

MINUTES OF THE REGULAR MEETING OF THE SHOW LOW CITY COUNCIL HELD ON TUESDAY, SEPTEMBER 3, 2024, 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 Adams, Councilman Judd, and Councilman Whipple.

COUNCIL MEMBERS ABSENT: Councilman Clark and Councilman Hatch.

STAFF MEMBERS PRESENT: F. Morgan Brown, City Manager; Anna Atencio, City Attorney; Justin Johnson, Deputy City Manager; Jeff McNeil, Police Commander; Bill Kopp, Public Works Director; Shane Hemesath, City Engineer; and Rachael Hall, City Clerk.

GUESTS: Brian Shintaku, Mina Henning, and others.

3. Invocation.

Councilman Adams 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.

Brian Shintaku, 1440 North 40th Drive, discussed issues regarding drainage and flooding at his property. Mr. Brown said staff was aware of the issue.

6. **CONSENT CALENDAR:**

A. Proclamation by the Mayor Proclaiming September 2024 as **NATIONAL PREPAREDNESS MONTH** in the City of Show Low (Rachael Hall)

- B. Proclamation by the Mayor Proclaiming September 11, 2024 as **NATIONAL 9/11 PATRIOT DAY, A DAY OF SERVICE AND REMEMBRANCE** in the City of Show Low (Rachael Hall)
- C. Proclamation by the Mayor Proclaiming September 11-14, 2024 as **NAVAJO COUNTY FAIR WEEK** in the City of Show Low (Rachael Hall)
- D. Consideration of Appointment of Director to Show Low Industrial Development Authority (Morgan Brown)
- E. Consideration of Acceptance of 12-Inch Slipline Installation, City of Show Low Project No. FM-6824 (Bill Kopp)
- F. Consideration of Acceptance of Construction of City Campus Restroom, City of Show Low Project No. FM-6224 (Bill Kopp)
- G. Consideration of Minutes of Show Low City Council meetings:
 - 1. Regular Meeting of August 20, 2024

COUNCILMAN ADAMS MOVED TO APPROVE THE CONSENT CALENDAR AS PRESENTED; SECONDED BY VICE MAYOR KAKAVAS; PASSED 5 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, COUNCILMAN ADAMS, COUNCILMAN JUDD, AND COUNCILMAN WHIPPLE VOTING IN FAVOR.

Ms. Hall read the Navajo County Fair Week Proclamation aloud.

7. **NEW BUSINESS:**

- A. Consideration of Award of Construction Contract for Cemetery Expansion 2024, City of Show Low Project No. FM-1325 (Shane Hemesath)

Mr. Hemesath said the City's fiscal year 2024 Capital Improvements Plan budget included \$100,000.00 for an improvement project labeled "Cemetery Expansion." The scope of work included clearing approximately 0.70 acres of property in the City's Cemetery, installation of an irrigation system, placement of topsoil and the installation of approximately 32,000 square feet of grass sod. The sod was purchased in a separate transaction directly by the City at a cost of \$26,863.20 to save costs on the project.

Mr. Hemesath said the City's engineering staff designed the project with a construction estimate of \$48,000.00. The project was publicly bid according to statutory requirements with the following results:

<u>Contractor</u>	<u>Total Bid</u>
Tim's Landscape Creations LLC	\$48,166.46
It's Magic Inc.	\$59,561.25

Mr. Hemesath said staff recommended awarding the construction contract for

the Cemetery Expansion 2024, City of Show Low Project Number FM-1325 to Tim's Landscape Creations LLC in an amount not to exceed \$48,166.46.

COUNCILMAN ADAMS MOVED TO AWARD THE CONSTRUCTION CONTRACT FOR THE CEMETERY EXPANSION 2024, CITY OF SHOW LOW PROJECT NUMBER FM-1325 TO TIM'S LANDSCAPE CREATIONS LLC IN AN AMOUNT NOT TO EXCEED \$48,166.46; SECONDED BY COUNCILMAN WHIPPLE; PASSED 5 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, COUNCILMAN ADAMS, COUNCILMAN JUDD, AND COUNCILMAN WHIPPLE VOTING IN FAVOR.

- B. Consideration of Award of Construction Contract for East Mills Parking Lot Landscaping Project, City of Show Low Project No. FM-1225 and Authorization of Associated Budget Transfers (Shane Hemesath)

Mr. Hemesath said the City's fiscal year 2024 Capital Improvements Plan budget included \$25,000.00 for an improvement project labeled "Landscaping for Mills Parking." The scope of work included clearing approximately 0.25 acres of property at the parking lot located at East Mills and East Owens, installation of an irrigation system, placement of decorative rock, installation of small bushes and 13 trees, placement of topsoil and the installation of approximately 3,000 square feet of grass sod. The landscape design was intended to match the recently placed landscaping for the City Campus along East McNeil.

Mr. Hemesath said the City's engineering staff designed the project with a construction estimate of \$47,000.00. The project was publicly bid according to statutory requirements with the following results:

<u>Contractor</u>	<u>Total Bid</u>
Tim's Landscape Creations LLC	\$42,188.36
It's Magic Inc.	\$57,520.00

Mr. Hemesath said project savings from the construction phase of the parking lot would be used to cover the overage above the budgeted funding.

Mr. Hemesath said staff recommended awarding the construction contract for the East Mills Parking Lot Landscaping, City of Show Low Project Number FM-1225 to Tim's Landscape Creations LLC in an amount not to exceed \$42,188.36 and authorizing the associated budget transfers.

VICE MAYOR KAKAVAS MOVED TO AWARD THE CONSTRUCTION CONTRACT FOR THE EAST MILLS PARKING LOT LANDSCAPING, CITY OF SHOW LOW PROJECT NUMBER FM-1225 TO TIM'S LANDSCAPE CREATIONS LLC IN AN AMOUNT NOT TO EXCEED \$42,188.36 AND AUTHORIZE THE ASSOCIATED BUDGET TRANSFERS; SECONDED BY COUNCILMAN JUDD; PASSED 5 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, COUNCILMAN ADAMS, COUNCILMAN JUDD, AND COUNCILMAN WHIPPLE VOTING IN FAVOR.

C. Consideration of Award of Construction Contract for Old Linden Road Reconstruction, City of Show Low Project Number R-0825 and Authorization of Associated Budget Transfers (Shane Hemesath)

Mr. Hemesath said the City's fiscal year 2024 Capital Improvements Plan budget included \$443,000.00 for a roadway improvement project labeled "Old Linden Road from DOC to Central." The scope of work included the reconstruction of 2,800 linear feet of roadway, including portions of Old Linden Road between North Central Avenue and the Deuce of Clubs. The intersection of Old Linden Roadway and Central Avenue would also be reconstructed. The work included the removal of approximately 8,700 square yards of existing asphalt roadway, subgrade preparation and compaction, reshaping the roadway grade, installing new four-inch asphalt pavement overlay, re-establishing roadway markings, and adjusting water valves and manholes.

Mr. Hemesath said the City's engineering staff designed the project with a construction estimate of \$525,000.00. The project was publicly bid according to statutory requirements with the following results:

<u>Contractor</u>	<u>Total Bid</u>
W.W. Clyde and Co.	\$518,505.00
Western Grade LLC	\$595,623.35
Sundland Asphalt and Construction	\$652,701.00
Surface Contracting Inc.	\$668,090.00
Gunner Contracting LLC	\$717,029.00
Perkins Cinders Inc.	\$830,511.54

Mr. Hemesath said project savings from the Streets Improvement Budget would be utilized to make up the difference between the budgeted amount and the low bid.

Mr. Hemesath said staff recommended awarding the construction contract for the Old Linden Road Reconstruction, City of Show Low Project No. R-0825, to W. W. Clyde and Co. in an amount not to exceed \$518,505.00 and authorizing the associated budget transfers.

Mr. Hemesath said W.W. Clyde and Co. had just acquired Hatch Construction.

Mayor Leech asked if the project would be completed by the end of the year. Mr. Hemesath said yes, staff would like the project to be completed by the end of the year and would express that to the contractor.

COUNCILMAN JUDD MOVED TO AWARD THE CONSTRUCTION CONTRACT FOR THE OLD LINDEN ROAD RECONSTRUCTION, CITY OF SHOW LOW PROJECT NO. R-0825 TO W. W. CLYDE AND CO. IN AN AMOUNT NOT TO EXCEED \$518,505.00 AND AUTHORIZE THE

ASSOCIATED BUDGET TRANSFERS; SECONDED BY COUNCILMAN ADAMS; PASSED 5 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, COUNCILMAN ADAMS, COUNCILMAN JUDD, AND COUNCILMAN WHIPPLE VOTING IN FAVOR.

- D. Consideration of Award of Construction Contract for Savage Sewer Replacement Phase 1, City of Show Low Project No. S-2624 (Shane Hemesath)

Mr. Hemesath said the City's fiscal year 2024 Capital Improvements Plan budget included \$1,500,000.00 for a sewer improvement project labeled "Savage Sewer Replacement Phase 1." The scope of work included the removal of an existing sewer main and the installation of approximately 2,500 linear feet of new 18-inch SDR-35 PVC sewer main. The project also included the installation of nine polymer sewer manholes, sewer services, and the replacement of asphalt and concrete removed to perform the work.

Mr. Hemesath said Ironside Engineering designed the project with a construction estimate of \$1,050,000.00. The project was publicly bid according to statutory requirements with the following results:

<u>Contractor</u>	<u>Total Bid</u>
Apache Underground & Excavating LLC	\$ 924,036.00
Central Arizona Civil Construction Co.	\$ 999,575.00
Western Grade LLC	\$1,230,612.00
Ted Walker Construction LLC	\$1,660,865.00

Mr. Hemesath said this project was partially funded by a Congressional Direct Spending grant obtained by the City. The grant award was for up to \$800,000.00, requiring a 20% match. Due to a low bid of approximately \$925,000.00, the City's required match was \$185,000.00, only utilizing \$740,000.00 of the grant award. With the Federal Project Manager's approval, the City may expand the scope of work during construction to expend the remaining grant award funding estimated at \$60,000.00, requiring a City match of \$12,000.00. That scope would be awarded as a change order.

Mr. Hemesath said staff recommended awarding the construction contract for the Sewer Replacement Phase 1, City of Show Low Project No. S-2624, to Apache Underground & Excavating LLC. in an amount not to exceed \$924,036.00.

Councilman Adams asked how old the sewer lines were. Mr. Hemesath said the sewer lines were over 40 years old.

COUNCILMAN WHIPPLE MOVED TO AWARD THE CONSTRUCTION CONTRACT FOR THE SAVAGE SEWER REPLACEMENT PHASE 1, CITY OF SHOW LOW PROJECT NO. S-2624, TO APACHE UNDERGROUND &

EXCAVATING LLC. IN AN AMOUNT NOT TO EXCEED \$924,036.00; SECONDED BY COUNCILMAN ADAMS; PASSED 5 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, COUNCILMAN ADAMS, COUNCILMAN JUDD, AND COUNCILMAN WHIPPLE VOTING IN FAVOR.

- E. Consideration of Award of Contract for City Landscape Maintenance, City of Show Low Project No. FM-1825 (Bill Kopp)

Mr. Kopp said the City employed a contractor to provide maintenance of lawns and landscaping at 21 city facilities. The current contract was due to expire at the end of September 2024. The previous contract began in 2020 with a term of two years with two one-year extensions. The new contract term would be for three years with two one-year extensions. The contract also had provisions for cost increases based on the published Construction Cost Index.

Mr. Kopp said the project was publicly bid according to statutory requirements and a single bid was received.

<u>Contractor</u>	<u>Total Bid</u>
Tim's Landscape Creations, LLC	\$73,161.00

Mr. Kopp said staff felt that the bid amount was a fair price from a local and reputable contractor. In fiscal year 2024, the charges for these services were just under \$75,000.00 and additional areas were also added to this year's bid.

Mr. Kopp said staff recommended awarding the contract for City Landscape Maintenance, City of Show Low Project No. FM-1825, to Tim's Landscape Creations, LLC, in an amount not to exceed \$73,161.00 for year one with Construction Cost Index adjustments in subsequent years.

VICE MAYOR KAKAVAS MOVED TO AWARD THE CONTRACT FOR CITY LANDSCAPE MAINTENANCE, CITY OF SHOW LOW PROJECT NO. FM-1825, TO TIM'S LANDSCAPE CREATIONS, LLC IN AN AMOUNT NOT TO EXCEED \$73,161.00 FOR YEAR ONE WITH CONSTRUCTION COST INDEX ADJUSTMENTS IN SUBSEQUENT YEARS; SECONDED BY MAYOR LEECH; PASSED 5 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, COUNCILMAN ADAMS, COUNCILMAN JUDD, AND COUNCILMAN WHIPPLE VOTING IN FAVOR.

- F. Consideration of Award of Contract for City Campus Training Building Remodel Design Build, City of Show Low Project FM-0425 (Bill Kopp)

Mr. Kopp said the City of Show Low solicited Statements of Qualifications from qualified parties for the design and renovation of an existing city building to house the City's recreation department; City Campus Training Building Remodel Design Build, City of Show Low Project FM-0425. The project scope included design and renovations for a building of approximately 9,050 square feet. The selection process for the design-build team followed A.R.S. Title 34 requirements.

Mr. Kopp said the existing building had a new roof and windows. All the plumbing and electrical would be replaced as part of the project. The building would have offices, cubicles, a break room, restrooms, classrooms, a public foyer, a file storage / copier room and other spaces identified during the programming process. Pre-Construction services would include Schematic Design, Design Development and Construction Documents based on the preliminary floor plan provided in the Request for Qualifications. The plan set would be completed with all required building elements included.

Mr. Kopp said this was a qualifications-based selection. A Guaranteed Maximum Price (GMP) would be established in the pre-construction phase of the project and a second contract for construction would be presented to the City Council for approval upon completion of the Pre-Construction phase.

Mr. Kopp said staff advertised a Request for Qualifications for the project. A single Statement of Qualifications was received from LD&B, LLC. This contractor had completed multiple projects for the City.

Mr. Kopp said staff recommended awarding the Pre-Construction Contract for City Campus Training Building Remodel Design Build, City of Show Low Project FM-0425 in an amount not to exceed \$75,725.00.

VICE MAYOR KAKAVAS MOVED TO AWARD THE PRE-CONSTRUCTION CONTRACT FOR THE CITY CAMPUS TRAINING BUILDING REMODEL DESIGN BUILD, CITY OF SHOW LOW PROJECT FM-0425, TO LD&B, LLC IN AN AMOUNT NOT TO EXCEED \$75,725.00; SECONDED BY COUNCILMAN ADAMS; PASSED 5 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, COUNCILMAN ADAMS, COUNCILMAN JUDD, AND COUNCILMAN WHIPPLE VOTING IN FAVOR.

8. SUMMARY OF CURRENT EVENTS:

A. Council Members

None.

B. Mayor

Mayor Leech said Council members attended the League of Arizona Cities and Towns last week.

C. City Manager

Mr. Brown said the City would host a shred-a-thon event for residents on October 12, at the City Hall parking lot. This shredding event would be a way for residents to discard and shred confidential paperwork they no longer want. Participants were limited to five boxes. Residents could simply drive through the City Hall south parking lot, where event volunteers would take the papers

to be shredded from the trunk of the participants' vehicle and place them into the shredder container.

Mr. Brown said the City was busy with public works projects. Senior Field was under construction and Owens and 30th Avenue would be paved this week. Work was continuing on the Cooley roadway improvements. The Woolford Reconstruction project was scheduled to start September 23. Staff was working on notices for closures to notify residents. He thanked the citizens for their patience as improvements were made around the City.

9. **SCHEDULE OF MEETINGS:**

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

None.

VICE MAYOR KAKAVAS MOVED TO RECESS INTO EXECUTIVE SESSION FOR DISCUSSION WITH THE CITY ATTORNEY REGARDING A.P. NO. 210-14-058 AND REVIEW THE EXECUTIVE SESSION MINUTES OF MARCH 5, 2024, MARCH 19, 2024, APRIL 2, 2024, APRIL 16, 2024, MAY 21, 2024, JUNE 4, 2024, AND JUNE 18, 2024; SECONDED BY COUNCILMAN ADAMS PASSED 5 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, COUNCILMAN ADAMS, COUNCILMAN JUDD, AND COUNCILMAN WHIPPLE VOTING IN FAVOR.

The Show Low City Council recessed into Executive Session at 7:31 p.m.

10. **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) A.P. No. 210-14-058

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 5, 2024
- (2) Executive Session Minutes of March 19, 2024
- (3) Executive Session Minutes of April 2, 2024
- (4) Executive Session Minutes of April 16, 2024
- (5) Executive Session Minutes of May 21, 2024

- (6) Executive Session Minutes of June 4, 2024
- (7) Executive Session Minutes of June 18, 2024

11. POST EXECUTIVE SESSION:

- A. Consideration of any item on the Executive Session portion of this agenda, which the Council may wish to take action upon in Open Session.
 - 1. Consideration of Approval of the Minutes of the Executive Session of the Show Low City Council Held on March 5, 2024, March 19, 2024, April 2, 2024, April 16, 2024, May 21, 2024, June 4, 2024, and June 18, 2024.

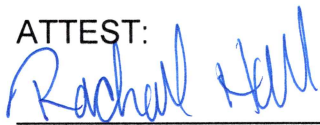
The Show Low City Council reconvened to Open Session at 7:49 p.m.

COUNCILMAN JUDD MOVED TO APPROVE THE MINUTES OF THE EXECUTIVE SESSIONS OF THE SHOW LOW CITY COUNCIL HELD ON MARCH 5, 2024, MARCH 19, 2024, APRIL 2, 2024, APRIL 16, 2024, MAY 21, 2024, JUNE 4, 2024, AND JUNE 18, 2024; SECONDED BY COUNCILMAN ADAMS; PASSED 5 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS AND COUNCILMAN ADAMS, COUNCILMAN JUDD, AND COUNCILMAN WHIPPLE VOTING IN FAVOR.

12. 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 SEPTEMBER 3, 2024, AT 7:49 P.M.**

ATTEST:



Rachael Hall, City Clerk

APPROVED:

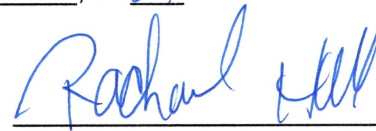


John Leech, Jr., Mayor

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 September 3, 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 17 day of September, 2024.



Rachael Hall, City Clerk