

**MINUTES OF THE REGULAR MEETING OF THE HONORABLE TOWN
COUNCIL OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA, HELD
ON THURSDAY, SEPTEMBER 7, 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 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
Taber Heisler	Council Member
Lynn Krigbaum	Council Member
James Brimhall	Council Member

Staff Present:

Name	Position
Keith Johnson	Town Manager
Kevin Rodolph	Assistant Town Manager/Finance Director
Kristi Salskov	Town Clerk
Mackenzie Valichnac	Deputy Town Clerk
Dan Barnes	Police Chief
Dan Wilkey	Police Commander
Jeremiah Loyd	Community Development Director
Matt Patterson	Public Works Director
Betsy Peck	Library Manager
Tony Alba	Community Services Manager
Rob Hephner	Creative Services
Annie De Rosier	Marketing Specialist

➤ **Pledge of Allegiance and Invocation**

Mayor Irwin led the Pledge of Allegiance to the Flag.

Invocation was offered by Pastor Ernie Jaurique.

B. Call to the Public

Mayor Irwin called for public comments.

No comments were offered.

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:

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

Mayor Irwin then declared that Consent Agenda item C.1 was approved, passed, and adopted unanimously.

**C.1 Consider approval of the Minutes of the Town Council
Regular Meeting held on August 17, 2023.**

By a vote of 7-0 under the Consent Agenda, the Town Council approved the minutes of the Town Council Regular Meeting held on August 17, 2023.

**C.2 Consider Approval of the Town Check Register for the
period of July 1 through 31, 2023.**

By a vote of 7-0 under the Consent Agenda, the Town Council approved the Town Check Register for the period of July 1 through 31, 2023.

C.3 Consider Approval of Special Event Liquor License application for the Rotary Club of the White Mountains. The event is the Autumn Festival being held on Saturday, October 28, 2023 from 11:00 a.m. to 8:00 p.m. at Mountain Meadows Recreation Complex 1101 S. Woodland Lake Rd. Lakeside, AZ 85929.

By a vote of 7-0 under the Consent Agenda, the Town Council approved the Special Event Liquor License application for the Rotary Club of the White Mountains as presented.

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 Proclamation “National Preparedness Month 2023”.

Mayor Irwin read the Mayoral Proclamation and proclaimed September 2023 as “National Preparedness Month” in the Town of Pinetop-Lakeside, Arizona.

D.2 Presentation of the Navajo County 2023 Community Health Assessment/Community Health Improvement Plan Survey. (CHA/CHIP)

Bill Ricci and Cathy Solomon from Navajo County Health Services presented.

D.3 Public Hearing, Discussion, and Consideration of Resolution No. 23-1684 regarding the approval of a Minor Plan Amendment to the 2015 General Plan Land Use Element for 6.1 acres on the southeast portion of APN 212-01-06P.

Community Development Director Loyd presented the following information; *“Property Owner James Gappmayer is requesting to amend the General Plan Land Use Element from “Forest” to Medium Density Land Use. The Forest Land Use Element has no density associated with this use. It is not equivalent to Open Space and is not the same as Low-Density use either. The intent of the Forest Land Use Element is unclear and does not meet the statutory requirements for a General Plan found within ARS 9-461.05.C.1.b. The effective General Plan Land Use Element is displayed in the packet provided. The Land Use Element is referenced within the Navajo County Regional Plan and within the Navajo County Comprehensive Plan.*

The Medium Density Land Use designation is present immediate adjacent to the proposed amendment south of Vallery Lane; therefore, Navajo County acknowledges within its plans that the area has a planned Land Use designation of Medium Density Residential Development. Medium Density for the Land Use Element would permit a gambit of zoning designations to be applied for on this parcel. Permissible zoning under this designation could include R1-2, R1-4, or MF-4, which require a minimum lot size of 10,000 to 20,000 square feet, basically 2 to 4 lots per acre. This particular request is for 6.1 acres on the southeast portion of APN 212-01-036P. The current zoning and location of the request are identified in Figure 2. in the packet. The General Plan encourages balanced land development patterns. However, we have 21% of all acreage within the Town within the Low Density land Use category. We also have 19% as Open Space and 24% as Forest. The Open Space and Forest categories comprise 43% of our Land Use Element. This leaves us with nearly half of the Town that is rendered unusable, and the White Mountain Apache Reservation and the USFS landlock us. Therefore, we will never reach the level of development of communities such as Prescott, which was mentioned at the August 10th Planning and Zoning Meeting.

Property Owner, James Gappmayer offered the following comments, *“I do not have much to add. It was Forest Service and it is now privately owned. I need to move on and do what I need to do. I need a re-zone in order to do that.”*

Mayor Irwin opened the Public Hearing.

No comments were offered.

Mayor Irwin closed the Public Hearing.

Mayor Irwin shared that she attended the Planning and Zoning Meeting on August 10, 2023. Mayor Irwin stated that there was much conversation about this and felt that most of the residents that live on Vallery Lane were supportive of a residential project on this property and felt this item was well received.

Community Development Director shared that the Planning and Zoning Commission were in favor of the amendment with a unanimous vote.

Council Member Heisler moved to adopt Resolution No. 23-1684, approving a Minor Plan Amendment to the 2015 General Plan Land Use Element for 6.1 acres on the southeast portion of APN 212-01-036P. Council Member Brimhall seconded the motion and by show of hands the following vote was recorded:

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

Mayor Irwin then declared the motion passed unanimously.

**D.4 Public Hearing, Discussion, and Consideration of Ordinance
 No. 23-465, approval of a Zoning Amendment, Z-86, to the Zoning
 Map of the Town of Pinetop-Lakeside for 6.1 acres of the southeast
 portion of APN 212-01-036P.**

Community Development Director Loyd stated that this is a Zoning Action not a Re-Zoning. Director Loyd said there has never been a legal action on this land adding that the land has no zoning designation. According to the Town Code, it is subject to the regulations of R-Low but it is not zoned. Director Loyd shared that applicant James Gappmayer requests to amend the effective Zoning Map from Vacant Land subject to the regulations of R-Low to R1-4 for 6.1 acres of the southeastern portion of APN 212-01-036P. If approved, the request will allow for the submittal of a 6.1 acre subdivision with ¼ acre lots. Director Loyd stated that the public raised some concerns at the Planning and Zoning Meeting hearing held on August 10, 2023. Some of the concerns were; lack of restraint on development, utilities, adequate infrastructure. Director Loyd said when a proposal is submitted, the concerns will be addressed at the subdivision level.

Director Loyd added the following comments directly from his Council Recommendations, *“we have seen this in the past, the same group of citizens advocating for Low Density development. This is the least favorable scenario from a planning and controlled development perspective. Why? Because this is precisely how and why we have so many wildcat subdivisions. Wildcat subdivisions are a direct result of statutes that allow Minor Land Divisions without the ability for political entities to require paved streets and adequate infrastructure for water drainage and sewer facilities. We heard concerns about rampant subdivision development. All of the subdivisions mentioned at the meeting are not within our municipal boundaries. A subdivision in Pinetop-Lakeside has not been approved and constructed since Creekside in 2013. Most of the new homes constructed in town occur in R-Low development and are a product of wildcat subdivisions.*

Director Loyd said this proposal would match the zoning that is directly across Vallery Lane in the County. The zoning designation is R1-10. This means single-family residential on ¼ acre lots. Director Loyd added that the County requires a 60-foot minimum width and the R1-4 zoning in the Town of Pinetop-Lakeside has a minimum width of 80 feet on ¼ acre lots.

Property Owner, James Gappmayer offered the following comments, *“Most of you know, I wanted to re-zone this land as something different originally. I listened to everyone on Vallery Lane. They wanted residential zoning. I am here before you now because I am trying to give them what they want. I want to work with the Town. There is residential zoning adjacent to this land which matches what I am trying to do. I am trying to do what they asked and match what is already there.”*

Council Member Smith asked if the utility lines for electrical would be put underground for this subdivision.

James Gappmayer stated that there has not been any talk of running the electrical underground and shared that he did talk with the utility company because there was not an easement adding that he signed paperwork to give the utility company an easement through the property.

Council Member Smith asked if the emergency egress is just for fire and asked if residents be able to use it.

James Gappmayer said when he spoke with Navajo County, they did not want to have an access point from Vallery to that property but they would allow him to put a fire exit through that power line to get out.

Council member Smith asked if the Fire Department had reviewed this as he can only see 12 feet allowed.

James Gappmayer stated that the Fire Department has not reviewed the plan and added that he did talk to one gentleman and he may be required to push it to 20 feet adding that he will do what he needs to do to make it acceptable before he brings it back to Council.

Director Loyd stated that the map given tonight is just a conceptual drawing and this would all be addressed at a site plan review. Director Loyd offered more comments but I was unable to hear him to transcribe what he said.

James Gappmayer added that R1-4 would allow him up to 24 lots. But, because of roads and water retention, they decided to do 16 lots.

Council Member Krigbaum stated that she did not understand how the fire exit would work.

James Gappmayer said the fire exit would only be for the adjacent property, that being the property behind this subdivision adding that he owns 40 acres and looking ahead, if he were to need a fire exit in the future this exit would be used for that property.

Council Member Brimhall thanked Mr. Gappmayer for trying to work with the neighbors and citizens on this project.

Mayor Irwin opened the Public Hearing.

Jim Beck offered the following comments, *“Mayor and Council, based on what Director Loyd mentioned about zoning as well as Mr. Gappmayer’s statement, I would like to withdraw my privilege to talk about this.”*

Larry McCormick offered the following comments, *“Good evening, Larry McCormick. 5980 Mark Twain Drive, Pinetop. I am in the County. Just want to make sure. I have a few questions that I don’t know have ever been answered. At least to me. By the way, Chairman of PVC, troublemakers. Anyways, I would like to know if Mr. Gappmayer is qualified to build homes or is he subbing them out to a third party? I know he is an excavation contractor but, I question whether you know, one of the things that has happened through this whole process with Mr. Cote and Mr. Gappmayer is, they have no experience whatsoever with RV parks. Or a trailer park, or whatever you want to call it. That to me would seem to be pretty important. We’re going to bed with a person who is here to for, you know, proposing homes and a trailer park in what was some very pristine and undisturbed area for many years. I think the residents have questions with that. Anyway, does he, has he presented you with a business plan? Do you know is he has presented financial statements that allows you to believe that he is going to be able to start and complete what he is proposing to do? This is only what, the first proposal of three. Two more will be coming I believe, isn’t it three different movements. So, anyway, he just mentioned an easement from Joy’s Furniture. It’s Dan Joy, I believe that is running the show now. His father passed away. Met him a couple of times through the Nature Center and I had not heard Dan, met with him maybe a month ago and he, at that point had not agreed to the easement. Has that happened? If not, I mean, it would seem that before you approve the ability to go forward that would need to be approved. You need a secondary Bail-out plan for a fire or whatever. You know, my personal goal is not to, it is simply to want to do it right. The City needs to do right. Is he complying with the General Plan completely and items I just mentioned? We need to do it right, or not do it at all. Simply said. Thank you.”*

Mayor Irwin addressed Mr. McCormick’s concerns by stating that Council is only considering the 6.1 acres parcel being zoned R-14. Mayor Irwin explained that the Town does not require business plans or financial statements from people that come to Town and apply for zoning. Mayor Irwin also said that the concern of the easement would be covered in the Site Plan Review/subdivision process. Mayor Irwin said that a secondary access will be addressed at that time adding that because of the danger of fire, Council will make sure it is addressed because safety is a priority.

Council Member Heisler added clarification to Mr. McCormick’s Concern by stating, *“Mr. Gappmayer did not say anything about having an easement, he said he said he has permission to add that as an emergency exit which is entirely different from having an easement to the property. Having a gate that allows you to use a road is not the same thing as having an easement.”*

Property Owner, James Gappmayer added the following comments, *“As well as being an excavating contractor, we also own Stone Creek Homes. We have been building houses from almost 20 years. The easement that Mr. McCormick was talking about, I have an exit, not an easement. I just wanted to clarify.”*

Mayor Irwin closed the Public Hearing.

Council Member Heisler moved to adopt Ordinance No. 23-465, approving Zoning Amendment, Z-86, to the Zoning Map of the Town of Pinetop-Lakeside, establishing the zoning for 6.1 acres on the southeast portion of APN 212-01-036P from vacant land subject to the regulations of R-Low, one acre zoning district to R1-4. Vice Mayor Beus seconded the motion and by show of hands the following vote was recorded:

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

Mayor Irwin then declared the motion passed unanimously.

D.5 Reports from Council Committee Liaisons and Town Manager.

Council Member Snitzer reported on the following items:

- TRACKS completed roll-over gates on trails for cyclist and hikers.
- Tour of the White Mountains is happening in early October. TRACKS has continued trail work to maintain good conditions for the race.
- Rainbow Lake Coalition had a fundraiser to help the Irrigation Company replace the head gate.
- Nature Center- Saturday morning hikes are well attended.
- Nature Center building for the bird shows is rapidly nearing completion.
- October 21st the White Mountain Nature Center will be celebrating its 20th anniversary and are hoping to have the grand opening of the bird facility at the same time.
- Cowboy Breakfast will be held September 23, 2023 from 8:00-10:00.(this is the last breakfast for 2023)

Council Member Smith reported on the following items:

- White Mountain Community Center lunch service was well attended. Thank you to Town Staff and Council Members that served lunch.
- Working on establishing ownership of Community Center building from a legal document that was dated in 1984 from the School Board. The letter was found a month or two ago.
- Transit Authority that runs the bus removed one stop at The Beverage House.

Vice Mayor Beus reported on the following items:

- Last month's Back Country Horsemen and Nature Center Cowboy breakfast was successful with over 125 people. The last one for 2023 will be held on September 23rd from 8:00-10:00.
- The Annual Milk Can Dinner/Fundraiser was held last week. It was put on by the Pinetop-Lakeside Museum.

Council Member Heisler reported on the following items:

- The Annual Happy Tails event was held last month and was successful.

Council Member Brimhall reported on the following items:

- Showed his appreciation of all of the coaches, volunteers, and parents of Blue Ridge School District sports programs.

Council Member Krigbaum stated that she had nothing to report.

Mayor Irwin stated that she had nothing to report.

Town Manager Keith Johnson reported on the following items:

- The Roll-out of GOVOS for Short-Term Rentals went live on Tuesday, September 5, 2023. Thank you to staff for their efforts to get this off up and running.
- The Fall Festival Parade theme is “Fall in Love with the White Mountains” if interested in registering for the parade the application can be found on the Town’s website pinetoplakesideaz.gov.
- The Town has a new video and sound system for broadcasting meetings. Thank you to Rob Hephner, Ryan Van Patten, Matt Patterson, and Annie DeRosier for their efforts in making this happen.
- There will be a Flag Ceremony at 11:00 a.m. on Monday, September 11, 2023 at the Veterans Memorial located at Town Hall. For the 22nd anniversary of the 9/11 attack.
- There will be a Flag Ceremony at 11:00 a.m. on Friday, September 15, 2023 for POW/MIA located at the Veterans Memorial located at Town Hall.
- Fishers of Men will place a flag display at Jack Barker Memorial Park in memory of the 9/11 attack on our country.
- Road-side clean-up is happening along White Mountain Blvd. on Friday, September 15, 2023 at 8:00 a.m.
- September 22, 2023 will be the Town employee BBQ to watch the Cavalcade of Cars. Town offices will be closing at 2:30 p.m.
- Fall Festival Parade September 23rd at 9:00 a.m.
- October 14, 2023 Annual Color Run.
- October 28, Autumn Fest and Chili Cook-Off.
- Mayor’s Tree Lighting, Friday, December 1st.

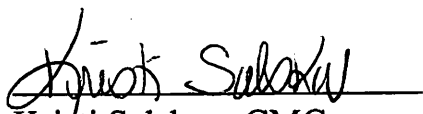
Adjournment

Mayor Irwin

There being no further business at this time, the regular meeting was adjourned at 7:05 p.m.

 9/21/2023
 Sterling Beus, Vice Mayor

ATTEST:

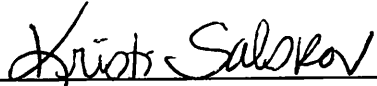

 Kristi Salskov, CMC
 Town Clerk



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 September 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 7th day of September 2023.



Kristi Salskov, CMC
Town Clerk

