



TOWN COUNCIL REGULAR MEETING

Minutes

Wednesday, August 17, 2022 at 6:00 pm

Attendees: STAFF PRESENT: Chris Collopy - Town Manager, Tosca Henry- Town Attorney, Kelsi Miller - Town Clerk, Dayson Merrill- Chief of Police, Lucas Reynolds - Fire Chief,

**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.

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. Kim 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:

Kay Wilkins addressed the Mayor and Council. She is requesting that we place an item on the September agenda to change Chapter 17 as it pertains to AR20 Zoning. She explained that there is a provision that permits campgrounds defined as allowing RVs

in that zoning. In her and her neighbors opinions that living in AR20, they feel that is inappropriate. It is her understanding that staff found a conflict in the code regarding if RVs can be in AR20. Instead of staff changing AR20 to not allow RVs, they are proposing a change to the code that protects against that. When we get to agenda item 6 she would like to give a recommendation on a different approach.

Brian Carpenter with the Community Center addressed the Mayor and Council. He updated on transports to Show Low. They are still going on the 1st and 3rd Friday of each month. He updated on the number of local transports they are doing, those numbers continue to be steady. The center is anxious to get their wheelchair-accessible van, right now they have to reach out for help with those. Brian updated on upcoming trips he has planned with Seniors including the Alpine Gem, Mineral, and Gold show, a trip to Apache Junctions Steamboat, and a trip to Laughlin Nevada. Lastly, he let them know Robin is now helping with food stamp materials and providing the community with a great service.

Terry Shove addressed the Mayor and Council. She updated on the High School updates to the dome including new home team locker rooms, new lighting, and the big flag. Next, she updated on the Middle School. They have repainted the gym, moved the 5th graders to their own updated hall, and are working on security doors. Security updates are also coming to the Elementary School with the help of the Police Departments. Next, she updated on the annual raffle. They have sold all tickets, a big thanks to John Goldshot and his marketing. They sold 1100 tickets in 15 days. The drawing will be Saturday at Avery's. Lastly, she let Council know that Little Colorado Meats is now helping to provide USDA meats to the Senior Center.

4. COUNCIL, MANAGER AND STAFF REPORTS:

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

Minutes:

Councilor Scott thanked Public Works for all they have done with the flooding issues lately. Mayor Hanson agreed they are doing a great job!

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

Minutes:

Manager Collopy introduced the new Public Works Director, Steve Christensen. Steve introduced himself to the Council, he said it is a privilege to serve the Town. His crew is working hard and there have been some difficult situations and they are doing great. He thanked the Town for the opportunity. Manager Collopy added that we are trying to help the community with the rain, we have put sandbags out front for anyone to pick up that needs them. We will continue to fill bags as they are needed. He updated we are in the process of trying to find another Community Development Director. He let them know meetings will be live streamed on YouTube. He congratulated Councilor Davis on his first great grandson.

c. Staff Reports: Summary Updates

Minutes:

Police Chief Merrill updated that they are again utilizing the Elementary School or kindergarten. They reached out to Chief Merrill because the pickup area had flooded and had mud and weeds. Public works took care of it very quick and the school really appreciated it. Council asked how the Cadet is doing. He said he is doing great.

Fire Cheif Lucas Reynolds updated that they have been busy and are a little short-handed right now. They have a type 6 team on an assignment in Texas. They are on a preposition assignment. They will be back next week. He participated in a walk through with the Springerville Generating Station to be a backup to their own ERT. This is all pre-planning. He thanked the Boys and Girls Club. They came out and helped fill sand bags.

5. CONSENT ITEMS:**Minutes:**

ACTION: Donald Scott / Robert MacKenzie motioned to adopt consent items 5a, 5b, and 5c as presented.

DISCUSSION: None

Vote results:

Ayes: 5 / Nays: 0

- a. **Consider approval of the July 20, 2022 Regular Council Meeting Minutes.**
- b. **Consider ratification and approval of accounts payable register from 7/02/2022 - 8/08/2022.**
- c. **Consider ratification and approval of the professional service agreement with Richard Whiting as our Operator of Record.**

6. PUBLIC HEARING:**Minutes:**

FIRST ACTION: Robert MacKenzie / Richard Davis motioned to enter into Public Hearing at 6:18 p.m..

FIRST VOTE: Ayes 5 Nays 0

Public:

Kay Wilkins explained she was at the Planning and Zoning Meeting and they recommended keeping the word "only". The word "only" in this Ordinance is what is causing the conflict. Ms. Wilkins explained she has no issue with the rest of the Ordinance. But she does feel the word "Only" should be left in and instead change the Campground Ordinance to fix the conflict. She asked if this can be discussed next month. Tosca informed her that Planning and Zoning would have to hear it first for an actual Ordinance. Ms. Wilkins understands, she would just like Council to discuss if they wish campgrounds to continue to be allowed in AR-20.

Kay Dyson explained her only request is for Town Councilors and staff to refer back to the Town Planning that has already been done. These plans define and give a vision of where Springerville wants to be. That plan among others clearly defines the Becker lake area to be an open space. Where do we really want the campgrounds and RV

parks? As Council and staff changes, we can go look at what professionals have already put together, especially when considering items such as these. She wants them to think long term and follow the plan.

Terry Shove explained she missed the Planning and Zoning meeting, it was her understanding that Planning and Zoning had made a recommendation for a different age limit on the mobile homes and this one appears to be the original. It was explained that the staff report on item 8 shows the recommendations by Planning and Zoning so Council can consider if they want to make those changes before the first reading. Ms. Shove said the commission wants to allow older homes, she disagrees with their recommendation. Once over 10 years old they do not move well or hold value. She said we do not want a mobile home park full of old homes.

Shelly Reidhead addressed the Council and explained that in the real-estate world, a manufactured home is not financeable once it has already been moved once. She would like them to consider that as well as the age. Most parks in AZ do not allow people to move homes in older than 9 to 10 years.

Written Comments Read out loud by Staff, submitted by S Bridget Laney:

Thank you for the opportunity to voice a couple of comments regarding zoning amendments proposed by resolution 2022-004, New Business Item #8. Section II -- age limit being implemented on mobile/manufactured home units under the 17.28.180. Please consider including that same age limit to the NON temporary mobile units not identified by definition as mobile/manufactured homes; (the NON temporary, aka seasonal, secondary, primary occupied, and rentals) of recreational vehicles, park models, and mobile living units (tiny homes, etc) of less than 400 sq ft that may be allowable under the Manufactured homes park zoning.. Section III- adding a CUP for mini warehouses in C-1 L-1- Zone was developed creating a specified district for mini storage, bulk plants, industrial activities, and storage facilities and locating them out of the C-1 retail district. In light of recent activity, it is understandable why this issue is coming forth. If the proper zoning of L-1 is not eligible for the location due to illegal zoning change then it shouldn't be considered qualified. Working around the zoning to; spot zone the property to C-1 and, issue a Conditional Use permit for a non-listed use didn't and doesn't enforce the zoning nor abide by the use restrictions shown in section 17.28.020 of the town code excerpt attached on page 2. Nor does referencing a non-conforming use that existed prior to the zoning adoption be a pre qualifier as similar usage. Under the circumstances, Mini storage units have a Permitted used within a designated zoning and need not be brought back into the retail district C-1 as a conditional use S Bridget Laney
SECOND ACTION: Robert MacKenzie/ Donald Scott motioned to come out of the public hearing and back into the regular session at 6:28 p.m..

SECOND VOTE: Ayes 5 Nays 0

NEW BUSINESS

7. EXECUTIVE SESSION:

Minutes:

FIRST ACTION: Robert MacKenzie / Richard Davis motioned to enter into Executive Session.

FRST VOTE: Ayes 5 Nays 0

SECOND ACTION: Robert MacKenzie / Donald Scott motioned to leave Executive Session and enter back into Regular Session.

SECOND VOTE: Ayes 5 Nays 0

8. ORDINANCE 2022-004:

Minutes:

DISCUSSION: Councilor MacKenzie suggested sending this back to Planning and Zoning to have it broken into three separate ordinances. Council agreed they would like to see the three different matters separately.

Council did not complete a first reading of the Ordinance.

9. RESOLUTION 2022-R008:

Minutes:

ACTION: Robert MacKenzie/ Richard Davis motioned to adopt Resolution 2022-R008, declaring and adopting the results of the Primary Election held on August 2, 2022.

DISCUSSION: None

Vote results:

Ayes: 5 / Nays: 0

10. TOURISM TAX COMMITTEE RECOMMENDATION:

Minutes:

ACTION: Robert MacKenzie / Richard Davis motioned to approve the Tourism Tax request from the Heritage Center in the amount of \$750.00 for the fall festival.

DISCUSSION: None

Vote results:

Ayes: 5 / Nays: 0

11. MAGISTRATE SERVICES:

Minutes:

ACTION: Richard Davis / Robert MacKenzie moved to approve the proposed agreement for magistrate services with the Honorable Butch Gunnels as presented.

DISCUSSION: Councilor MacKenzie asked why we are doing this. Ms. Henry explained the current contract for the Magistrate expires on August 18, 2022. The contract did not have a clause for a renewal procedure. As the Town moves forward with a recruitment process to fill the vacancy we will need a temporary magistrate. This contract is a recommendation on a temporary basis to fill an immediate need.

Vote results:

Ayes: 5 / Nays: 0

12. SHARED SERVICE AGREEMENT MUNICIPAL COURT CLERK AND COURT SPACE:

Minutes:

ACTION: Robert MacKenzie/ Donald Scott motioned approval of the proposed intergovernmental agreement for the municipal court.

DISCUSSION: Ms. Henry explained as the Council approved the agreement for the magistrate, there has been a request from the magistrate judge to build in efficiencies to use the Eagar courtroom and the Eagar magistrate clerk. The judge that Council just approved also serves as the Eagar magistrate. She pointed out that in the IGA in their packets there are placeholders for compensation. Eagar approved the IGA last night. Eagar has asked that Springerville split the actual cost of the Clerk and no compensation for the court space. We anticipate Springerville's magistrate time for the clerk will be between 10 - 15 hours a week. That will average about \$2,200 and \$2,400 per month. We are asking Council to approve have of that actual cost each month instead of a dollar amount. Council agreed. Councilor MacKenzie asked how long we anticipate this will be for. Ms. Henry said we are trying to run it in tandem with the magistrate contract. We anticipate it will be going back to the status quo once we fill the permanent magistrate.

Vote results:

Ayes: 5 / Nays: 0

13. ADOT 2023 Pavement Preservation Grant:**Minutes:**

ACTION: Richard Davis / Richard Davis motioned to accept the ADOT grant in an amount not to exceed \$200,000, approve the grant match of 10%, and authorize the Town Manager to execute the documents necessary.

DISCUSSION: Councilor Henderson asked if this money has already been budgeted and planned for. Manager Collopy said yes, we budgeted \$25,000 for this grant match and will only need \$19,400 for this.

Vote results:

Ayes: 5 / Nays: 0

14. ADJOURNMENT:**Minutes:**

ACTION: Robert MacKenzie / Richard Davis motioned to adjourn.

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 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.

Contact: Kelsi Miller, Town Clerk (kMiller@springervilleaz.gov) (928) 333-2656 x 224 | Minutes published on 08/24/2022, adopted on 09/21/2022