

**MINUTES OF THE REGULAR MEETING OF THE SHOW LOW CITY COUNCIL
HELD ON TUESDAY, OCTOBER 15, 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, Councilman Adams, Councilman Clark, Councilman Hatch, Councilman Judd, and Councilman Whipple.

COUNCIL MEMBERS ABSENT: Vice Mayor Kakavas.

STAFF MEMBERS PRESENT: F. Morgan Brown, City Manager; Anna Atencio, City Attorney; Justin Johnson, Deputy City Manager; Brad Provost, Police Chief; 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: Eileen Vasquez Lindstrom, David Ramsey, Laura A. Doty, Stephen Heckathorne, Steve Williams, Doug Roberts, Chad Meir, and others.

3. Invocation.

Councilman Whipple 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.

None.

SPECIAL EVENTS:

A. Presentation of Snow Management Plan (Rick Austin/Ryan Hall)

Mr. Hall presented the 2024-25 snow management plan to the City Council. Many Council members thanked staff for their hard work and management of the snow and storms that the City received during the winter months.

6. **CONSENT CALENDAR:**

- A. Proclamation by the Mayor Proclaiming November 10 through 16, 2024, as **COMMUNITY FAST OF COMPASSION FOR THOSE IN NEED WEEK** in the City of Show Low (Rachael Hall)
- B. Proclamation by the Mayor Proclaiming October 13 through 19, 2024, as **ARIZONA CITIES AND TOWNS WEEK** in the City of Show Low (Rachael Hall)
- C. Consideration of Acceptance of Construction Contract for 2024 Citywide Roadway Improvements, City of Show Low Project No. R-6724 (Shane Hemesath)
- D. Consideration of Acceptance of Construction Contract for Cemetery Expansion 2024, City of Show Low Project No. FM-1325 (Shane Hemesath)
- E. Consideration of Noncommercial Ground Lease with Jonesmont Air LLC and Termination of Lease with Desert Fish Aviation, LLC at Show Low Regional Airport (Jacob Allen)
- F. Consideration of Acceptance of Construction of Reconstruction of Headworks Building, City of Show Low Project No. FM-1324 (Bill Kopp)
- G. Consideration of Minutes of Show Low City Council meetings:
 - 1. Regular Meeting of October 1, 2024

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

Ms. Hall read the Community Fast proclamation aloud, and Mayor Leech presented it to Pastor Stephen Heckathorne.

Pastor Heckathorne thanked the City for their continued participation in the Community Fast. He said in the past 12 years, over \$350,000 had been raised and was given to local charities.

Chairman Williams introduced the members of the Community Fast Committee and said every penny was given to local organizations that were able to identify people needing help over the holidays. Many community members, churches, businesses, and schools participated in the fast. He said one of the highlights that he hoped the Council members and citizens could come to was the community celebration. He thanked the City Council for their support of the Community Fast.

Ms. Hall read the Cities and Towns Week proclamation aloud. A short video clip of the services provided by cities and towns in Arizona was shown.

7. **NEW BUSINESS:**

- A. **PUBLIC HEARING** and Consideration of Application Submitted by Juanita Alicia Esparza and Cody Christine Lawyer for #12, Restaurant, Liquor License on Behalf of Show Low Cafe for its Location at 480 West Deuce of Clubs, Suite B, Show Low, Arizona (Rachael Hall)

Ms. Hall said Juanita Alicia Esparza and Cody Christine Lawyer, representing Show Low Cafe, submitted a liquor application for a #12, Restaurant Liquor License for its location at 480 West Deuce of Clubs, Suite B. As required by state law, the property was posted, and no public input was received.

Ms. Hall said according to City Code, a Conditional Use Permit (CUP) was required for a #12, Restaurant Liquor License, to sell any other spirits beyond beer and wine. Staff reached out to Ms. Esparza and Ms. Lawyer to notify them of this requirement. It was discussed that for the time being, if the liquor license application was approved, Show Low Cafe would only serve beer and wine at its location until they had obtained a CUP through the Show Low Planning and Zoning Commission.

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 would conduct 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. Note that if the City Council chose to recommend denial of the application, the motion had to state the reasons for the denial.

Mayor Leech opened the matter for a public hearing.

Laura A. Doty, HC 30 in Concho, said she was against the approval of this liquor license application. She said this would compete with an already established business in the same building.

Eva Haverland, 480 East Deuce of Clubs, owner of Rocky's Cocktail

Lounge, said her lease agreement had a non-compete clause in her agreement and shared information that she believed a liquor license was not allowed on the same premise. She asked the City Council not to recommend approval of this application.

Ms. Atencio said the City Council was limited to respond and vote within matters in their jurisdiction. She said the non-compete clause in Ms. Haverland's contract was a civil matter and the City Council could not address it. She said the State Liquor Board had jurisdiction regarding the matter of multiple liquor licenses in the same location.

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

Councilman Judd asked if the Show Low Cafe already had a liquor license. Ms. Hall said no, Show Low Cafe was applying for a new liquor license.

Mayor Leech asked for clarification regarding the two liquor licenses at the same location and if the State Liquor Board would handle that issue. Ms. Atencio said the State Liquor Board had jurisdiction regarding the multiple liquor licenses at the same location. The State Liquor Board had indicated that they did not find that there was an issue with two liquor licenses at that premises.

Mr. Brown reminded the Council that they were only making a recommendation and that the final approval came from the State Liquor Board.

COUNCILMAN JUDD MOVED TO RECOMMEND APPROVAL TO THE STATE LIQUOR BOARD OF THE APPLICATION SUBMITTED BY JUANITA ALICIA ESPARZA AND CODY CHRISTINE LAWYER FOR #12, RESTAURANT, LIQUOR LICENSE ON BEHALF OF SHOW LOW CAFE FOR ITS LOCATION AT 480 WEST DEUCE OF CLUBS, SUITE B, SHOW LOW, ARIZONA; SECONDED BY COUNCILMAN WHIPPLE; PASSED 6 TO 0 WITH MAYOR LEECH, COUNCILMAN ADAMS, COUNCILMAN CLARK, COUNCILMAN HATCH, COUNCILMAN JUDD, AND COUNCILMAN WHIPPLE VOTING IN FAVOR.

- B. Consideration of Resolution No. R2024-31 Approving and Authorizing Intergovernmental Agreement with Arizona Department of Transportation for HURF Exchange Funding for North 11th Street Improvements (Shane Hemesath)

Mr. Hemesath said the City of Show Low was scheduled to receive federal STBGP funding in an amount of \$617,000 for the North 11th Street improvement project. The scope of the project was to reconstruct North 11th Street from East Cooley to East Huning. Remove old existing concrete and asphalt, install new ADA compliant sidewalk with ramps, roadside parking, concrete pavers, conduit sleeves for future lighting and landscaping

improvements, as well as required drainage infrastructure required by the improvements. Re-pave asphalt roadway and parking areas as well as install required signs and new pavement markings.

Mr. Hemesath said instead of completing the project under the restrictive standards required by federal funding, the City would like to utilize the HURF exchange program at Arizona Department of Transportation (ADOT) to exchange the federal funds for state funds. That way, the project could be constructed as if it was a local project without additional requirements. The cost to utilize the HURF exchange program was 10% of the total funding, so the City would give ADOT \$617,000 of STBGP federal funds and ADOT would give the City \$555,300 of State HURF funding for the project. Mr. Hemesath said this would allow staff to complete the project as if it was a local project and have more control over all aspects of the project.

Mr. Hemesath said Resolution No. R2024-31 approved authorizing an Intergovernmental Agreement with ADOT for the HURF Exchange funding for North 11th Street Improvements, and authorizing the Mayor to sign said agreement.

COUNCILMAN JUDD MOVED TO ADOPT RESOLUTION NO. R2024-31 APPROVING AND AUTHORIZING INTERGOVERNMENTAL AGREEMENT WITH ARIZONA DEPARTMENT OF TRANSPORTATION FOR THE HURF EXCHANGE FUNDING FOR NORTH 11TH STREET IMPROVEMENTS, AND AUTHORIZING THE MAYOR TO SIGN SAID AGREEMENT; SECONDED BY COUNCILMAN ADAMS; PASSED 6 TO 0 WITH MAYOR LEECH, COUNCILMAN ADAMS, COUNCILMAN CLARK, COUNCILMAN HATCH, COUNCILMAN JUDD, AND COUNCILMAN WHIPPLE VOTING IN FAVOR.

8. **SUMMARY OF CURRENT EVENTS:**

A. Council Members

None.

B. Mayor

Mayor Leech encouraged everyone to attend the upcoming Homecoming football game for Show Low High School this Friday night.

C. City Manager

Mr. Brown said there were many Halloween events this year and encouraged everyone to visit the City's website for a list and information regarding each event.

Mr. Brown said in public works projects, the striping had been completed on

the Old Linden Road project, work continued on the Woolford Road project, and the contractor was working on the Savage Sewer project and was currently installing sewer near Whipple Ranch Elementary.

9. **SCHEDULE OF MEETINGS:**

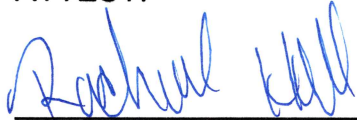
Scheduling of meetings, which may be brought up at this time.

Mr. Brown said the Council Retreat would be held on October 23, 2024.

10. **ADJOURNMENT:**

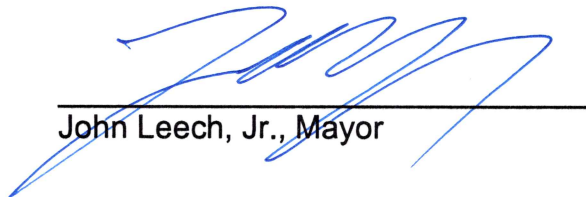
There being no further business to be brought before the Council, **MAYOR LEECH ADJOURNED THE REGULAR MEETING OF THE SHOW LOW CITY COUNCIL OF OCTOBER 15, 2024, AT 7:43 P.M.**

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 15, 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 5 day of November, 2024.

(SEAL)



Rachael Hall, City Clerk

