



LEGAL ACTION

PUBLIC NOTICE
PINETOP-LAKESIDE TOWN COUNCIL MEETS
THURSDAY, JANUARY 5, 2023 – 6:00 P.M.
TOWN COUNCIL CHAMBERS

325 W. WHITE MOUNTAIN BOULEVARD, LAKESIDE AZ 85929
&

PINETOP-LAKESIDE PLANNING AND ZONING COMMISSION NOTICE OF
POSSIBLE QUORUM

SOME MEMBERS OF COUNCIL MAY PARTICIPATE TELEPHONICALLY

AGENDA

- A. **Call to Order** *Meeting convened at 6:00 p.m.* **Mayor**
- Roll Call and Ascertain Quorum *All present.*
 - Pledge of Allegiance *Led by Mayor Irwin.*
 - Invocation *Offered by Vice Mayor Beus.*
- Any prayer/invocation that may be offered before the start of regular Council business shall be the voluntary offering of a private citizen, for the benefit of the Council and the citizens present. The views or beliefs expressed by the prayer/invocation speaker have not been previously reviewed or approved by the Council, and the Council does not endorse the religious beliefs or views of this, or any other speaker. A list of volunteers is maintained by the Town Clerk's Office and interested persons should contact the Town Clerk's Office for further information.
- B. **Call to the Public** **Mayor**
- This is a business meeting of the Town Council. The Town values and welcomes public input. Please address the Council as a whole and not individual Council Members. Do not address staff or members of the audience. Council action on items brought up in Call to the Public is limited by the Open Meeting Law. The Council may direct staff to study the matter and reschedule for further consideration at a later date. Items on the agenda will not be heard or discussed in Call to the Public. Individuals are limited to three (3) minutes. *No comments were offered.*
- C. **Consent Agenda** **Mayor**
- All items listed in the Consent Agenda are considered routine matters and will be enacted by one motion of the Council. There will be no separate discussion of these items unless a Member of Town Council requests that an item or items be removed for discussion. Council Member may ask questions without removal of the item from the Consent Agenda. Items removed from the Consent Agenda are considered in their normal sequence as listed on the agenda, unless called out of sequence. *Approved.*
- C.1 Consider approval of the Minutes of the Town Council **Town Clerk**
Regular Meeting held on December 1, 2022. *Approved.*
- C.2 Consider approval of the Town Check Register for the period **Finance Director**
of November 1 through 30, 2022. *Approved.* **Rodolph**
- D. **Business Before the Council**

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 Recognition of Council Member Jerry Smith for his service as Vice Mayor for the Town of Pinetop-Lakeside from November 2016 to December 2022. *Recognition given to Council Member Smith.* **Mayor Irwin**
- D.2 Notification of the resignation of Richard Smith from the Planning and Zoning Commission and Recognition for his 15 years of service. *Notification given, resignation accepted, and recognition given.* **Community Development Director Loyd**
- D.3 **Public Hearing**, Discussion and Legal Action for Resolution No. 23-1648 and Ordinance No. 23-456 regarding Property Maintenance such as Paint and upkeep for commercial properties and amending Titles 17.60.070.C (C-R) Commercial Recreational Zoning District Additional Regulations, 17.64.080.D (C-1) Light Commercial Zoning District Additional Regulations, and 17.68.070.E (C-2) Heavy Commercial Zoning District Additional Regulations and adding the definition of *deteriorated* or *deterioration* to 17.12.020 Definitions. *Public Hearing. No public comments were offered. Resolution No. 23-1648 and Ordinance No. 23-456 approved and adopted.* **Community Development Director Loyd**
- D.4 Consider Resolution No. 23-1647 pertaining to grant award for project submitted under FFY 2022 Arizona Department of Homeland Security (AZDOHS) State Department Homeland Security Grant Program (SHSGP) Grant Subrecipient Agreement 22-AZDOHS-HSGP-220104-01. *Resolution No. 23-1647 approved.* **Chief of Police Dan Barnes**
- D.5 Interviews for possible appointment of two (2) applicants to fill vacant seats on the Planning and Zoning Commission. Interviews will be held in the following order: *Robert Ingels and John Salskov offered comments. Candidates interviewed.* **Community Development Director Loyd**
- Derrick Cavey
 - Daniela Dekova
 - David Kutis
 - Jeffrey Phillips
 - Todd Fernau
 - Joseph Pence

Pursuant to A.R.S. 38-431.03(A)(1) the Council may vote to enter into Executive Session: *Council Entered 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:
1. Discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee, or employee of any public body, except that, with the exception

of salary discussions, an officer, appointee, or employee may demand that the discussion or consideration occur at a public meeting. The public body shall provide the officer, appointee or employee with written notice of the executive session as is appropriate but not less than twenty-four hours for the officer, appointee or employee to determine whether the discussion or consideration should occur at a public meeting.

- ***Discussion and Consideration of Planning and Zoning Commissioner Appointments.***

2. Following the Executive Session Council will reconvene in Open Session and take action on the appointment of two (2) Planning and Zoning Commissioners. A quorum of the Planning and Zoning Commission may appear in person or provide a written statement for the Town Council regarding the candidates. ***Council reconvened into Open Meeting.***

Mayor Irwin

- D.6 Consider approval of Resolution No. 23-1649 appointing _____ to serve as a Commissioner on the Planning and Zoning Commission with a term ending July 24, 2024. ***Resolution No. 23-1649 appointing Todd Fernau approved.***

Consider approval of Resolution No. 23-1650 appointing _____ to serve as a Commissioner on the Planning and Zoning Commission with a term ending July 24, 2024. ***Resolution No. 23-1650 appointing Jack Pence approved.***

Mayor Irwin

- D.7 Pursuant to A.R.S. 38-431.03(A)(3) the Council may vote to enter into Executive Session: ***Rob Ingels offered comments. Council entered 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 the attorney or attorneys of the public body.

- ***Discussion and Legal Advice regarding Referendum No. 2022-01.***

2. Following the Executive Session Council will reconvene in Open Session. ***Council reconvened into Open Meeting.***

Town Clerk

- D.8 Consider options regarding Referendum No. 2022-01.

1. Consider Resolution No. 23-1651 authorizing a Call of Election for the Town of Pinetop-Lakeside to be held on May 16, 2023. ***Rob Ingels and Brett Cote (telephonically) offered comments. Resolution No. 23-1651 approved.***
2. Consider Resolution No. 23-1652 repealing Resolution No. 22-1634 Major Amendment of the Land Use Elements of

Mayor Irwin

the 2015 General Plan. *No Motion made for Resolution
No. 23-1652.*

E. Adjournment *Meeting adjourned at 9:19 p.m.*

Legal Action Posted on January 6, 2023 at 12:00 p.m. at the following locations:

Kristi Salskov
Town Clerk

Town Hall
325 W. White Mountain Blvd.
Lakeside, AZ 85929

Town Website
<https://pinetoplakesideaz.gov>

Meeting can be viewed at https://www.youtube.com/channel/UCN53WdzuQen_exXNbatODIw.

Note: This meeting is open to the public. All interested people are welcome to attend. A copy of agenda background material provided to Council Members, with the exception of material relating to possible executive session, are available for public inspection at the Town Clerk's Office, 325 W. White Mountain Boulevard, Lakeside, AZ 85929, Monday through Friday from 8:00 a.m. to 5:00 p.m. or online at <https://pinetoplakesideaz.gov>

AMERICAN WITH DISABILITIES ACT: The Town of Pinetop-Lakeside intends to comply with the A.D.A. If you are disabled or physically challenged and need special accommodations to participate, please contact the Town Clerk at (928) 368-8696 Ext. 221 at least 48 hours prior to the meeting.