



# TOWN COUNCIL REGULAR MEETING

## Minutes

Wednesday, June 15, 2022 at 6:00 pm

**Springerville Town Council Chambers - 418 E. Main St.  
Springerville, AZ 85938**

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the members of the Springerville Town Council and to the general public that the Council will hold a meeting open to the public at the Springerville Town Hall, 418 East Main Street, Springerville, Arizona. The Town Council reserves the right to adjourn into Executive Session in accordance with Arizona Revised Statutes Section 38-431.03 (A)(1)(3)(4) and (7) for legal consultation on any of the following agenda items.

### **AMENDED ON 6/6/22 TOWN COUNCIL MEETING: 6:00 P.M.**

#### **1. CALL MEETING TO ORDER AND PLEDGE OF ALLEGIANCE:**

##### **Minutes:**

Mayor Hanson called the meeting to order at 6:00 p.m. Kimberly Merrill led the pledge of allegiance.

#### **2. ROLL CALL:**

##### **Minutes:**

The Town Clerk completed a roll call. Councilor Douglas Henderson - Present, Vice Mayor Robert MacKenzie - Present, Mayor Phil Hanson - Present, Councilor Donald Scott - Present, Councilor Richard Davis - Present. A quorum is present.

#### **3. PUBLIC PARTICIPATION:**

##### **Minutes:**

Becki Christensen the director of the Springerville-Eagar Chamber of Commerce addressed the Mayor and Council. She updated on the Buses by the Lake event held at Lyman Lake. They had roughly 300 people attend, mostly out of town people. A group of event attendees came into Springerville to tour the town and go shopping. She next reported on the grant they received for marketing. The digital billboards will run along Phoenix interstates advertising Springerville-Eagar with live reports of our

current temperatures from June 6 - August. There are three billboards total. She passed out pictures of the billboards to the Mayor and Council.

Shannon Latham with the Apache County Youth Council addressed the Mayor and Council regarding the marijuana ordinance. She reminded them that last month they looked at this item and it did not have the support of the full Council and died. She asked why they keep voting on this and reminded them they have heard a lot from the public on this item. She feels because we have not had a medical marijuana dispensary in 5 years, there is no standing to be sued. What she would like to recommend is look at the current medical marijuana ordinance and remove that as well. She explained she has a copy of the model ordinance from the AZ League of Cities and Towns to eliminate all marijuana in town. She explained towns such as Gilbert, Surprise, and Goodyear have all done this. Gilbert had a dispensary; they grandfathered that one in and removed the ability for another to come. She reported these communities acted boldly and have not been sued and operated under the guidelines of statute. She feels the statute allows us to change our existing ordinance. She asks they reject the proposed ordinance so we can start looking into eliminating marijuana. She passed around the model ordinance to the Council.

Paster Luke Gallagher of Life in Christ Fellowship addressed the Mayor and Council. He concurred with the statements made by Shannon Latham, he would like to see the Council explore an Ordinance to eliminate marijuana in Springerville. As a paster he has talked with his congregation and has not found a single person in favor of this. He quoted the Book of Titus , explaining it says to be obedient to the government, but it also says to do good. He does not see how this Ordinance is doing any good to our children. In the Book of Axis it says it is better for us to obey god than man. He understands they may drive to Show Low or Vernon, with gas prices going up it will be harder and why should we make this easy. He gave other examples of things we should not have in town such as a brothel, abortion clinic etc. He said please think of the children and do what is right.

Monica Boehning explained she submitted her comments in writing but wanted to add a few positive comments. She said she does not typical stick her nose in Springerville politics unless it can directly affect her. She started getting involved with this issue about 2 years ago, she has attended numerous Council and Planning & Zoning issues. At every meeting she has attended she is very grateful that all have remained very civilized and respectful of each other. These issues could easily become shouting matches and she credits the Town leadership, employees, and the community for behaving admirably and she hopes to see us continue to behave that way.

Written Comments from Monica Boehning, read out loud:

Dear Springerville Mayor and Town Council, before you vote on this ordinance pelase consider the following points:

A.) It took American society over 40n years to finally admit that using tobacco is very dangerous to the users' body, whether legal or not. And to recognize that big tobacco industry was making their legalized products more addictive for profit. It took over 60 years for our society to finally take drunk driving seriously and make it a social stigma

due to millions of related deaths. Decades of denial did not change such facts! Pornography is legally restricted to adult use; yet we see it exploding to tragically destroy so many marriages and children from broken homes, and also in the sex trafficking industry.

Numerous published research statistics, compiled by state agencies and reviewed by top universities, are already showing several dangerously negative trends documented in the states where marijuana has been legalized for several years already. When will our elected/ appointed officials realize that just because a dangerous substance or behavior is made legal, that does not make it ethical or moral, nor safe for the citizens. It shouldn't take 40 years to wake up in this case, when clear statistics are already becoming available. This ordinance states that the Town".. seeks to protect public health, safety and welfare...". You each took a similar oath when sworn into office. I urge you to see the future reality that legalized pot will become another tragic mistake that our community will eventually regret adopting. Please carefully search your own conscience before permitting any recreational marijuana business to be conducted within the Town Code.

B.) In response to the letter by A.J Jacobs captured in the 5/11/22 Town Council Special Meeting Minutes: The new marijuana dispensary opening soon near Vernon holds a dual-license to dispense pot for those card carrying people who use medically. The operator of that dispensary has stated publicly that they will indeed provide medical use pot. That location will be much closer to Springerville than previous medical use suppliers. As for recreational pot users, Prop. 207 has already permitted citizens to grow their own supply at home.

Lessons learned from State Marijuana Legalization 2020-2021 edition, pages 51-54 reveal how the commercial marijuana industry is not a safe, well regulated alternative to the illicit pot black market, but instead actually contributes to it.

As RV Elementary School Principal Jennifer Rose and her husband, RV Teacher Larry Rose, stated in the October 27, 2021 Springerville Planning and Zoning Public Hearing on this issue, it was their eye witness observations while they worked in Snowflake-Taylor, AZ school system prior to moving here recently, that pot products were indeed reaching their underage students from the legalized pot businesses located in that community, regardless of what minimum age the law dictates. Learning defects and disabilities are some effects they've witnessed in their students using pot. Moreover, they observed that projected tax revenues from legalized pot businesses were also not reaching those town coffers as promised.

Granted, pot is not currently known to be killing/ harming numbers of people comparable to the opioid epidemic. However, that is not a good predictor because pot has never been legalized for recreation use before now either. Once this substance becomes more "normalized" in our population, documented trends in other legalized states suggests several serious health and safety dangers will emerge across Arizona also. It is a pity that you each were not present at the several past P&Z Commission meetings to hear the many, many accounts by numerous community members and leaders with personal experience on this matter: medical personnel and mental/

behavioral health professionals, educators, parents, youth council leaders, current and retired law enforcement officers, church pastors and members, civic event promoters, family of pot addicts who then ruined their lives with stronger drugs, all are highly respected citizens who presented first-hand knowledge that embracing expanded use of pot will not be a wise choice here. Eye witness accounts are taken as valid evidence in a court of law - these accounts should equally count in your minds on this issue, as these citizens have nothing to gain financially from it.

C.) If approved as written in the current version of this Ordinance now before you, the resulting Town Code will still lack text to address the following concerns: 1. Clarity for the reader as to which "Department" is being referenced on page 2, in paragraph V.1.b, as used in this context: "... including documentation of compliance with applicable Department rules." Nowhere is the existing Town Code Chapter 17.08 - Definitions, nor in Chapter 9A-100-General definitions, do I see any definition for the word "Department". Nor does this ordinance provide for such a new definition to be added. Is this referring to some Town Department, County Department, or AZ Department? There are several different Departments in the State Government. How do you expect any Town Code enforcement official to ensure that a marijuana dispensary is compliant with applicable rules of an unnamed Department?

1. Environmental restrictions to protect air, soil, ground and surface waters from depletion &/or contamination by waste/by product disposal, or other operations.
2. Disclosure of permit applications" past marijuana business permit or license violations in other locales.
3. Requirement to use a certified land surveyor for setback distance measurements, when the distance is quite close to what is specified in the Town Code. This could prevent disputes between the Town, permit applicants, and the surrounding landowners/

If you are still determined to adopt an ordinance permitting recreational marijuana as a commercial business within Springerville, then please at least add the appropriate text to the ordinance to adequately address the text omissions listed above.

Thank you for your serious consideration of my comments.

Monica Boehning, a 40-year resident of Round Valley

#### **4. COUNCIL, MANAGER AND STAFF REPORTS:**

##### **a. Mayor & Council Reports: Summary Updates on committee meetings.**

###### **Minutes:**

Councilor Douglas Henderson reported he attended the aviation expo a couple of Saturdays ago, it was very well attended. He thanked Larry Hill for putting on the event.

Mayor Hanson presented Donald Scott with a certificate of appreciation for his time on the Planning and Zoning Commission. He also noted we have one for former Commissioner Will Sands.

Councilor Richard Davis reported he attended a Public Safety Retirement Personnel meeting this morning. They approved the new hire Bryan Holmes and

reappointed Kartha Ray to the board.

**b. Staff Reports: Summary Updates**

**Minutes:**

Fire Chief Lucas Reynolds said they have their statistics in the packet. They recently participated in Eagar Days. Fireworks will be on July 2nd and right now they are still a "GO", the Town will need to tell him if they do not want to do it. We have been in stage 3 restrictions and still had the show. They are doing a lot of prep work in the area. As of the 26th of June Apache County and Eagar are both in Stage 2 restrictions. The Fire Department participated in placing the flags on Memorial Day and the Aviation Expo. He reminded everyone it is hot and to stay hydrated, they have already had heat-related calls this year. Community Development Director reported two building permits, two electrical permits, and two sign permits were issued this past month. He has had multiple inspections. He has completed the continuing education requirements and renewed his certified floodplain manager's license for two years. He has passed the ICC for B1 to be a certified residential building inspector. The GIS platform he has been talking about, they have done some training on the unit with public works and they have been issued the equipment. They should be starting fairly quickly to gather the data. This will enable them to locate water valves, hydrants, and lines quickly. EMS out of Phoenix is helping us build the platform, it will be cloud-hosted.

**c. Manager Christopher Collopy: Summary Updates & presentation(s)**

**Minutes:**

Manager Collopy reported that he attended the Aviation Expo, it was a lot of fun and he got to ride in a few planes. Along with that, we would like to give Mr. Hill a plaque of recognition, we have that in progress. He has been putting on this event for 10 years. We are still looking for a Public Works Director. Lastly, he reminded them we will have the firework show on Saturday, July 2nd.

**5. PUBLIC HEARING:**

**a. AMENDED REZONE:**

**Minutes:**

Mayor Hanson Recused himself from this item and declared a Conflict of Interest.

FIRST ACTION: Douglas Henderson / Richard Davis motioned to enter into a public hearing at 6:26 p.m.

FIRST VOTE: Ayes 4 Nays 0

John Avery addressed the Council, he thanked them for the opportunity to talk tonight. He is very concerned for our Town when the power plants close down. Tourists come and put money into our community but can not vote on our matters. The Chamber of Commerce has told us that they are advertising RV spaces, but he keeps hearing that we do not have enough. He has met with his

neighbors that were willing to meet and the number one concern is traffic on Becker Lake Road. He said later he is sure we will hear opposition in this matter, and he wants Council to know he is trying to appease them. Mr. Avery explained he went back to the General Plan and his plan fits perfectly with that plan. He passed out maps from the general plan to show the Council where his parcel is, he explained his neighbors to the north and south have C-1 Zoning. He reminded them that Town Council is involved in creating the General Plan, this plan includes a map of the desired plan, his parcel being rezoned would meet the desire of the General Plan. His proposal also meets the desire for economic growth. Currently being zone Agricultural Residential 20,000 SQ. FT. (AR-20) does not support that. However, he is planning to keep the section on Becker Lake Road as AR-20, he will implement deed restrictions for site-built homes and a minimum of 1 acre. He will have ingress/egress for the C-1 portion solely off of the Highway through a dedicated easement. He further explained he has done the land planning and soil testing. He is asking to leave 2 acres AR-20 and change 12 acres to C-1 commercial. There will never be additional traffic on Becker Lake road other than the two single-family homes. He briefed on some outlines of the General Plan including advertising Springerville, bringing in tourism, making Springerville an Inn destination, increasing business retention, and increasing business development on the transportation corridor. He explained he is already here and trying to expand. The Town doesn't have to try to entice a new business to town. He said the Town wants a small-town feel on the main street and have sales tax revenues from tourism. He further expressed that if they change his property to C-1 Commercial they are fulfilling these objectives. AR-20 zones have the highest demand on the town as far as resources with very little return in revenue. He explained he has increased the value of neighboring properties by upgrading the area. He explained that the Laney family is the only property from Highway 60 to Becker Lake and it is the first piece of commercial property you see coming into Springerville, he feels it is unkempt, he also pointed out another property this family owns, and his unsatisfactory of that property and that they should not be giving him advice on how to run his business. He said Ms. Glennon to the South fully endorsed his rezone last night at the Planning and Zoning Meeting. His immediate neighbors to the north also endorsed his rezoning.

Gary Kiehne addressed the Council. He stated he is the former owner of the Rode Inn and El Jo motels, and has retired. When he came to Springerville the Town Manager took him around the Town, the manager explained economic development and the bottom line is we depend on tourism. He feels it is truer now more than ever. We no longer have cattle, logging, or mining, and we are going to lose our power plant. We will need to look at tourism, what better way to do it than an RV park. He said to look at item # 10 on the agenda, this is funding from a lodging tax. He helped propose this tax for the Town to support bringing in tourism. C-1 Commercial is limited to 300 foot off of Highway 60. He

gave a history of bringing cellular one to Springerville. He was declined to have the tower on his property because it was not C-1 Commercial, so Springerville took that contract instead and still has the tower on the town's property. C-1 is limited in this town and not practical.

Jeff Wells the owner of Cowboy Up Hay and Ranch Supply came to speak in support of Avery's rezone request. He met the Averys when they first came to town he was on the Chamber Council and the FLCR. They are very good people. He reminded the Council of how many improvements they have made to their current businesses. He has 3 businesses there now. When he was on the chamber board tourism was the focus. There is so many things that could happen here but he feels people are against growth. This will be a ghost town if we do nothing, this is something we should all be worried about. He told them how COVID actually helped his business in 2020 and 2021, but he is already seeing a plateau. He does not see cons with Mr. Avery being rezoned and expanding his business. It will bring more revenue and hopefully have more spaces to host more events. The Averys are continually upgrading their place. Jeanie Udall addressed the Council. She stated there are so many of them here to support Mr. Avery. She is very concerned for our Town. She expressed her support to rezone Mr. Averys property. We are being told the power plant could be gone in the next 12 years, she explained that 12 years will go by fast. So many people came to this town because of the power plant. So she asked what are we going to do? Some of us have been here for generations. There are many businesses that Mr. Avery could put in such as marijuana, and farming including 1300 chickens if he wished.

Troy Merrill addressed the Council. He said he loves this Town and loves this community. He lived down Becker Lake Road for years. Springerville or Eagar, it does not matter to him, we are a community. He said he is a local business owner. Avery came to him a long time ago when he opened Averys. We need growth, and we can grow in a positive way. He feels this is a positive growth. An RV park is not a bad thing. It is off of the Highway and heads towards Main Street. He reiterated he supports this type of growth.

Peggy Krieger addressed the Council. She is also a local business owner and for the last 15 years she has worked for Gary. She started her own RV park in 2005 in the county, it is small and only has 7 units. Every day she is getting calls from people who are asking if she has room for them to park their RV and come up for the summer. Every day she is turning people away. Mr. Avery is trying to get these people here and put money into our community. When the power plants go and all of the kids leave we need to have a plan.

Deanna Davis the owner of Davis Ace Hardware in Springerville addressed the Council. She explained our community currently does not have enough hotel rooms for events or RV parking. It is keeping out events and growth in this community. We have to grow smartly. She feels John has addressed all of the concerns of the community including egress not being on Becker Lake Road.

This ends congestion and dust concerns. She feels John has a good plan and is going to do it right.

Bridget Laney addressed the Council. She said she is not in opposition of Mr. Avery, she is opposing the C-1 Zoning. She pointed out he has brought up general plan items, the general plan also talks about the flow of traffic moving easily. She is not opposed to growth. However, she is concerned with the amount of traffic going into that parcel, especially with two other trailer parks in that area. Traffic should be looked at especially when you look at the number of spaces, trips in and out all in a 50 mph zone. She thinks in the right place this could be a great idea, this is just not the right spot. She referenced open spaces in the general plan. She has no argument that Mr. Avery did a great job cleaning up what was there. An RV park is not a compatible use of that area. The only other property it is matching is his own.

Brianna Laney addressed the Council. She stated she is not against Averys business, but rather the C-1 Zoning request. She understands that she is zoned C-1, but it is not the same nor is it visible as a C-1 Zoned property. Her property is being used as residential. She appreciates Mr. Avery flaunting his wealth and being able to invest \$ 1 million into his property. She is, unfortunately, unable to do that. She said she heard someone mention that there are not enough spaces in Town for RV's, that is because RV's are being used to house full time residents. That is not what RV parks are for. She feels a solution could be better zoning to allow more manufactured homes vs RV parks. She does not feel his request is valid zoning in that area.

Patrick McKenna addressed the Council. He is still concerned about the traffic on Becker Lake Road. He pointed out there used to be little traffic in that area when he first moved out there, 4 or 5 cars a week. Now there are 4 or 5 cars every 30 minutes going 50mph. He would like the town to monitor the speed limit. He hopes to see no additional traffic in that area.

Kay Wilkins addressed the Council. She started by letting Council know she is opposed to this zoning change. She is opposed for a lot of reasons, some reasons her neighbors have told us about. She is opposed because this is not similar to anything else on that road. This is the only place in this town that maintains AR. There are a lot of people who want to live in an area like that. This is unique in Springerville. She is concerned with traffic as well. She next brought up the concern of water and sewer. This development is not near Town water or sewer. It would be on wells and septic. What would be the effect of having more wells? We have had wells in this town go dry when new wells are drilled. She is also concerned about the pollution of groundwater with more and more septic tanks that going into the ground. She feels this type of development should go where there is access to the Towns water and sewer. She does not see a water or sewer system with this application. This Council could use that information to decide if this development should be allowed. The current zoning speaks to the large area of residential agriculture that Bridget referred to. The general plan

says the Little Colorado River area should stay lower density, maintain views, and have open space for meadows and fields. She reminded them that this is the second time there has been a zoning change request for that property, the only difference is there will be two houses on Becker Lake Road. She said this does not address the problems that this zoning change will create. She asked who wants to buy a property that is backing 89 RV. His proposal does not solve the water issue or the road issue. Lastly, she feels the application itself is not done correctly, because it is not the entire parcel and is not described in the application. She asks the Council to discuss this matter with the Town Attorney. Kerry Nedrow addressed the Council. He voiced his opposition to the rezoning. He has not seen the general map showing the desire for that parcel to be commercial. He asked to inspect the map. He feels this is an intrusion of commercial in a residential area. The commercial zones are supposed to be 300 feet off of the highway. He is also concerned with water and sewer. He said the water table is so high in that area he would like to see a leach field proposal. This would be in a 5,000-year-old aquifer. He reminded them that they have asked the Council in the past to do a water study for this area. He feels now is a good time.

Written submissions for Public Hearing read out loud:

Submitted by Karalea Wiltbank of the Foundation for Little Colorado Revitalization, Little Colorado Meats, and Common Sense Consulting & Facilitation Talking points for Averys expansion: Limited revenue source for the Town of Springerville. Sales tax is a primary source. Avery's contributes significantly to this revenue through the restaurant, bar, and convenience store. Additional guests at the RV park equate to increased sales tax revenue not just from Avery's but from all the additional businesses new guests will frequent while they are here. Mr. Avery has worked to provide a plan and concept that will protect the residents on Becker Road. Given the business and entrance to the RV Park is on Highway 60 and that is an expansion of a current RV park, a zoning change to commercial is a reasonable request. For neighboring properties along Highway 60, this only increases their property values. The businesses currently owned by the Avery family have significantly contributed to the economy and quality of life in the community. Without Avery's accommodations, several large and important events would have not taken place in this area. The Arizona Cattle Growers Annual Convention, the Arizona Rural Policy Forum, and many other large banquets and parties are hosted at Avery's, which has the largest seating capacity of any restaurant in the area. Avery's is also an important employer to the community. Avery's businesses provide an attractive and well kept property which makes an important first impression to visitors who enter Springerville from the west on Highway 60. Community attractiveness is a top contributor to a community's GDP. Avery's businesses and the Avery family volunteer countless hours, and contribute time and their accommodations at no charge for important charitable events in the

community. This addition to the quality of life for residents is also a top contributor to a community's GDP. In a shrinking economy, supporting business expansion that has worked to consider neighboring properties and property owners, and will increase the Town of Springerville's tax revenue should be the first priority of the P&Z Commission and the Town Council.

SECOND ACTION: Donald Scott/ Doug Henderson motioned to leave public hearing and enter back into regular session at 7:14 p.m.

SECOND VOTE: Ayes 4 Nays 0

## 6. CONSENT ITEMS:

### **Minutes:**

ACTION: Richard Davis / Robert MacKenzie motioned to adopt consent items 6a, 6b, 6c, 6d, and 6e as presented.

DISCUSSION: None

### **Vote results:**

Ayes: 5 / Nays: 0

- a. **Consider approval of the proposed transfer to decrease general fund, general government dept by \$100,000 in contingency. Increase general fund, Mayor & Council dept by \$100,000 in settlement of property.as presented.**
- b. **Consider approval of the transfer of funds from the Towns checking account in the amount of \$500,000 to the Towns savings account (LGIP).**
- c. **Consider approval of the May 11, 2022 Town Council Special Meeting Minutes.**
- d. **Consider approval of the May 25, 2022 Town Council Work Session Minutes.**
- e. **Consider ratification and approval of accounts payable register from 05/04/2022-06/01/2022.**

## OLD BUSINESS

## 7. EXECUTIVE SESSION:

### **Minutes:**

FIRST ACTION: Robert Mackenzie / Donald Scott motioned to enter into Executive Session at 7:15 p.m.

FIRST VOTE: Ayes 5 Nays 0

SECOND ACTION: Robert MacKenzie/ Douglas Henderson motioned to leave executive session and enter back into regular session at 8:00 p.m.

SECOND VOTE: Ayes 5 Nays 0

- a. **ORDINANCE 2022-003:**
- b. **Claims against the town by White Mountains Flower:**
- c. **SALE OF REAL PROPERTY:**
- d. **FRANCHISE FEES & AGREEMENTS:**

## 8. ORDINANCE 2022-003:

**Minutes:**

ACTION: Robert Mackenzie / Donald Scott motioned to approve Ordinance 2022-003, adopting the amendments to Title 17 related to the regulation of recreational marijuana.

DISCUSSION: None

**Vote results:**

Ayes: 3 / Nays: 2

**9. REAL PROPERTY FOLLOWING RFP:**

**a. 809 West Airport Road**

**Minutes:**

ACTION: Douglas Henderson / Robert MacKenzie motioned to accept the bid by Sammie Finch for the amount of \$210,210.00 for the property located at 809 W. Airport Road and authorize the Town Manager to execute the documents necessary to complete the transaction.

DISCUSSION: None

**Vote results:**

Ayes: 5 / Nays: 0

**b. 23 South Papago Street**

**Minutes:**

Manager Collopy briefed that we did not receive a bid for the property located at 23 South Papago St.

ACTION: Robert MacKenzie / Doug Henderson motioned staff to perform any environmental testing that needs to be done prior to relisting the property.

**Vote results:**

Ayes: 5 / Nays: 0

**NEW BUSINESS**

**10. TOURISM TAX FUNDS:**

**Minutes:**

ACTION: Robert MacKenzie / Richard Davis motioned to approve the funds of \$750.00 to the UTV Off-Road Adventure group for the White Mountains UTV Jamboree event.

Discussion: Council all agreed this is a great event and brings tourism to our town.

**Vote results:**

Ayes: 5 / Nays: 0

**11. Transfer FAA Entitlement Funds to Scottsdale Airport**

**Minutes:**

ACTION: Robert MacKenzie / Richard Davis motioned to approve the transfer of FY19 Federal Entitlement Funds in the amount of \$150,000.00 to the City of Scottsdale Airport.

DISCUSSION: Airport Manager Sean Kiehle addressed the Mayor and Council. He

explained that each year we receive two types of funds from the FAA. They set aside \$150,000 of entitlements for us. These can be saved for 3 years and can be used on ALP and CIP projects. These funds were supposed to be used this summer on a project. Now that we can not use them we would like to transfer them. In the past, we have received these same funds from other airports unable to use them. This is a common practice.

**Vote results:**

Ayes: 5 / Nays: 0

**12. ON-CALL ENGINEERING SERVICES:**

**Minutes:**

ACTION: Douglas Henderson / Robert MacKenzie motioned to direct the Town Manager to prepare the professional service agreements for on-call engineering with the four firms mentioned in the title.

DISCUSSION: Community Development Director Mischa Larisch explained to Council that we went out for RFQs for on-call engineers. We received four responses and all four were great. They each have their strengths. Town staff is recommending issuing a professional service agreement with all four of them so that when the need arises we can pick and choose from those on-call engineers. These engineers are strictly on call, no funds are promised or retainer fees. When a project arises we can call them and not have to go out for bid.

**Vote results:**

Ayes: 5 / Nays: 0

**13. AMENDED REZONE APPLICATION FOR PARCEL 105-15-010H:**

**Minutes:**

Mayor Hanson recused himself from this item having a conflict of interest.

ACTION: Richard Davis / Donald Scott motioned to not approve the rezone to parcel 105-15-010H.

DISCUSSION: Community Development Director Michael "Mischa" Larisch reported on the recommendation from the Planning and Zoning Commission on this item. The commission recommended approving this item on June 14, 2022. We have held two public hearings, one tonight and one in Planning and Zoning.

**Vote results:**

Ayes: 4 / Nays: 0

**14. AMENDED REZONE APPLICATION FOR 105-15-004A:**

**Minutes:**

ACTION: Donald Scott / Robert MacKenzie motioned to rezone parcel 105-15-004A from R1-7 to AR-20.

DISCUSSION: Community Development Director Michael "Mischa" Larisch explained in July 2021 Martha Sharp requested a rezone for parcel 105-15-004A from R1-7 to Ar-20. The P&Z Commission held 2 public hearings on the request; one August 10, 2021 and a second September 14, 2021. After the second public hearing, the P&Z

Commission had a motion to recommend denial and a second. Only 4 members could vote because one had to recuse herself. The vote was a tie. The Commission failed to move the item to the Council for a final decision as is required. Town Manager Collopy and Community Development Director Larisch found the error while analyzing zoning. The State of Arizona does not allow spot zoning which is exactly what was done to this parcel.

**Vote results:**

Ayes: 5 / Nays: 0

**15. AWARD OF WILKINS WELL DRILLING PROJECT:**

**Minutes:**

Richard Davis recused himself from this item and declared a conflict of interest.

**ACTION:** Douglas Henderson/ Robert MacKenzie motioned we award the Wilkins Well Project to R. Davis Drilling LLC. for the bid amount of \$180,309 and include a contingency not to exceed 30% and authorize the Town Manager to execute the necessary documents.

**DISCUSSION:** Manager Collopy explained the new Wilkins well will be funded through an American Rescue Plan Act (ARPA) grant. The Town went out to bid through a formal Request for Bids process. We signed out 5 bid packets and only received two back. One bid was \$180,309 and the other was for \$629,258.56. Staff wishes to award the bid to the lowest bidder, R. Davis Drilling.

**Vote results:**

Ayes: 4 / Nays: 0

**16. FISCAL YEAR 22/23 TENTATIVE BUDGET:**

**Minutes:**

**ACTION:** Robert MacKenzie / Douglas Henderson motioned to adopt the tentative budget as presented.

**DISCUSSION:** None

**Vote results:**

Ayes: 5 / Nays: 0

**17. ADJOURNMENT:**

**Minutes:**

**ACTION:** Robert MacKenzie / Donald Scott motioned to adjourn at 8:17 p.m.

**DISCUSSION:** None

**Vote results:**

Ayes: 5 / Nays: 0

Members of the public who only want to provide written comments can express their comments by emailing the Town Clerk at [kmiller@springervilleaz.gov](mailto:kmiller@springervilleaz.gov) to be read during the call to the public. All comments must be submitted by 5:00 p.m. on the day of the meeting.

Americans with Disabilities Act (A.D.A.): The Town of Springerville intends to comply with A.D.A. If you are physically challenged or disabled and need special accommodations to participate in this town meeting, please contact the Town Clerk at (928) 333-2656 ext. 224 forty-eight (48) hours prior to the meeting to arrange necessary accommodations.

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Contact: Kelsi Miller, Town Clerk ([kMiller@springervilleaz.gov](mailto:kMiller@springervilleaz.gov)) (928) 333-2656 x 224 | Minutes published on 06/22/2022, adopted on 07/20/2022