

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE TOWN COUNCIL OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA, HELD ON TUESDAY, MARCH 28, 2023, IN THE TOWN COUNCIL CHAMBERS LOCATED AT 325 W. WHITE MOUNTAIN BOULEVARD, LAKESIDE, AZ 85929

➤ **Call to Order**

Mayor Irwin called the meeting to order at 4:00 p.m.

➤ **Roll Call**

The following Council Members were present:

Name	Position
Stephanie Irwin	Mayor
Sterling Beus- Telephonically	Vice Mayor
Lynn Krigbaum	Council Member
Taber Heisler	Council Member
Jerry Smith	Council Member
James Brimhall	Council Member

The following Council Members were absent:

Name	Position
Jim Snitzer	Council Member

Also Present:

Name	Position
William Sims	Town Attorney

Staff Present:

Name	Position
Keith Johnson	Town Manager
Kristi Salskov	Town Clerk
Mackenzie Valichnac	Deputy Clerk
Jeremiah Loyd	Community Development Director
Daniel Wilkey	Police Commander
Matt Patterson	Public Works Director
Tony Alba	Community Service Manager
Annie DeRosier	Marketing Specialist
Rob Hephner	Creative Services Specialist

Tina Robinson	Creative Services Specialist
Betsy Peck	Library Manager
Stacy MacArthur	Accountant

B. 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.

B.1 Consider Resolution No. 23-1665 Authorizing a Call of Election for a Special Election for the Town of Pinetop-Lakeside to be held on August 1, 2023.

Robert Ingles offered the following comments, “ *I have a couple of comments. I just tried earlier today to find out what resolution, by number, this was. There was no additional information on Resolution No. 23-1665. So, I came today, just figuring that I would see if there was a reason to have an election and if so, what that was. Due to my schedule, I just barely sat down and saw that there are multiple pages that I did not see online to know it was related to the referendum, that had been called for last fall. Maybe I did not search outright. But the Town’s site came up and trying to enter a resolution number that is being considered and that you are going into executive session on today, to determine I guess if there will be an election on August 1st. I am one of the citizens that feel that elections are very important and as a governing body as you make decisions for us. The ability for the voters’ voice to matter is very important. As I sit and listen to this, I do not know the length of the executive session, but I will do my best to be a good citizen listen and be educated. My comments include, is there a time frame involved in having a special meeting Tuesday at 4:00 versus at next Thursday’s schedule Council meeting for this item? I assume there is but trying to find more information out while I had my phone in hand, I just struck out on even knowing, like I say what the resolution was other than a call for an August 1st voting. So, with that said, I will sit down and see how the meeting goes.*”

Mayor Irwin asked if the agenda was posted on the website.

Town Clerk Salskov answered yes.

Robert Ingels stated, “*Can I say, I know that it was posted by number. But was there any information other than the sentence calling or the Town to hold an election on August 1st. Because when I opened that up, I did not find anything related to the referendum requests that have been made last year.*”

Town Clerk Salskov answered that the entire agenda was posted last week, and the packet was sent out to everyone that is on the email list to receive the agenda and the packet in its entirety.

Mayor Irwin added that the Special Meeting is being held to make this decision because there is a timeline that needs to be followed for this item to be considered for an August 1st election.

Derrick Cavey stated, *“Thank you Mayor, and members of the Town Council. I am coming today to encourage you to vote no on this referendum. There are two kinds of people in this Town. Those people that can attend meetings at six o'clock on a Thursday and those that have kids and have busy schedules. I am one of those. I watch all these meetings on YouTube and I read the agendas. Though I am not here, I am involved and I am aware of what is going on. I have a heart for this town, and I care a lot. When you guys were elected, and some of you guys were elected more than once, we as a community trusted you to do a job for us. If we sent everything to a referendum to vote we would spend thousands and thousands of dollars, and you would be unneeded. I would like to refer to what the great Paul Watson said as he was leaving this body. What he said and recommended for you guys, us as Town members, and the community. He said, ‘My last soapbox would be this. It seems in this community that it has become somewhat of an easy process for referendums. While that is a legal and legitimate process in our political system it is not without time, money, and effort. When you live in a representative form of government, we elect each of you to spend the time and dedication to become knowledgeable about the issues before you make decisions. My comments to staff, council, and the community would be that I would hope we would find a better mechanism and process for making decisions rather than having those decisions referred and on a ballot. It is very difficult for the average community member to vote on an issue that they have only been able to see limited information on. Whereas you as a Council spend months, sometimes even years, studying these issues before you make decisions. Then to have that referred to a ballot because of a very difficult challenging process. Again, not that it is not a legitimate legal process it is just one that I personally would hope in the future we would find ways to avoid it in any way possible. My concern is this, if we continue to send things to referendums, then why are you guys elected? I think there is many a fault that can be found and why we are here right now at this time. But there is no point in looking back at that. There is absolutely no point in looking back at it. Planning and Zoning did their job and you guys voted on it. It was approved and there is no need to go to the public. You guys*

serve us, and you did your job. Now it is time to say no and not send it to referendum. That is all I have to say, thank you.”

B.2 Pursuant to A.R.S. 38-431.03 (A)(3) and (A)(4) the Council may vote to enter into Executive Session:

A. Upon a public majority vote of the members constituting a quorum, a public body may hold an executive session for the following purposes.

3. Discussion or consultation for legal advice with and to give direction to the attorney or attorneys of the public body.

4. Discussion or consultation with the attorneys of the public body in order 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.

Council Member Heisler moved to enter into Executive Session. Council Member Krigbaum seconded the motion and by show of hands the following vote was recorded:

	AYES	NAYS	ABSTAIN
Mayor Irwin	X		
Vice Mayor Beus-Telephonic	X		
Council Member Krigbaum	X		
Council Member Smith	X		
Council Member Heisler	X		
Council Member Brimhall	X		

Mayor Irwin declared the motion passed with a 6-0 vote.

Council reconvened into Open Meeting at 4:53 p.m.

Mayor Irwin stated, *“I just want to address this issue before we take a motion. As Mr. Cavey so eloquently stated, this Council has been elected by a majority of the voters of the Town of Pinetop Lakeside. We all act in the best interests of the entire Town, not some non-existent developers who are waiting in the wings to develop all of our vacant land nor the wishes of a small group of people, some of whom are not even registered Pinetop Lakeside voters. They seem intent on sowing the seeds of mistrust and misinformation in our community. Our decisions are well thought out and thoroughly researched. After series of public meetings, our Planning and*

Zoning Commission recommended to us for our final approval the amended Land Use Map. We support the Commission and their efforts. We support the Commissioner who at the 11th Hour was accused of a conflict of interest. We do not believe there is a conflict of interest and an attorney’s opinion has been obtained on that. We asked the Attorney General to weigh in and the Attorney General declined. We still believe there is no conflict of interest and we fully support the outcome of that vote. However, because of how long this process has taken and the fact this map will be part of the complete General Plan reapproval process that will begin in early 2024. I personally believe it is in the best interest of our Town that we make this part of the bigger process again. This will be better from a planning process we will review all the elements of the General Plan. We anticipate starting that conversation in January of 2024. Jeremiah will lead this and we will have options for citizen involvement and citizen input. That is very important. If we choose to combine this whole thing with the General Plan, it will avoid the cost of two elections. Because the General Plan will be voted on by the citizens, the eligible voters of the Town of Pinetop Lakeside. I am going to ask our staff to put on the April 20th Council agenda, the consideration to rescind ordinance number 22-1634 that implemented this General Plan Land Use Map Amendment. That is my position I will of course open it up for other Council members to consider and entertain a motion so if there's anybody that would like to discuss it.”

Council Member Heisler moved to approve Resolution No. 23-1665 authorizing a Call of Election for a Special Election for the Town of Pinetop-Lakeside to be held on August 1, 2023. Council Member Smith seconded the motion and by show of hands the following vote was recorded.

	AYES	NAYS	ABSTAIN
Mayor Irwin		X	
Vice Mayor Beus- Telephonic		X	
Council Member Krigbaum		X	
Council Member Smith		X	
Council Member Heisler	X		
Council Member Brimhall		X	

Mayor Irwin declared the motion failed 5-1.

C. Adjournment

Mayor Irwin

There being no further business at this time, the Special meeting was adjourned at 4:58 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 Special meeting of the Town Council of Town of Pinetop-Lakeside, Arizona, held on the 28th day of March 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 28th day of March 2023.

Kristi Salskov
Kristi Salskov, Town Clerk

