

**MINUTES OF THE REGULAR MEETING  
OF THE HONORABLE TOWN COUNCIL OF THE TOWN OF PINETOP-  
LAKESIDE, ARIZONA, HELD ON THURSDAY, MARCH 1, 2018  
IN THE TOWN COUNCIL CHAMBERS LOCATED AT  
1360 N. NIELS HANSEN LANE, LAKESIDE, AZ 85929**

**A. Call to Order**

Mayor Irwin called the meeting to order at 6:00 p.m.

➤ **Roll Call:**

The following Council Members were present:

Stephanie Irwin	Mayor	
Jerry Smith	Vice Mayor	
Kathy Dahnk	Council Member	<i>Participated via phone</i>
Cathy Penrod	Council Member	
James Snitzer	Council Member	
Norris Dodd	Council Member	

The following Council Member was excused:

Carla Bowen	Council Member
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Also Present:

Keith Johnson	Town Manager
Kevin Rodolph	Finance Director
Remilie S. Miller	Town Clerk
Kendra Abel	Library Manager
Matt Patterson	Public Works Director
Tony Alba	Community Services Manager
Cody Blake	Community Development Manager

➤ **Pledge of Allegiance and Invocation:**

Mayor Irwin led the Pledge of Allegiance to the Flag.

David Halls from Church of Jesus Christ of Latter Day Saints delivered the invocation.

**B. Call to the Public**

Mayor Irwin called for public comments. No comments were offered.

**C. Consent Agenda**

Mayor Irwin announced consideration of the Consent Agenda and explained that all items listed would be acted upon by a single vote of the Council, unless a member of the Council asked that specific items be removed from the Consent Agenda, discussed and voted upon separately.

Vice Mayor Smith moved for passage of the Consent Agenda. Council Member Snitzer seconded the motion and was carried unanimously.

Council Member Dodd acknowledged Mr. Larry Agan's attendance and requested for Mr. Agan to introduce himself.

Mr. Agan introduced himself and expressed appreciation to Council for approving his appointment to the Planning & Zoning Commission.

Town Manager Johnson conveyed that Mr. Agan and his wife are volunteers to the Town Police Department and expressed appreciation for their service to the community.

Mayor and Council thanked Mr. & Mrs. Agan for their contribution to the community and for volunteering to serve in the Planning & Zoning Commission.

**C.1                    Consider Approval of the Minutes of the Town Council  
Retreat/Work Session Meeting held on January 12, 2018**

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By a majority vote under the Consent Agenda, Town Council approved the minutes of the Town Council Retreat/Work Session meeting held on January 12, 2018.

**C.2                    Consider Approval of the Minutes of the Town Council  
Work Session Meeting held on February 2, 2018**

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By a majority vote under the Consent Agenda, Town Council approved the minutes of the Town Council Work Session meeting held on February 2, 2018.

**C.3                    Consider Approval of the Minutes of the Town Council  
Regular Meeting held on February 15, 2018**

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By a majority vote under the Consent Agenda, Town Council approved the minutes of the Town Council Regular meeting held on February 15, 2018.

**C.4                    Consider Accepting the Minutes of the Planning and Zoning  
Commission Regular Meeting held on January 25, 2018**

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By a majority vote under the Consent Agenda, Town Council accepted the minutes of the Planning and Zoning Commission Regular meeting held on January 25, 2018.

**C.5                    Consider Appointment to the Planning and Zoning Commission**

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Community Development Director Blake reported that the Planning and Zoning Commission recommends that Mayor and Council approve the appointment of Larry Agan to the Planning & Zoning Commission, with a term to extend through July 24, 2020.

Currently, there are two (2) board openings in the Planning and Zoning Commission due to resignations of John Jarchow and David Barnby.

The Planning and Zoning Commission has requested and received one (1) letter of interest. Mr. Larry Agan has submitted a letter of interest to serve on the Town of Pinetop-Lakeside Planning and Zoning Commission.

The Commission at their February 21, 2018 meeting approved to recommend to the Town Council the appointment of Larry Agan with a term to extend through July 24, 2020. The Commission acknowledged that Mr. Agan lives within the Blue Ridge School District but not within the Town Boundaries. Mr. Agan will replace David Barnby. Other members serving on the Board include the following:

<u>Name</u>	<u>Term Extends Through</u>
Mazie Hastings	7/24/2018
Richard Smith	7/24/2018
Tim Williams	7/24/2018
John Salskov	7/24/2019
Adam Staley	7/24/2019
Vacant	7/24/2020
Vacant	7/24/2020

The remaining vacancy will be advertised continuously.

By a majority vote under the Consent Agenda, Council approved the appointment of Larry Agan to the Planning and Zoning Commission with a term to extend through July 24, 2020.

**D. Business Before the Council**

Mayor Irwin announced that Public Comment will be taken at the beginning of each agenda item, after the subject has been announced by the Mayor and explained by Staff. Any citizen, who wishes, may speak one time for five minutes on each agenda item before or after Council discussion. Questions from Council members, however, may be directed to staff or a member of the public through the Mayor at any time.

**D.1 Resolution No. 18-1443**  
**Construction Contract with American Pavement Preservation, LLC**  
**Pinetop-Lakeside Slurry Seal, Project No. PW 18-001**

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Public Works Director Patterson recommended that Mayor and Council approve the lowest, responsible primary bid to American Pavement Preservation, LLC in the amount of \$130,672.45. The Town has contracted with American Pavement Preservation, LLC in the past and was pleased with their work product. Staff anticipates project completion within 120 days of Notice to Proceed.

Staff reviewed and compared all bid documents and references submitted by Southwest Slurry Seal, Inc., American Pavement Preservation, LLC and VSS International.

Pinetop-Lakeside Slurry Seal Project PW 18-001 is funded by street funds and will complete asphalt repairs and installs on various roadways in the town as well as the New Town Hall parking lot including ADA-Compliant parking stalls. Staff conducted a bid opening on February 20, 2018 and received three (3) valid bids.

<b>Bidder/Contractor</b>	<b>Primary Bid</b>
Southwest Slurry Seal, Inc.	\$187,616.50
American Pavement Preservation	\$130,672.45
VSS International	\$139,979.10

Pinetop-Lakeside Slurry Seal Project PW 18-001 is funded through street funds under fiscal year 2018 budget.

### **DISCUSSION**

Public Works Director Patterson announced that the slurry seal project is in the five year plan, with this year’s slurry seal project being in the third year of the plan. He stated that this year’s project will also include the area behind the Circle K (Pine Branch & Juniper Roads), New Town Hall parking lot, and Woodland Lake Park south entrance driveway.

Director Patterson stated that the expenditure for project PW 18-001 will be included in his department 2018-2019 budgets. Further, he acknowledged that the bid process for this project was done early in order to plan accordingly for the road reconstruction of Pine Branch Road; which was promised to the citizens of the Town.

In response to Vice Mayor Smith, Finance Director Rodolph conveyed that Staff provided Council additional information regarding the contract that was included in the bid packet and the contract that will go out for execution.

Council Member Penrod thanked Public Works Director Patterson for including the New Town Hall and the Woodland Lake entrance in the slurry seal project.



Town Clerk Miller reported that the Town's Primary Election is scheduled for August 28, 2018. This election will be held for the purpose of nominating candidates for Mayor and two (2) Councilmember seats. Any candidate receiving a majority of the votes cast at the Primary Election will be declared elected to that office without running at the General Election (November 6, 2018).

Town Clerk Miller conveyed that if not all seats are filled at the Primary Election, then the Primary Election is deemed a nomination election and those candidates receiving the highest number of votes proceed to the General Election. The number of candidates to proceed to the General Election is two times the number of available seats.

The offices to be filled are Mayor (first direct election) and councilmember (2 seats). The Councilmember serves a four-year term and the Mayor serves a two-year term. The incumbents are Councilmembers Stephanie Irwin, Norris Dodd and Cathy Penrod.

Beginning March 6, 2018, candidates seeking municipal office may obtain candidate packets, which contain nomination papers and other election materials that must be filed by candidates for public office at the Pinetop-Lakeside Town Clerk's Office, 958 S. Woodland Road, Lakeside AZ 85929.

Candidates must file nomination papers and other nomination forms by 5:00 p.m. on Wednesday, May 30, 2018 at the Pinetop-Lakeside Town Clerk's Office for their names to appear on the Primary Election Ballot. The earliest date for filing nomination papers is Monday, April 30, 2018. Candidates seeking nomination for Mayor and Councilmember will be required to obtain a minimum of 31 signatures.

Town Clerk Miller stated that the Town's General Election is scheduled for November 6, 2018, for the purpose of submitting to the qualified electors of the Town of Pinetop-Lakeside the question of whether to establish the Town's Alternative Expenditure Limitation (Home Rule Option) for four years (2019-2020, 2020-2021, 2021-2022 and 2022-2023).

### **Proposition No. 415**

#### **Official Title:**

A resolution proposing an alternative expenditure limitation for the Town of Pinetop-Lakeside.

**Descriptive Title:**

Pursuant to the Arizona State Constitution, this proposal establishes an alternative expenditure limitation for the Town of Pinetop-Lakeside for the next four years. Annually, the Town Council will determine the amount of the alternative expenditure limitation for the fiscal year after at least one public hearing. This alternative expenditure limitation replaces the state-imposed expenditure limitation.

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A “**YES**” vote shall have the effect of establishing an alternative expenditure limitation for the Town of Pinetop-Lakeside.

A “**NO**” vote shall have the effect of not allowing the Town of Pinetop-Lakeside establish an alternative expenditure limitation and to require expenditures of the Town to be limited by the state-imposed expenditure limit.

Town Clerk’s Department will budget two elections (Primary and General) for the fiscal year 2018-2019 budget:

Primary Election (Mayor & Councilmember)	\$10,000
General Election (Proposition #415)	*\$15,000
<i>*includes estimated cost of information pamphlet</i>	
<b>Estimated Total Cost of 2018 Election</b>	<b>\$25,000</b>

Town Clerk Miller highlighted the report concerning the staggered term of council:

*After consultation with the Town Attorney on 12/06/2017; Bill Sims noted the following:*

- *Because of the change to even number year elections and the newly created direct election of mayor for a two year term, there is now an imbalance in the number of staggered terms.*
- *We can’t fix that in 2018 because we can’t shorten the term of an elected official.*



- *We can, however, fix that in 2020 by calling for the election of the following positions:*

*1-Mayor (2-year term),  
3-Councilmembers (4-year term)  
1-Councilmember (2-year term)*

- *The League Election Manual section dealing with vacancies clearly says Cities/Towns can call for Election of a two-year term to preserve the staggered term balance.*

Vice Mayor Smith moved to approve authorizing the Call of Election for the Town's 2018 Primary Election (August 28, 2018) and General Election (November 6, 2018). Council Member Dodd seconded the motion and was carried unanimously.

#### **E. Adjournment**

Town Manager Johnson announced that the issue of moving the court due to abatement of the building has been kind of a moving target. He reported that the Town received a grant from Arizona Department of Environmental Quality (ADEQ) that will allow the town to begin removal of asbestos in this building (Old Town Hall, 1360 N. Niels Hansen Lane). The process is supposed to start on April 1<sup>st</sup>. He announced that a new location has been selected for the Town Magistrate Court; he will incorporate this report in his Council monthly update he will send tomorrow.

Further, Town Manager Johnson informed the Council that this could be their last council meeting at this building. The new temporary location for Town Council meeting will be held at Timber Mesa Fire and Medical, Fire Station #13 in Lakeside. The change in location will be released next week to the public.

Additionally, Town Manager Johnson reported that Dr. Sullivan provided April 15<sup>th</sup> as the date he will vacate the Dental Design Building (New Town Hall). The renovation to the building will begin shortly after the bid is announced, finalized and contract is awarded.

There being no further business at this time, the meeting was adjourned at approximately 6:44 p.m.

*Stephanie Irwin*

Stephanie Irwin  
Mayor

ATTEST:

*Remilie S. Miller*  
Remilie S. Miller, MMC  
Town Clerk



**CERTIFICATION**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular meeting of the Town Council of Town of Pinetop-Lakeside, Arizona, held on the 15<sup>th</sup> day of February, 2018. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 1<sup>st</sup> day of March, 2018

*Remilie S. Miller*  
Remilie S. Miller, MMC  
Town Clerk

