to that plan and we are moving forward with that. The developer mentioned in his statement to the Planning and Zoning Commission that he wants to be a good neighbor to the residents of Summer Haven and said they are planning on building a six-foot wood fence between the Dollar Tree and Summer Haven. We feel that the wood is inappropriate, inadequate, and would deteriorate over a short period of time. If the plan does go through with approval of the Town, we would ask that the developer build an eight-foot block wall. We feel that would give us more security and privacy. I thank you for your time. I will leave you with this question. Would you want a Dollar Store being built behind your residence? Thank you.”*

Mayor Irwin thanked Mrs. Kary and Mr. Harris stating that citizen input is always appreciated.

**C. 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 Beus moved for passage of the Consent Agenda as presented. Council Member Smith seconded the motion and by show of hands the following vote was recorded:

	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>
Mayor Irwin	X		
Vice Mayor Beus	X		
Council Member Snitzer	X		
Council Member Smith	X		

Mayor Irwin then declared that all Consent Agenda items in these minutes were approved, passed, and adopted with a 4-0 vote.

**C.1 Consider approval of the Minutes of the Town Council  
Regular Meeting held on March 2, 2023.**

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By a vote of 4-0 under the Consent Agenda, Town Council approved the minutes of the Town Council Regular Meeting held on March 2, 2023.

**C.2 Consider approval of the Minutes of the Town Council  
Work Session held on March 2, 2023.**

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By a 4-0 vote under the Consent Agenda, Town Council approved the Minutes of the Town Council Work Session held on March 2, 2023.

**C.3 Consider approval of the Minutes of the Town Council  
Budget Work Session held on March 8, 2023.**

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By a 4-0 vote under the Consent Agenda, Town Council approved the Minutes of the Budget Work Session held on March 8, 2023.

**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 Town of Pinetop-Lakeside Proclamation “Week of the Young Child”**

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Mayor Irwin Proclaimed April 1-7, 2023 as “Week of the Young Child” in the Town of Pinetop-Lakeside.

**D.2 Consider Resolution No. 23-1662, Approving the retirement of K9 Vic from active service with the Pinetop-Lakeside Police Department, and transfer ownership of K9 Vic to his handler, Officer Justin McNeil.**

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Commander Daniel Wilkey shared that K9 Vic was donated to the Pinetop-Lakeside Police Department on July 7, 2018 by the Aberdeen Police Department in Idaho. Commander Wilkey stated that K9 Vic underwent evaluation at the Waddell Kennels before he and his handler, Officer Justin McNeil, attended training. K9 Vic and Officer McNeil graduated the 160-hour Basic Canine Handler Academy for the Dual Purpose-Patrol and Narcotics course on April 4, 2019. Commander Wilkey shared that K9 Vic has assisted many federal, state, county, and municipal law enforcement agencies, by locating significant quantities of illicit narcotics and dangerous drugs, to include heroin, cocaine, methamphetamine, and marijuana. Commander Wilkey added that K9 Vic had been deployed on numerous Special Response Team (SRT) callouts and public events. On July 8, 2022 K9 Vic sustained a work-related injury which required surgery. The injury and resulting surgery diminished K9 Vic’s ability to serve as an effective police K9. Commander Wilkey shared the Departments appreciation for K9 Vic and said he will be missed.

Vice Mayor Beus moved to adopt Resolution No. 23-1662 approving the retirement of K9 Vic from active service with the Pinetop-Lakeside Police Department, transferring care and custody of K9 Vic to his loyal and dedicated handler, Officer Justin McNeil, as his rightful owner, who will therefore assume all responsibilities and liabilities for K9 Vic: and authorize the Town Manager to execute all documents necessary to complete this transaction. Council Member Smith seconded the motion a by show of hands the following vote was recorded:

	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>
Mayor Irwin	X		
Vice Mayor Beus	X		
Council Member Snitzer	X		
Council Member Smith	X		

Mayor Irwin declared the motion passed 4-0.

### **D.3                      Town of Pinetop-Lakeside Proclamation                                   “Recognition of Police K9 Vic.”**

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A video to honor Police K9 Vic and his handler, Officer Justin McNeil was shown.

Police Chief Dan Barnes offered the following comments, *“I want to personally thank Officer Justin McNeil and Vic for their hard work and dedication to the Town of Pinetop-Lakeside as well as to all of the communities in Navajo County. Vic has been a part of many details throughout the County, especially with the Special Response Team (SRT). It is a huge commitment to take on a K9 in addition to your regular duties with the maintenance of the animal, the call outs, and all of the training that goes along with being a K9 handler. Thank you both for all you have done. Our community and County appreciate everything. I know Vic is going to a great home for retirement and to live out a happy life. So, thank you.”*

Chief Dan Barnes and Commander Daniel Wilkey presented a plaque to Officer McNeil and K9 Vic that stated, *“ In recognition of loyal and dedicated service to the Pinetop-Lakeside community, the Department and partner Officer Justin McNeil, Number 2091, thank you.”*

Mayor Irwin read the Proclamation, “Recognition of Police K9 Vic.”

A Final Call was made for Pinetop-Lakeside Police K9 Vic. *“Final call for police K9 Vic. K9 Vic has finished his last shift for the Pinetop-Lakeside Police Department. He has served the Pinetop-Lakeside community for four plus years alongside his partner, Officer Justin McNeil. Vic has had a successful career from July of 2018 to March of 2023. Vic has helped in seizures of countless drug and apprehension of numerous suspects during his career. Thank you, K9 Vic, for your time and service to our community. You will be missed. Enjoy your retirement. Clear at 1820.*

### **D.4                      Hub and Spoke Recycling Feasibility Assessment Presentation.**

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Bill Campbell and Raj Buch presented.

### **D.5    Consider Resolution No. 23-1663 approving a rate increase for Town Attorney Services with Sims Mackin, Ltd. And authorizing the Town Manager to execute the revised agreement.**

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Town Manager Johnson presented the revised agreement for Attorney Services with Sims Mackin, Ltd. adding that Mr. Sims has been the Town’s Attorney for the last 16 years and shared that Mr. Sims has been a great help to the Town with his depth of knowledge including election law, property law, Planning and Zoning, code

enforcement, contract law, procurement law, contracts, personnel, improvement districts, open meeting law, grants, insurance, state and federal law, and municipal law. Town Manager Johnson stated that this agreement would increase the hourly rate by \$25.00 sharing that this would increase their fees to \$225.00 from \$200.00. Town Manager Johnson said stated that Mr. Sims has not had an increase in salary in the sixteen (16) years he has provided legal services to the Town adding that this agreement would also extend Sims Mackin, Ltd. Contract to June 30, 2026.

Vice Mayor Beus stated with the end of the current Contract for Sims Mackin Ltd. Being June 30<sup>th</sup> of 2024, he feels it would be appropriate to send the Contract out for bid in 2024 giving local attorneys the opportunity to prepare a bid and have a chance to work for the Town. Vice Mayor Beus said it is encouraged to buy local and keep things local adding that he feels it would be a disservice to the community members that have elected the Council if the Town did not give them the opportunity to apply for the position as Town Attorney.

Mayor Irwin stated the with this being a small community that she feels there is more probability to having a Conflict of Interest. Mayor Irwin shared that she feels it is very important to shop local and added that in a small community, sometimes, it is appropriate to go outside of the community for certain positions. Mayor Irwin stated that Mr. Sims has been a great asset to the Town.

Council Member Jerry Smith stated that he agrees with Mayor Irwin.

Vice Mayor Beus moved to approve the increase of the hourly rate to \$225.00 and amend Resolution No. 23-1663 to keep the expiration of the original Contract as 2024. No second. The Motion failed.

Council Member Smith moved to approve Resolution No. 23-1663 as presented, amending the Agreement for Legal Services with Sims Mackin, Ltd., increasing the hourly billing rate to \$225.00 and authorize the Town Manager to execute documents for the revised agreement. Council Member Snitzer seconded the motion and by show of hands the following vote was recorded:

	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>
Mayor Irwin	X		
Vice Mayor Beus		X	
Council Member Snitzer	X		
Council Member Smith	X		

Mayor Irwin declared the motion passed with a 3-1 vote.

**D.6 Public Hearing, Discussion and Consider Adopting Ordinance No. 23-461 amending Town Code Title 5, adding Chapter 5.28 regarding licensing Vacation Rentals and Short-Term Rentals.**

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Community Development Director Loyd stated that the language being presented tonight was discussed at the Town Council Work Session on March 8, 2023 adding that this would regulate Short Term Rentals. Director Loyd shared that this Ordinance will allow the Town to require a fee for Short Term Rental Licensing. Director Loyd added that the Town is proposing a \$250 Licensing Fee. Director Loyd stated that this does not give the Town full authority because our Zoning Code does not allow lodging in Residential Zoning but, what this will allow a series of penalties which increase by number of violations. Director Loyd said the first penalty would be \$500, the second penalty would be \$1000, and the third penalty would be \$3500. Director Loyd also shared that this would give the Town the ability to pull a license if a felony were committed or if they had three life health safety issues. Director Loyd stated that this is a big issue in our community and this will give us the ability to track issues.

Mayor Irwin opened the Public Hearing.

*Jeff Pundt asked, “248 W. Summer Haven Lane. My question is for the Council. Is this going to be retroactive? Is this going to be grandfathered in to people or businesses that are now in rentals or in Airbnb? Are those going to be grandfathered in and not have to get this license? Or is this license going to be continued from no on? Or are they going to have to go back and get a license?”*

Mayor Irwin stated that any individual currently operating a Short Term Rental in the Town of Pinetop-Lakeside Town limits will be required to obtain this license.

Mayor Irwin closed the Public Hearing.

Council Member Smith moved to adopt Ordinance No. 23-461 amending Town Code Title 5, adding Chapter 5.28 regarding licensing Vacation Rentals and Short-Term Rentals. Vice Mayor Beus seconded the motion and by show of hands the following vote was recorded:

	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>
Mayor Irwin	X		
Vice Mayor Beus	X		
Council Member Snitzer	X		
Council Member Smith	X		

Mayor Irwin declared the motion passed with a 4-0 vote.

**D.7 Public Hearing, Discussion and Consider Resolution No. 23-1664 and Ordinance 23-462 Amending Title 15 Chapter 15.08 DRAINAGE REGULATIONS to allow stormwater retention systems in certain situations.**

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Community Development Director Loyd stated that this Ordinance recognizes that in some situations, retentions are necessary adding that they may not be required or smiled upon in every situation and explained that with some of the drainage issues in Town it is necessary to add this to the Code. Director Loyd stated that Town Hall has two large drainage retentions on site. Director Loyd recommended that this be allowed in specific situations so the Town could get a sealed drainage report that shows it will meet the state standards by draining down within 36 hours in a situation where nothing else is feasible. Director Loyd explained the difference between detention and retention.

Mayor Irwin opened a Public Hearing. No comments were offered.

Council Member Smith moved to approve Resolution No. 23-1664 and Ordinance 23-462 amending Chapter 15.08 Drainage Regulations and strike retention drainage systems as stormwater detention systems, which are not permitted, and add stormwater retention systems to 15.08.040 requirements for stormwater detention and drainage facilities. Mayor Irwin seconded the motion and by show of hands the following vote was recorded:

	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>
Mayor Irwin	X		
Vice Mayor Beus	X		
Council Member Snitzer	X		
Council Member Smith	X		

Mayor Irwin declared the motion passed with a 4-0 vote.

**D.8 Consider Resolution No. 23-1666 approving funding for FY22-23 Chip Seal Project utilizing Pinal County Contract No. 175923, Navajo County Materials Contract, Arizona State Rental Contract ADSP019-213364 and Town Purchase Policy for additional equipment rental.**

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Public Works Director Patterson shared a map of a section of Town that he would like to chip seal. Director Patterson stated that a pavement assessment was completed and it was obvious that the Town had some areas that are starting to have some failure. Director Patterson stated that this Chip Seal Project would bring those roads up to a higher PCI rating and get them out of the poor conditions.



Vice Mayor Beus asked what the life expectancy is on the chip seal.

Director Patterson responded 15-20 years adding that if you put a slurry seal or fog seal over the top of them it will extend the life even further.

Vice Mayor Beus moved to adopt Resolution No. 23-1666 approving funding for FY22-23 Chip Seal Project utilizing Pinal County Contract No. 175923, Navajo County Contract B22-02-002, Arizona State Rental Contract ADSP019-213364, and Town Purchase Policy for additional equipment rental and authorize the Town Manager to execute all documents. Council Member Smith seconded the motion and by show of hands the following vote was recorded:

	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>
Mayor Irwin	X		
Vice Mayor Beus	X		
Council Member Snitzer	X		
Council Member Smith	X		

Mayor Irwin declared the motion passed with a 4-0 vote.

**D.9 Presentation, Discussion and Consider Accepting the Town’s Annual Financial Comprehensive Report (ACFR) as well as the Annual Expenditure and Limitation Report (AELR) for the Year Ended June 30, 2022.**

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Finance Director Rodolph introduced Crimson Singleton from the audit firm Hinton Burdick.

Crimson Singleton of Hinton Burdick presented telephonically.

Vice Mayor Beus moved to accept the Town’s Annual Comprehensive Financial Report (ACFR) and the Annual Expenditure and Limitation Report (AELR) for the Year Ended June 30, 2022 as presented. Council Member Smith seconded the motion and by show of hands the following vote was recorded:

	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>
Mayor Irwin	X		
Vice Mayor Beus	X		
Council Member Snitzer	X		
Council Member Smith	X		

Mayor Irwin declared the motion passed with a 4-0 vote.

**E. Adjournment**

*Mayor Irwin*

There being no further business at this time, the regular meeting was adjourned at 8:15 p.m.

*Stephanie Irwin*

Stephanie Irwin, Mayor

ATTEST:

*Kristi Salskov*  
Kristi Salskov, 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 16<sup>th</sup> day of March 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 16<sup>th</sup> day of March 2023.

*Kristi Salskov*  
Kristi Salskov, Town Clerk

