

**MINUTES OF THE REGULAR MEETING OF THE SHOW LOW CITY COUNCIL
HELD ON TUESDAY, DECEMBER 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 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; Bill Kopp, Public Works Director; and Rachael Hall, City Clerk.

GUESTS: Karen Hook, Chief Deputy Brian Swanty, James Girard, Jessica Turney, Dave Murray, Riala and Jim Leech, Cathy Huling, Richard Bilbie, Cassie Bryant, Sisto Hernandez, Clair Thomas, and others.

3. Invocation.

Councilman Clark gave the invocation.

4. Pledge of Allegiance.

Mayor Leech 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.

6. **SPECIAL EVENTS:**

A. Swearing in of Mayor and Council Members

The recently re-elected Council Members recited the oath of office.

B. Designation of Vice Mayor to Two-Year Term

Mayor Leech opened the floor to accept nominations for the office of Vice Mayor.

Councilman Clark nominated Connie Kakavas for the office of Vice Mayor, seconded by Councilman Adams.

All voted for Connie Kakavas for the office of Vice Mayor. Councilwoman Kakavas was declared the Vice Mayor for a term expiring December 2026.

C. Presentation of Annual Report by Show Low Historical Society

Clair Thomas, Show Low Historical Society Museum Executive Director, said the 2024 season numbers were up with a visitor count of over 5,000. The Museum had 26 volunteers who donated 1,039 hours, and the Museum could not operate without them. The Museum also accepted 130 donations and had an active membership of 66. She said the Museum hosted many school classes, church groups and others and said the Silver Creek Railroad exhibit "Last Train to Maverick", was a vital exhibit in the Museum.

Ms. Thomas thanked the City staff for their help and partnership this past year with many projects. She said the Museum would be closed starting December 21, 2024, and would reopen on March 6, 2025.

Several Council members thanked Ms. Thomas and her staff for the great job they did and the history and knowledge they shared with everyone.

D. Presentation Regarding Show Low Turn of a Card Community Center and Meals on Wheels Program

Dave Murray, White Mountain Meals on Wheels Board Secretary, shared statistics and reviewed Meals on Wheels (MOW) program during the past year. He said in Fiscal Year 2024 (FY2024), MOW shared 32,000 meals, compared to 30,660 in FY2023 and 14,994 in FY2022. He said in FY2024, MOW did 6,935 congregate meals and 12,096 Headstart Meals.

Mr. Murray said they started tracking visitor counts and shared that from July through October this year there were 4,732 visitors at the Community

Center. He shared a few activities the Community Center held such as congregate lunches, Thanksgiving Dinner, monthly classes, etc.

Mr. Murray shared sources of income for the Community Center and Meals on Wheels and their expenses.

Mr. Murray said their projected fund development included a Fourth of July event, an annual golf tournament, 50/50 raffles, requests for increased funding from Head Start and NACOG, sponsorship programs, community presence, and planned activities.

Jim Girard, White Mountain Meals on Wheel Board President, said last year the Board discussed employing a director at the Community Center. He said he had been working as the part-time director and worked with the current administrator, Karen Hooks, at the Community Center. He said the Board would be considering Ms. Hooks for the director position at their next Board meeting.

Mr. Girard thanked the City of Show Low and the City Council for the continued support of the Meals on Wheels program and the use of the Turn of a Card Community Center.

Mayor Leech said he appreciated the work that the Community Center and MOW did for the community, and he appreciated that they were getting more involved in community events.

E. Update by Show Police Department and Navajo County Sheriff's Office Regarding Concerns on Undocumented Immigrants in the White Mountains

Mayor Leech said at a past Council meeting there were citizens who brought up concerns regarding illegal aliens being dropped off in the City. He said staff was asked to look into the concerns and report back to Council.

Chief Provost said regarding citizens' concerns about large amounts of undocumented immigrants being dropped off in our community, staff looked at reports, and talked with patrol and police supervisors, and he said there was no evidence of busloads of immigrants being dropped off in the City. He said there had been a couple of reports of white vans with people, but when staff followed up on those reports, it was found that the white vans belonged to a local group home transporting citizens. He said another complaint turned out to be a group of local day laborers who were working on a local construction project.

Chief Provost said staff went and looked at numbers and contacted the jail and from September 1, 2024 to today, the City had booked 197 people into the jail. Out of 197 people, only three were not born in the United States, and

only one had an Immigration and Customs Enforcement (ICE) hold. He said the data did not support or show that the City was having any issues with undocumented immigrants.

Chief Deputy Brian Swanty from Navajo County Sheriff's Office said the County was seeing the exact same thing as the Show Low Police Department. He said the County received numerous reports over the last year of vehicles dropping off large amounts of people or large amounts of people walking down the roadway. The County would then dispatch deputies and their reports showed there was no merit to the complaints.

Chief Deputy Swanty said the Arizona Sheriff's association was in direct communication and contact with the Arizona Department of Homeland Security and other federal partners along the border and had an open dialogue on whether or not these buses were coming up this direction. Arizona Department of Homeland Security assured every sheriff and every emergency manager in each county that if there was an intention or plan to bring undocumented aliens in bulk to their County, that they would call ahead and let us know. He said the County had yet received a phone call as such.

Chief Deputy Swanty said he and Sheriff Clouse understood the importance of this topic and were paying close attention to it. They attended many meetings regarding this issue and shared concerns with other government or state officials. He said the County would continue to investigate every call that came in regarding this issue, but to this date, there was no merit to any of the complaints or calls.

Vice Mayor Kakavas asked if the County had reached out to any of the hotels or motels for any activity. Chief Deputy Swanty said no, the County had not reached out to the hotels or motels. Chief Provost said no, the City had not reached out to hotels or motels because it would be a hard determination for them to make. He said the City has had large groups of people who had came into the City that were from out of the country, but they weren't here illegally. He said if any groups were causing problems or committing crimes then the police would be called, and they would make an arrest and check immigration status.

Councilman Clark said the Council wanted to make sure that they honored the request of the citizens and that the Council did take these things very seriously. He appreciated the work that law enforcement did and their investigation of these issues.

F. Presentation of Annual Comprehensive Financial Report for Fiscal Year 2024

Mr. Johnson said that Hinton Burdick would present a financial report on the

audit, but before the presentation he thanked the staff, especially Cari Bilbie, or all their efforts and hard work, and he thanked Chantry Jensen at Hinton Burdick for his efforts during the audit.

McKay Hall of Hinton Burdick presented the results of the Fiscal Year 2024 Annual Comprehensive Financial Report, see Attachment "A".

Councilman Clark recognized Cari Bilbie and thanked her for her hard work. He said over the years she had done an incredible job and had gained the Council's trust and was a great steward of the taxpayer's money.

Several Council members thanked the staff for the hard work that they were doing for the City.

7. CONSENT CALENDAR:

- A. Consideration of Resolution No. R2024-35 Authorizing Re-establishment of Downtown Redevelopment Project Area (Lisa Robertson)
- B. Consideration of Approval of Proposed Fiscal Year 2026 Budget Calendar (Justin Johnson)
- C. Consideration of Reappointment of Board Member to Show Low Municipal Property Corporation (Morgan Brown)
- D. Consideration of Reappointment of Associate City Magistrate (Morgan Brown)
- E. Consideration of Minutes of Show Low City Council meetings:
 - 1. Regular Meeting of November 19, 2024

COUNCILMAN CLARK MOVED TO APPROVE THE CONSENT CALENDAR AS PRESENTED; 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.

8. NEW BUSINESS:

- A. Consideration of Ordinance No. 2024-12 Amending Chapter 5.10 of the Show Low City Code by Adding Section 5.10.030 "Unlawful Animal Ownership, Possession or Transfer of Animals," and Adopting Resolution No. R2024-34 Declaring as Public Record that Document Titled "Revisions to Chapter 5.10, Care of Animals, of the Show Low City Code" (Anna Atencio)

Ms. Atencio said over the years, and increasingly as of late, individuals with convictions of animal cruelty, or other significant animal violations, have had their animals seized and forfeited by the city or state, only to then obtain more animals and subject these animals to the same abuse and neglect. The City was seeking to protect the health and safety of animals within the City, and discontinue the cycle of obtaining and maintaining animals that are abused and neglected.

Ms. Atencio said the new section to the City Code would preclude a person's ownership, possession, adoption, fostering and residing with an animal after conviction of Show Low City Code, Animal Cruelty or Neglect, or other specified animal convictions. For the first conviction of a civil offense of Animal Cruelty and Neglect, or other specified animal violation, a person would be precluded from animal ownership or possession for at least five years. For the first criminal conviction or a second or subsequent civil conviction, at least ten years. And, for a second criminal conviction, for the person's lifetime. For this section, an "animal" was defined as a cat or dog. The Ordinance would allow the Magistrate to make a "good cause exception" if a convicted person lived in a household that had an animal. And, after a year, a convicted person could petition the court to have their animal ownership rights restored.

Ms. Atencio said the State of Arizona had a similar law (Arizona Revised Statute §13-2910.11); however, the state law did not include convictions of municipal animal cruelty and neglect as a basis to preclude ownership of animals.

Ms. Atencio said the first violation of this section would be a civil violation, and subsequent violations would escalate to a criminal violation of a class 1 misdemeanor.

Ms. Atencio said staff recommended amending the City Code, adding Section 5.10.030 "Unlawful Animal Ownership, Possession or Transfer of Animals."

BY UNANIMOUS CONSENT, MS. HALL READ ORDINANCE NO. 2024-12 BY TITLE ONLY, AS ALL COUNCIL MEMBERS HAD A COPY.

VICE MAYOR KAKAVAS MOVED TO ADOPT ORDINANCE NO. 2024-12, AMENDING CHAPTER 5.10 OF THE SHOW LOW CITY CODE BY ADDING SECTION 5.10.030 "UNLAWFUL ANIMAL OWNERSHIP, POSSESSION OR TRANSFER OF ANIMALS," AND ADOPTING RESOLUTION NO. R2024-34 DECLARING AS PUBLIC RECORD THAT DOCUMENT TITLED "REVISIONS TO CHAPTER 5.10, CARE OF ANIMALS, OF THE SHOW LOW CITY CODE"; 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.

B. Consideration of Approval of Five-Year Capital Improvement Plan for Fiscal Years 2026 to 2030 (Bill Kopp)

Mr. Kopp said the City of Show Low was required by City Code to have an approved five-year Capital Improvement Plan (CIP). The CIP was a planning tool to look five years ahead to plan and prioritize the City's needs. The program was administered by an advisory committee that consisted of City staff and representatives from the City Council. Prior to the advisory committee meeting, a public notice was issued seeking recommendations for capital project requests. Every requestor that provided contact information received a written response from staff. He said there were no requests received this year.

Mr. Kopp said the first year of the CIP (2026) included any projects that were not funded in the fiscal year 2025 budget. The 2026 projects were the committee's top priorities. However, it was understood that not all the projects could be funded. The budget process would be the final determinant of which projects received funding. Only projects over \$50,000.00 were included in the CIP. Smaller projects would be accounted for in each department's operations budget. Each project listed in the CIP had a detailed "Capital Outlay Project Sheet," which identified the project, its cost, potential funding sources, and a timetable. Detailed cost estimates and maps were also included with the worksheets when appropriate.

Mr. Kopp said staff held a meeting with the advisory committee on November 18, 2024, at which time the CIP was recommended for approval by the committee. Staff recommended that the Council approve the five-year Capital Improvement Plan for fiscal years 2026 to 2030.

Councilman Clark said he was assigned to the CIP Committee and thanked staff for their efforts for this CIP.

COUNCILMAN ADAMS MOVED TO APPROVE THE FIVE-YEAR CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2026 TO 2030 FOR THE CITY OF SHOW LOW; 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 Appointment of Associate City Magistrate (Morgan Brown)

Mr. Brown said when Judge Scott Tipton was unavailable, or should a

conflict arise with a certain case, it was necessary to have an additional judge (Associate Magistrate) available to preside at the Magistrate Court. In accordance with City Code, Associate Magistrates were appointed to two-year terms.

Mr. Brown said Jessica Ruddy would preside only as needed if Judge Tipton or Judge Atencio was unavailable or if a conflict arised. Judge Ruddy would also serve as a judge pro tempore for the Navajo County Justice Court.

Mr. Brown said Judge Tipton recommended Jessica Ruddy's appointment as Associate Magistrate to a two-year term ending December 31, 2026.

VICE MAYOR KAKAVAS MOVED TO APPOINT JESSICA RUDDY AS ASSOCIATE MAGISTRATE EFFECTIVE DATE JANUARY 1, 2025, TO A TWO-YEAR TERM ENDING DECEMBER 31, 2026; SECONDED BY MAYOR LEECH; 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 the public works crews for decorating for the holiday season.

B. Mayor

Mayor Leech thanked the public works crews for their decorating efforts for the holiday season.

C. City Manager

Mr. Brown said there were several family-friendly events to celebrate the holidays which included the annual Christmas Light Parade on Saturday, along the Deuce of Clubs. The parade would be followed by the annual tree-lighting in front of City Hall. The recreation department would host the Flashlight Candy Cane Hunt on the Senior Field at City Park on December 12. The library would be hosting "Polar Express Night" a family event on December 13. The Deuce of Clubs Drop on New Year's Eve, December 31, in front of the public library.

Mr. Brown said the Community Fast officially ended, but donations were still being accepted to help fellow citizens in need this holiday season. Contributions were being accepted through December at City Hall and local

banks.

Mr. Brown said after the holidays, Christmas trees could be recycled from December 26, through January 5, in the designated area at the Frontier Park parking lot north of the Deuce of Clubs on 9th Place. The trees would be taken to Novo Power in Snowflake for use as biomass fuel.

Mr. Brown said this was the last regular Council meeting for 2024 and wished everyone a Merry Christmas and safe and happy holidays. The next regular meeting would be January 7, 2025.

10. **SCHEDULE OF MEETINGS:**

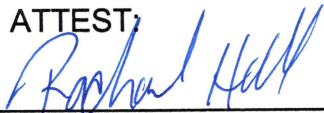
Scheduling of meetings, which may be brought up at this time.

Mr. Brown said there would be a special meeting on December 10, at 5:00 p.m.

11. **ADJOURNMENT:**

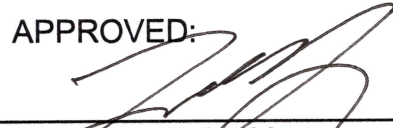
There being no further business to be brought before the Council, **MAYOR LEECH ADJOURNED THE REGULAR MEETING OF THE SHOW LOW CITY COUNCIL OF DECEMBER 3, 2024, AT 8:21 P.M.**

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

Dated this 7th day of January, 2025.

(SEAL)



Rachael Hall, City Clerk

