

MINUTES OF THE REGULAR MEETING OF THE SHOW LOW CITY COUNCIL HELD ON TUESDAY, AUGUST 15, 2023, AT 7:00 PM IN THE CITY COUNCIL CHAMBERS, 181 NORTH 9TH STREET, SHOW LOW, NAVAJO COUNTY, ARIZONA

1. Call to Order.

Mayor Leech called the meeting to order at 7:00 p.m.

2. Roll Call.

COUNCIL MEMBERS PRESENT: Mayor Leech, Vice Mayor Kakavas, Councilman Allsop, Councilman Adams, Councilman Clark, Councilman Hatch, and Councilman Judd,

COUNCIL MEMBERS ABSENT: None.

STAFF MEMBERS PRESENT: Morgan Brown, City Manager; Anna Atencio, City Attorney; Justin Johnson, Deputy City Manager; Brad Provost, Police Chief; Greg Westover, Police Commander; Jeff McNeil, Police Commander; Bill Kopp, Public Works Director; Shane Hemesath, City Engineer; Jacob Allen, Airport Manager; Cari Bilbie, Accounting Manager; Kathy Clements, Assistant City Clerk; and Rachael Hall, City Clerk.

GUESTS: David Walker, Rose Portz, Nate Jones, Debi Thomas, Denise Stow, and others.

3. Invocation.

Councilman Clark gave the invocation.

4. Pledge of Allegiance.

Councilman Judd led the Council and audience in the pledge of allegiance.

5. **CALL TO THE PUBLIC:**

Any citizen desiring to speak on a matter that is within the jurisdiction of the City Council may do so at this time. Comments may be limited to three minutes per person and shall be addressed to the City Council as a whole, and not to any individual member. Issues raised shall be limited to those within the jurisdiction of the City Council. Pursuant to the Arizona Open Meeting Law, the City Council cannot discuss or act on items presented at this time. At the conclusion of the call to the public, individual City Council members may (1) respond to criticism made by those who have spoken, (2) ask staff to review a matter, and (3) ask that a matter be put on a future agenda.

David Walker, 4800 South 28th Street, said he attended the July 18, Council meeting and spoke to the Council about his concerns regarding Arizona Game and Fish and Show Low Lake. He was happy to report he had since met with Arizona Game and Fish staff regarding his concerns about stocking Show Low Lake. He wanted to encourage others to attend the Arizona Game and Fish Commission Board meeting on September 8 in Show Low. He thanked the Council for listening to his concerns. Mr. Walker also thanked Public Works for quickly fixing and

cleaning up the Show Low Lake fish cleaning station.

Dennis Wiseman Stow, 371 South 16th Avenue, on behalf of Show Low Main Street, wanted to let the Council and the community know that the Battle of the Bands and Food Vans would be held on September 2 at Frontier Field. She also wanted to let everyone know that Show Low Main Street was hosting a Farmers Night Market on Wednesdays from 4:00 p.m. - 7:00 p.m., with agricultural vendors only.

6. **SPECIAL EVENTS:**

A. Special Presentation in Recognition of Retiring Employee.

Mr. Kopp said Matt Smith, the City's Lead Airport Lineman, served the City for over 20 years. Mr. Kopp and Mr. Allen gave an overview of Mr. Smith's work history and thanked him for his service and dedication to the City.

B. Commendation of Police Department Employees.

Chief Provost said tonight was a night for the City Council and Administration to recognize the life-saving efforts and commendable acts of the Show Low Police Department employees.

Chief Provost presented Dispatcher Adam Leili with a Certificate of Lifesaving Award for quickly initiating Emergency Dispatch Protocols and guiding a caller, who found a coworker unconscious and not breathing, through lifesaving CPR. Chief Provost said Dispatcher Leili calmed the caller and provided clear instructions, which helped save the man's life.

Chief Provost presented Dispatcher Lauren Clark with a Certificate of Lifesaving Award for quickly initiating Emergency Dispatch Protocols and guiding the caller, who reported that his wife had collapsed and was not breathing, in the delivery of lifesaving CPR until medical crews arrived. Chief Provost said Dispatcher Clark remained calm while simultaneously counting compressions and updating emergency medics as they responded. Dispatcher Clark's actions helped save the woman's life.

Chief Provost presented Officer James Tyra with a Certificate of Lifesaving Award for responding to a medical call for a female found unresponsive. Officer Tyra arrived before the medics and immediately began CPR until the medical crew arrived. Chief Provost said Officer Tyra's rapid response and decisive actions helped save the woman's life.

Chief Provost presented Officer Joseph Hubbard with a Certificate of Lifesaving Award for responding to a medical call for a female who had collapsed and was not breathing. Officer Hubbard immediately delivered lifesaving CPR until medical crews arrived. This was Officer Hubbard's second time successfully performing CPR in the line of duty. Chief Provost said Officer Hubbard's rapid assessment of the situation and calm and clear actions saved the woman's life.

Chief Provost awarded Officer Stavros Castillo a Certificate of Commendation for responding to a report of an active shooter at Banner Urgent Care in Lakeside. Officer Castillo arrived first on the scene and led the response. The suspect was quickly detained with the help of deputies and other officers. It was discovered that the suspect had a pellet gun and not a firearm. Chief Provost said Officer Castillo's rapid and decisive actions prevented a potentially tragic outcome.

Chief Provost awarded Dispatcher Dezarae Pease a Certificate of Commendation for helping a distraught, armed female caller who threatened suicide. Dispatcher Pease kept the woman calm through compassionate conversation and convinced the woman to put down the firearm and follow the instructions of the on-scene officers. Chief Provost said Dispatcher Pease's composed, thoughtful, and clear instructions diffused the situation and allowed the officers to resolve the incident without any harm to anyone involved.

Chief Provost awarded Officers Aliva Matkin and Stratton Hatch Certificates of Commendation for their response to a child custody dispute. The mother was suffering from severe mental health issues, and there was concern for the safety of the children. It was also discovered that the woman's oldest child had been left out of state with people who were not family. Chief Provost said Officers Matkin and Hatch recognized the potential dangers, coordinated with police agencies in another state, were able to locate the child, and coordinated her safe return to her father.

Chief Provost awarded Officer Austin Wilson a Certificate of Commendation for responding to a man suffering from severe mental health issues. Officers had been called multiple times over several days to deal with this man, and it became clear he needed specialized help. Officer Wilson recognized that the man was struggling physically and mentally and worked to find the proper resources. Out of his own pocket, Officer Wilson purchased food, water, and a pair of shoes for the man. Chief Provost said Officer Wilson was an example to us all in showing genuine concern and compassion for others.

The Council members commended law enforcement and dispatchers for their outstanding work.

7. **CONSENT CALENDAR:**

- A. Approval of Agreement with Navajo County for Safe and Healthy Schools. (Brad Provost)
- B. Consideration of Acceptance of East McNeil Roadway Improvements, City of Show Low Project No. R-0823. (Shane Hemesath)
- C. Consideration of Award of Contract for Crosswind Runway Focused Planning Study to Dibble & Associates Consulting Engineers and 25% Design to Armstrong Consultants. (Jacob Allen)

D. Consideration of Minutes of Show Low City Council meetings:

1. Regular Meeting of August 1, 2023.

Councilman Clark declared a conflict because he was involved with one of the items on the Consent Calendar.

VICE MAYOR KAKAVAS MOVED TO APPROVE THE CONSENT CALENDAR AS PRESENTED; SECONDED BY COUNCILMAN ADAMS; PASSED 6 TO 0 WITH MAYOR LEECH AND VICE MAYOR KAKAVAS AND COUNCIL MEMBERS ADAMS, ALLSOP, JUDD, AND HATCH VOTING IN FAVOR, WITH COUNCILMAN CLARK ABSTAINING.

8. **NEW BUSINESS:**

- A. **PUBLIC HEARING** and Consideration of Application Submitted by Kuzi Paul Mutsiwegota and James H. Coleman for #6, Bar, Liquor License on Behalf of Bison Golf Club for its Location at 1 North Bison Preserve Drive, Show Low, Arizona. (Rachael Hall)

Ms. Hall said Kuzi Paul Mutsiwegota and James H. Coleman, representing Bison Golf Club, submitted an "owner transfer" application for a #6 Bar, Liquor License for its location at 1 North Bison Preserve Drive in Show Low. The request was to transfer the 6 Bar, Liquor License currently held by Lloyd Harvey of Golf Course Management, LLC, located at 1 North Bison Preserve Drive in Show Low. The property was posted as required by state law, and no public input was received.

Ms. Hall said The Show Low Police Department conducted background checks on the applicants and found nothing amiss. The Department of Liquor Licenses and Control conducts its own internal investigations and background checks. Based on the investigator's findings and the recommendation of the City Council, the State Liquor Board would decide whether to approve or deny the application. If the City Council recommended denial of the application, the motion must state the reasons for denial.

COUNCILMAN ALLSOP MOVED TO RECOMMEND APPROVAL TO THE STATE LIQUOR BOARD OF THE APPLICATION SUBMITTED BY KUZI PAUL MUTSIWEGOTA AND JAMES H. COLEMAN FOR #6, BAR, LIQUOR LICENSE ON BEHALF OF BISON GOLF CLUB FOR ITS LOCATION AT 1 NORTH BISON PRESERVE DRIVE, SHOW LOW, ARIZONA; SECONDED BY COUNCILMAN HATCH; PASSED 7 TO 0 WITH MAYOR LEECH AND VICE MAYOR KAKAVAS, AND COUNCIL MEMBERS ADAMS, ALLSOP, CLARK, JUDD, AND, HATCH VOTING IN FAVOR.

- B. **PUBLIC HEARING** and Consideration of Application Submitted by Shane Jennings Shumway, Nathan Douglas Jones, and Steven Douglas Shumway for #10, Beer and Wine Store, Liquor License on Behalf of Fairfield & TownePlace Suites for its Location at 1401 East Woolford Road, Suite A, Show Low, Arizona. (Rachael Hall)

Ms. Hall said Shane Jennings Shumway, Nathan Douglas Jones, and Steven Douglas Shumway, representing Fairfield & TownePlace Suites, submitted an application for a new #10, Beer and Wine Store, Liquor License for its location at 1401 East Woolford Road. The property was posted as required by state law, and no public input was received.

Ms. Hall said the Show Low Police Department conducted a background check on the applicants and found nothing amiss. The Department of Liquor Licenses and Control conducts its own internal investigations and background checks. Based on the investigator's findings and the recommendation of the City Council, the State Liquor Board would decide whether to approve or deny the application. If the City Council recommended denial of the application, the motion must state the reasons for denial.

VICE MAYOR KAKAVAS MOVED TO RECOMMEND APPROVAL TO THE STATE LIQUOR BOARD OF THE APPLICATION SUBMITTED BY SHANE JENNINGS SHUMWAY, NATHAN DOUGLAS JONES, AND STEVEN DOUGLAS SHUMWAY FOR #10, BEER AND WINE STORE, LIQUOR LICENSE ON BEHALF OF BEHALF OF FAIRFIELD & TOWNEPLACE SUITES FOR ITS LOCATION AT 1401 EAST WOOLFORD ROAD, SHOW LOW, ARIZONA; SECONDED BY MAYOR LEECH; PASSED 7 TO 0 WITH MAYOR LEECH AND VICE MAYOR KAKAVAS, COUNCIL MEMBERS ADAMS, ALLSOP, CLARK, JUDD, AND HATCH VOTING IN FAVOR.

- C. Consideration of Award of Construction Contract for East Cooley Roadway Improvements, City of Show Low Project No. R-3323. (Shane Hemesath)

Mr. Hemesath said the City's fiscal year 2023 Capital Improvements Plan budget included \$150,000.00 for a roadway improvement project labeled "Widening Road by Chase Bank." The work included removing parking islands along East Cooley between North 11th Street and SR-260. These improvements would allow proper roadway width for two-way traffic along this corridor. American with Disabilities sidewalk ramps would also be installed. The streetlights and trees would remain in place.

Mr. Hemesath said the City engineering staff designed the project with a construction estimate of \$185,000.00. The project was publicly bid on June 9, 2023, and received no bids. Minor adjustments were made to the project, which was publicly re-bid on July 14, 2023. At the August 8, 2023 bid opening, three bids were received.

<u>Contractor</u>	<u>Total Bid</u>
Navapache Construction	\$222,976.14
Western Grade LLC	\$348,344.99
ALK Asphalt LLC	\$435,869.80

Mr. Hemesath said that after evaluating the bids, all three contained errors by either using the old June bid documents or failing to include all necessary items required by the bid advertisement.

Mr. Hemesath said that due to those discrepancies, staff recommended rejecting all bids for the construction contract for the East Cooley Roadway Improvements, City of Show Low Project No. R-3323 and re-bidding as soon as possible.

Mayor Leech asked for an explanation of why the errors occurred in the bidding process. Mr. Hemesath said that this was the second time this project had gone out to bid. No bids were received the first time, so staff made some alterations to the bid package and sent it out again with a new bid schedule. However, two contractors used the original bid documents instead of the revised ones, and one did not submit all the required items. Staff contacted each contractor, who said they would take another look and use the correct documents.

Councilman Alsop asked when the project would be rebid. Mr. Hemesath said the project would go out for rebid in two weeks.

COUNCILMAN CLARK MOVED TO REJECT ALL BIDS FOR THE CONSTRUCTION CONTRACT FOR THE EAST COOLEY ROADWAY IMPROVEMENTS, CITY OF SHOW LOW PROJECT NO. R-3323; SECONDED BY COUNCILMAN ADAMS; PASSED 7 TO 0 WITH MAYOR LEECH AND VICE MAYOR KAKAVAS AND COUNCIL MEMBERS ADAMS, ALLSOP, CLARK, JUDD, AND HATCH VOTING IN FAVOR.

- D. Consideration of Award of Contract for Reidhead House Architectural Services. (Bill Kopp)

Mr. Kopp said the Reidhead House, constructed in 1912, was the last standing residential structure of this period in Show Low. The house was an original homestead built by the Reidhead family, one of the City's founders, and was continuously occupied until the City acquired the home in October 2021. The home was acquired to preserve this historic home and its unique characteristics for future generations. Upon completion of the renovation, the home would be open for public tours facilitated by the Show Low Museum.

Mr. Kopp said portions of the building's foundation had settled, causing significant cracking of the interior plaster walls and the exterior brick masonry. The foundation was repaired and leveled using helical piers. Measures were taken to protect the foundation from water infiltration, which included replacing rain gutters and re-routing flood irrigation away from the building. The City intended to restore the home to its original period-correct condition. The City applied for and received grant funding to start restoring the building.

Mr. Kopp said the City prepared a Request for Qualifications for an architectural consultant to develop a Historic Building Preservation Plan (HBPP) and assess the structure to determine eligibility for nomination to the National Register. The selected architectural consultant would complete an evaluation of the property for nomination to the National Park Service's

National Register of Historic Places and the Arizona Register of Historic Places. The architect would also prepare construction plans for the recommended restoration of the building.

Mr. Kopp said City staff contacted five Architectural firms the Arizona State Historic Preservation Office recommended. One Statement of Qualifications (SOQ) was received. The SOQ was reviewed by City staff and the scope and fee were negotiated with the consultant.

Mr. Kopp said staff recommended awarding the Professional Services Contract to Motley Design Group, LLC for the Reidhead House Historical Architectural Services City of Show Low Project number FM-5823 in an amount not to exceed \$54,410.00.

COUNCILMAN JUDD MOVED TO AWARD THE PROFESSIONAL SERVICES CONTRACT TO MOTLEY DESIGN GROUP, LLC FOR THE REIDHEAD HOUSE HISTORICAL ARCHITECTURAL SERVICES, CITY OF SHOW LOW PROJECT NUMBER FM-5823 IN AN AMOUNT NOT TO EXCEED \$54,410.00; SECONDED BY COUNCILMAN CLARK; PASSED 7 TO 0 WITH MAYOR LEECH AND VICE MAYOR KAKAVAS, COUNCIL MEMBERS ADAMS, ALLSOP, CLARK, JUDD, AND HATCH VOTING IN FAVOR.

E. PUBLIC HEARING- Request of Property Owner to Annex Property Near Show Low Lake into the City of Show Low, Arizona - #P-1523. (Anna Atencio)

Ms. Atencio said Cory Frampton, on behalf of Show Low Lake, LLC, approached the City requesting annexation of a portion of A.P. Nos 212-11-002 and 212-11-003A into the City of Show Low for the construction of a road in the proposed development of Lakeshore Village. Show Low Lake, LLC owned the said portions of the parcels. The proposed annexation consisted of approximately .37 of an acre. The proposed property met the statutory criteria for annexation. The proposed property for annexation was contiguous on two sides with the corporate limits of the City of Show Low for at least three hundred feet.

Ms. Atencio said that at the July 18, 2023 regular Council meeting, staff was directed to file a blank annexation petition with the County Recorder for the proposed annexation property. The blank petition was filed on July 19, 2023. After filing the blank annexation petition, there was a 30-day waiting period before signatures could be obtained on the annexation petition. In the last ten days of the 30-day period, a public hearing regarding the annexation was to be held. As required by state statutes, notice of this public hearing was published in the newspaper, notices were sent to the real and personal property owners, as well as the Board of Supervisors and County Assessor. After the public hearing and the 30-day waiting period expired, signatures could be obtained on the petition and filed with the County. An ordinance would then be presented to the Council for consideration.

Mayor Leech opened the matter for a public hearing.

Renee Stevens, 5838 Show Low Lake Road, and Barbara Stone, 5275 Show Low Lake Road, expressed their concerns regarding never receiving any notice about the proposed development and the impact on their quality of life. They would like more information about the project.

Mayor Leech said City staff would contact them and provide more information.

There being no further input, Mayor Leech closed the public hearing.

9. **SUMMARY OF CURRENT EVENTS:**

A. Council Members

Councilman Adams said he was excited that the City was moving forward with the Reidhead House renovations.

Councilman Judd invited everyone to come out and support Cougar football.

Councilman Allsop thanked City staff for keeping the Council members up to date on the status of the area fires. He also wanted to let the community know that, regardless of what they were being told at the Verizon store, the City of Show Low had never denied a permit for a cell tower to Verizon Wireless or any other cellular service provider.

B. Mayor

Mayor Leech said that the Stage 1 fire restrictions had been lifted but asked that everyone be cautious. He also reminded everyone that school was back in session and asked everyone to be careful when driving.

C. City Manager

Mr. Brown said that on August 26, Navajo County and the City were sponsoring a free, region-wide residential electronic waste and used tires collection event at the Navajo County Penrod Facility, 251 North Penrod Road, in Show Low. Citizens could drop off unwanted computer equipment and accessories, small appliances, electronic equipment, and used tires without rims for free. The one exception was CRT-style televisions and computer monitors. Only one of either item could be dropped off for free. Waste from commercial businesses would not be accepted at the event.

Mr. Brown said construction had begun on the sunken manhole project, which included repairs to 14 manholes. This project should be completed by next week. The East Hall and 11th Street Bridge replacement project was near completion, and the road was back open. Construction was scheduled to begin on the Fools Hollow Waterline replacement project on September 21. The American with Disabilities concrete improvements at Show Low Lake were scheduled to begin this week, and paving was scheduled for the East Owens

Road extension. As always, the City appreciated everyone's patience as improvements were being made.

Mr. Brown congratulated Rachael Hall for achieving her Master Municipal Clerk Certification.

10. **SCHEDULE OF MEETINGS:**

Scheduling of meetings, which may be brought up at this time.

Mr. Brown said the Council Retreat would be held on October 25.

COUNCILMAN HATCH MOVED TO RECESS INTO EXECUTIVE SESSION TO DISCUSS THE DEVELOPMENT AGREEMENT WITH SHOW LOW LAKE, LLC, THE AGREEMENT WITH WBI COMPANIES, AND REVIEW THE EXECUTIVE SESSION MINUTES OF MARCH 7, 2023 AND MARCH 21, 2023; SECONDED BY COUNCILMAN JUDD; PASSED 7 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, AND COUNCIL MEMBERS ADAMS, ALLSOP, CLARK, HATCH AND JUDD VOTING IN FAVOR.

The Show Low City Council recessed into Executive Session at 7:54 p.m.

11. **EXECUTIVE SESSION:**

A. Confidentiality Statement.

B. Discussion or consultation for legal advice with the attorney or attorneys of the public body or with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale, or lease of real property pursuant to A.R.S. Sections 38-431.03(A)(3) and 38-431.03(A)(7).

(1) Development Agreement with Show Low Lake, LLC.

(2) Agreement with WBI Companies.

C. Discussion or consideration of records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law. Pursuant to A.R.S. Section 38-431.03(A)(2).

(1) Executive Session Minutes of March 7, 2023.

(2) Executive Session Minutes of March 21, 2023.

12. **POST EXECUTIVE SESSION:**

A. Consideration of Approval of the Minutes of the Executive Sessions of the Show Low City Council Held on

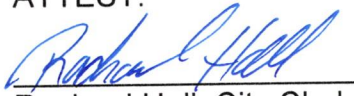
The Show Low City Council reconvened to Open Session at 8:29 p.m.

COUNCILMAN ADAMS MOVED TO APPROVE THE MINUTES OF THE EXECUTIVE SESSIONS OF THE SHOW LOW CITY COUNCIL HELD ON MARCH 7, 2023 AND MARCH 21, 2023; SECONDED BY MAYOR LEECH; PASSED 7 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, AND COUNCIL MEMBERS ADAMS, ALLSOP, CLARK, JUDD, AND HATCH VOTING IN FAVOR.

13. ADJOURNMENT:

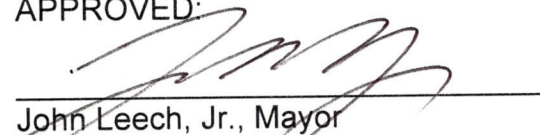
There being no further business to be brought before the Council, **MAYOR LEECH ADJOURNED THE REGULAR MEETING OF THE SHOW LOW CITY COUNCIL OF AUGUST 15, 2023, AT 8:30 P.M.**

ATTEST:



Rachael Hall, City Clerk

APPROVED:



John Leech, Jr., Mayor

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the City Council of Show Low held on August 15, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 5th day of September, 2023.



Rachael Hall, City Clerk

