

**MINUTES OF THE REGULAR MEETING OF THE SHOW LOW CITY COUNCIL
HELD ON TUESDAY, OCTOBER 1, 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 Clark, Councilman Hatch, Councilman Judd, and Councilman Whipple.

COUNCIL MEMBERS ABSENT: None.

STAFF MEMBERS PRESENT: F. Morgan Brown, City Manager; Anna Atencio, City Attorney; Justin Johnson, Deputy City Manager; Brad Provost, Police Chief; Justen Tregaskes, Planning and Zoning Director; Bill Kopp, Public Works Director; Rick Austin, Public Works Operation Manager; and Rachael Hall, City Clerk.

GUESTS: Gary Martinson, Sunshine Brewer, Cathy Huling, Laura Singleton, Cassie Bryant, Curt Fernau, Greg Hope, Rick Goodman, Doug Roberts, and others.

3. Invocation.

Councilman Adams gave the invocation.

4. Pledge of Allegiance.

Vice Mayor Kakavas 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.

Doug Roberts, 1440 North 36th Drive, thanked the Council and City for the support during the Run to the Pines Car Show.

Greg Hope, 540 South Mountain Pines Avenue, spoke about illegal aliens being housed in hotels/motels in Show Low.

Curt Fernau, 621 South Mountain Pines Avenue, thanked the Council for approving the new airline carrier and commended the City's work on the Little League field.

6. **SPECIAL EVENTS:**

A. Presentation by Show Low Chamber of Commerce

Sunshine Brewer, Executive Director of the Show Low Chamber of Commerce, said the Tourist Information Center had 2,127 visitors from January through August this year. She said with the help of the new website and social media, the digital visitor counts were up this year. The Chamber had 316 members, which was a 210% increase from November 2022 with the hiring of an executive director.

Ms. Brewer reviewed Chamber events which included no-cost business classes, Show Low Days, monthly business luncheons, annual membership Gala, monthly ribbon cuttings and mixers, monthly business incubator roundtables and job fairs, Trick or Treat, and others. She thanked the Council for their continued support.

Mayor Leech thanked the Chamber for their work and events they had for the community.

7. **CONSENT CALENDAR:**

- A. Consideration of Acceptance of Show Low Bluff Well #17 Waterline Improvements, City of Show Low Project No. R-2723 (Shane Hemesath)
- B. Consideration of Resolution No. R2024-30 Approving an Intergovernmental Agreement with Town of Pinetop-Lakeside for Road Maintenance of Portion of Penrod Road (Anna Atencio)
- C. Consideration of Approval of Declaration of Surplus Property for October 2024 Auction (Rick Austin)
- D. Consideration of Acceptance of Grant Funds from Economic Development Administration for Business Incubator Project and Authorization of Associated Budget Transfers (Steve North)

- E. Consideration of Approval of Amended Final Plat for The Hollows Subdivision (Justen Tregaskes)
- F. Consideration of Acceptance of Show Low Lake Spillway Campground Utility Improvements, City of Show Low Project No. FM-7124 (Shane Hemesath)
- G. Consideration of Minutes of Show Low City Council meetings:
 - 1. Regular Meeting of September 17, 2024

VICE MAYOR KAKAVAS MOVED TO APPROVE THE CONSENT CALENDAR AS PRESENTED; SECONDED BY COUNCILMAN ADAMS; PASSED 7 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, COUNCILMAN ADAMS, COUNCILMAN CLARK, COUNCILMAN HATCH, COUNCILMAN JUDD, AND COUNCILMAN WHIPPLE VOTING IN FAVOR.

8. NEW BUSINESS:

- A. Consideration of Award of Contract for Christmas Lighting and Decorations, City of Show Low Project No. FM-1925 (Rick Austin)

Mr. Austin said the City's budget included funding for Christmas lighting and decorations at City facilities. This work included design, installation, maintenance, removal, packaging, storage and transport of seasonal lighting decorations. The decorations would be installed in six public locations: City Hall, Library, Public Safety Building, Reidhead House, City Park and Festival Marketplace.

Mr. Austin said this was the second time that the City had contracted for this service. The last five-year contract had expired. The last contract was for decorating at four locations. The new contract also included the Reidhead House and City Park.

Mr. Austin said a request for proposals was published per statutory requirements and two proposals were received. Staff reviewed the proposals for compliance with the selection criteria and determined that HLC Productions met the requirements and also provided the lowest price.

<u>Contractor</u>	<u>Total Bid</u>
HLC Productions dba	\$38,670.00
Holiday Lighting Company AZ, Inc.	
M & M Holiday Lighting Pro's	\$72,297.08

Mr. Austin said staff recommended awarding the contract for Christmas

lighting and decorations to HLC Productions in an amount not to exceed \$38,670.00 per year for a term of three years and authorizing staff to approve up to two one-year renewals after the original term.

Councilman Clark said he would like the City to partner with other entities or businesses to make the City Park a larger display of Christmas lights for citizens and visitors to enjoy during the holiday season.

Mr. Brown said Aaron Leach would be decorating a section at the City Park as he has done in the past. He said staff could look at adding more to the City Park with the budget that was approved for holiday lighting.

COUNCILMAN CLARK MOVED TO AWARD THE CONTRACT FOR CHRISTMAS LIGHTING AND DECORATIONS, CITY OF SHOW LOW PROJECT NO. FM-1925, TO HLC PRODUCTIONS DBA HOLIDAY LIGHTING COMPANY AZ, INC. FOR AN AMOUNT NOT TO EXCEED \$38,670.00 PER YEAR FOR THE FIRST THREE YEARS AND AUTHORIZE STAFF TO APPROVE UP TO TWO ONE-YEAR RENEWALS; SECONDED BY COUNCILMAN HATCH; PASSED 7 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, COUNCILMAN ADAMS, COUNCILMAN CLARK, COUNCILMAN HATCH, COUNCILMAN JUDD, AND COUNCILMAN WHIPPLE VOTING IN FAVOR.

- B. Consideration of Acceptance of Grant Agreement Between the U.S. Department of Transportation and the City of Show Low, Arizona, Under the Alternate Essential Air Service Program (Bill Kopp)

Mr. Kopp said on June 18, 2024, the City Council voted to approve the application to the United States Department of Transportation (DOT) requesting Alternate Essential Air Service (AEAS) through Contour Airlines.

Mr. Kopp said on August 22, 2024, staff was notified of DOT Order 2024-8-17, approving the application submitted by the City of Show Low, Arizona, for the Show Low Regional Airport. The order issued by DOT stated that the City of Show Low was eligible to receive grant funding for the requested air service outlined in the AEAS application, beginning October 1, 2024.

Mr. Kopp said on September 17, 2024, Council approved the Agreement for Air Services with Corporate Flight Management, Inc. DBA Contour Airlines, and authorized associated budget transfers.

Mr. Kopp said on September 24, 2024, staff received the grant agreement from DOT. The grant awarded to the City of Show Low \$24,312,381 to be used for AEAS for a 48-month term, payable in an amount not to exceed \$5,640,760 for the first year, \$5,922,798 for the second year, \$6,218,938 for the third year, and \$6,529,885 for the fourth year. This Grant Agreement

would be effective as of October 1, 2024.

Mr. Kopp said staff recommended approving the grant agreement between the U.S. Department of Transportation and the City of Show Low, Arizona, under the Alternate Essential Air Service Program.

Vice Mayor Kakavas said she had the privilege of flying Contour Airlines today and said it was a professional and an engaging flight.

VICE MAYOR KAKAVAS MOVED TO APPROVE THE GRANT AGREEMENT BETWEEN THE U.S. DEPARTMENT OF TRANSPORTATION AND THE CITY OF SHOW LOW, ARIZONA, UNDER THE ALTERNATE ESSENTIAL AIR SERVICE PROGRAM; SECONDED BY COUNCILMAN CLARK; PASSED 7 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, COUNCILMAN ADAMS, COUNCILMAN CLARK, COUNCILMAN HATCH, COUNCILMAN JUDD, AND COUNCILMAN WHIPPLE VOTING IN FAVOR.

- C. Consideration of Ordinance No. 2024-09 Amending Title 5 Chapter 5.05 of the Show Low City Code by adding Section 5.05.150 "Backyard Fowl Regulation" and Adopting Resolution No. R2024-28 Declaring as Public Record that Document Titled "Revisions to Chapter 5.05, Definitions and General Regulations, of the Show Low City Code" (Anna Atencio)

Ms. Atencio said the 2024 Arizona Legislative Session passed House Bill 2325 restricting municipalities' ability to regulate backyard fowl by a resident of a single-family detached residence on a lot that was one-half acres or less in size; however, the bill did allow for municipalities to impose some restrictions on fowl ownership. Amending Chapter 5.05 of the Show Low City Code, adding 5.05.150, Backyard Fowl Regulation, was consistent with the State of Arizona's new requirements.

Ms. Atencio said the new Section 5.05.150 would set requirements for fowl ownership by a resident of a single-family detached residence on a lot that was one-half acres or less in size, including precluding male fowl (roosters) within city limits; required enclosures for the fowl to be located in the rear or side yard of a residence, enclosures would be required to be at least twenty feet from a neighboring property; enclosure size restrictions; maintenance of waste, food and water sources; and prohibiting fowl from roaming at large.

Ms. Atencio said Section 5.10.010 of the City Code as currently written would continue to apply to the ownership, maintenance and care of fowl on property greater than one-half acre.

Ms. Atencio said to conform with the State's requirements for backyard fowl on single-family detached residences on lot sizes one-half acre or less, staff

recommended adopting Ordinance No. 2024-09 and adopting Resolution No. R2024-28.

Councilman Clark invited community members to reach out to state representatives to allow local jurisdictions regulate items such as this on a local level and not have them mandated by the state.

By unanimous consent, Ms. Hall read Ordinance No. 2024-09 by title only, as all Council Members had a copy.

COUNCILMAN CLARK MOVED TO ADOPT ORDINANCE NO. 2024-09, AMENDING CHAPTER 5.05 OF THE SHOW LOW CITY CODE, BY ADDING SECTION 5.05.150, BACKYARD FOWL REGULATION, AND ADOPTING RESOLUTION NO. R2024-28 DECLARING AS A PUBLIC RECORD THAT DOCUMENT TITLED "REVISIONS TO CHAPTER 5.05, DEFINITIONS AND GENERAL REGULATIONS, OF THE SHOW LOW CITY CODE"; SECONDED BY COUNCILMAN ADAMS; PASSED 7 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, COUNCILMAN ADAMS, COUNCILMAN CLARK, COUNCILMAN HATCH, COUNCILMAN JUDD, AND COUNCILMAN WHIPPLE VOTING IN FAVOR.

- D. Consideration of Resolution No. R2024-29 Repealing Resolution No. R2007-25 and Adopting New Compensation Rates for Elected Officials (Morgan Brown)

Mr. Brown said during budget discussions, the City Council and staff discussed compensation rates for Show Low's elected officials. The City Council's current compensation structure had remained unchanged for 17 years. Given the increasing demands of public service, alongside the rising cost of living, staff felt a review of the council members' compensation was warranted. A review of comparable Arizona municipalities indicated that Show Low's council current compensation was below average.

Mr. Brown said per direction given at several budget discussions, staff drafted a resolution increasing monthly compensation rates. Due to state provisions, noted below, the increases would not go into effect until December 2024, at the earliest, and December 2026, at the latest:

Article IV, Part 2, Section 17 of the Arizona Constitution states in part that "...nor shall the compensation of any public officer, other than a justice of the peace, be increased or diminished during his term of office." Arizona Revised Statutes §9-304 provides that "No mayor, alderman or councilman of any city or town shall during the term for which he has been elected, knowingly accept any money or other thing of value other than that which is provided to be paid him for his services as such."

Mr. Brown said an increase in City Council compensation was a necessary

step to ensure the sustainability and effectiveness of local governance. It aligned with the city's commitment to public service and reflected the value of the council members' contributions to the community. This increase had been accounted for in the FY25 budget and would total approximately \$4,825 this year. Resolution No. R2024-29 followed the exact procedure used when Resolution No. R2007-25 repealed the previous resolution and adopted new compensation rates for the Council.

Mr. Brown reviewed the new rates being considered.

COUNCILMAN JUDD MOVED TO ADOPT RESOLUTION NO. R2024-29 REPEALING RESOLUTION NO. R2007-25 AND ADOPTING NEW COMPENSATION RATES FOR ELECTED OFFICIALS; SECONDED BY COUNCILMAN WHIPPLE; PASSED 7 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, COUNCILMAN ADAMS, COUNCILMAN CLARK, COUNCILMAN HATCH, COUNCILMAN JUDD, AND COUNCILMAN WHIPPLE VOTING IN FAVOR.

9. **SUMMARY OF CURRENT EVENTS:**

A. Council Members

Councilman Adams thanked City staff for their continued work for the community.

Councilman Clark thanked Doug Roberts, public works department, staff, and the Town and community of Pinetop-Lakeside for their work and support of shared community events such as the Run to the Pines Car Show.

B. Mayor

Mayor Leech recognized and congratulated Angelina Halwood from Accent Care on her award she received for integrity. He said the award was a nationwide company award that Ms. Halwood won. Accent Care is a personal care service with over 16,000 employees.

C. City Manager

Mr. Brown said the recreation department was hosting a free Halloween Drive Up movie night on October 12 at Frontier Park. Gates would open at 6:00 p.m. The featured film would be The Addams Family. He said the Scarecrow Walk would begin in a few weeks and encouraged citizens to walk the Meadow to see all the Scarecrows.

Mr. Brown said in public works projects, the city's contractor began work on the Old Linden Road paving project and the Woolford Road paving project.

We thank our citizens for their patience as these important projects are completed.

10. **SCHEDULE OF MEETINGS:**

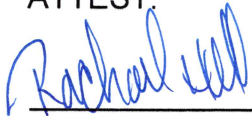
Scheduling of meetings, which may be brought up at this time.

Mr. Brown said there would be a ribbon cutting event on October 7 for the new Pickleball courts at the City Campus.

11. **ADJOURNMENT:**

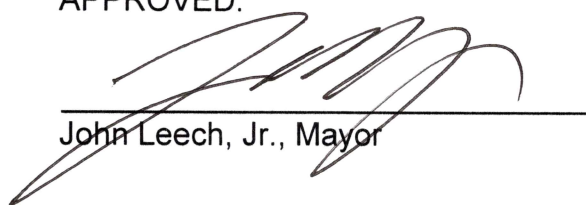
There being no further business to be brought before the Council, **MAYOR LEECH ADJOURNED THE REGULAR MEETING OF THE SHOW LOW CITY COUNCIL OF OCTOBER 1, 2024, AT 7:45 P.M.**

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 October 1, 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 15 day of October, 2024.



Rachael Hall, City Clerk

