

**MINUTES OF THE REGULAR MEETING
OF THE HONORABLE TOWN COUNCIL
OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA,
HELD ON THURSDAY, JANUARY 2, 2020
IN THE TOWN COUNCIL CHAMBERS LOCATED AT
325 W. WHITE MOUNTAIN BOULEVARD, 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
Carla Bowen	Council Member
Jim Snitzer	Council Member
Mazie Hastings	Council Member
Lynn Krigbaum	Council Member

The following Council Members were absent:

Jerry Smith	Vice Mayor
Kathy Dahnk	Council Member

Also Present:

Keith Johnson	Town Manager
Kevin Rodolph	Finance Director
Jill Akins	Town Clerk
Matt Patterson	Public Works Director
Guy Willis	Police Commander
Cody Blake	Community Development Director
Tony Alba	Community Services Manager

➤ **Pledge of Allegiance and Invocation**

Mayor Irwin led the Pledge of Allegiance to the Flag.

Town Manager Johnson 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.

Council Member Bowen moved for passage of the Consent Agenda as presented. Council Member Snitzer seconded the motion and by show of hands the following vote was recorded:

<u>AYES</u>	<u>ABSTAIN</u>	<u>NAYS</u>
Mayor Irwin		
Council Member Bowen		
Council Member Snitzer		
Council Member Hastings		
Council Member Krigbaum		

Mayor Irwin then declared that all consent agenda items in these minutes were approved, passed and adopted with a 5-0 vote. Vice Mayor Smith and Councilmember Dahnk were absent.

C.1 **Approval of the Minutes of the Town Council
Regular Meeting held on December 5, 2019**

By a unanimous vote under the Consent Agenda, Town Council approved the minutes of the Town Council Regular meeting held on December 5, 2019.

C.2 Approval of the Minutes of the Planning and Zoning Commission Meeting held on October 24, 2019

By a unanimous vote under the Consent Agenda, Town Council approved the minutes of the Planning and Zoning Commission Meeting held on October 24, 2019.

C.3 Consider approval of the Town Check Register for the period November 1 through 30, 2019

By a unanimous vote under the Consent Agenda, Town Council approved the Town Check Register for the period November 1 through 30, 2019.

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 Consider Resolution No. 20-1534 and the Memorandum of Understanding between the Town of Pinetop-Lakeside and Save our Park pertaining to the purchase of the Woodland Lake Park Tract.

Town Manager Johnson stated that the Town believes the acquisition of the WLPT will greatly benefit the citizens of the Town. While this procurement is of great importance to the Town and the community, the Town does not have the financial means to facilitate the purchase. SOP was created to raise the funds to assist the Town to purchase the WLPT. SOP would like this MOU in place so the WLPT will be protected for community purposes only, such as open space, park land and other recreational uses and other community purposes as determined by the Town.

Town Manager Johnson explained that the funds donated to the Town will be placed in a designated general ledger account for the exclusive use to purchase the WLPT. If the purchase is not able to be completed, the funds donated by SOP will be returned to SOP. The Town may request a financial audit of SOP funds to ensure safe handling.

Town Manager Johnson explained that staff recommends approving the MOU with Save Our Park for the consideration of funds provided to the Town by SOP for the purchase of portions of the WLPT. The MOU sets forth conditions for the contributions and for the future use allowances for the WLPT.

Town Manager Johnson added that the Town has been working since 1987 to purchase the WLPT. In 2007 the Town approved a resolution and a MOU, with the White Mountain Land Trust, that is still in effect today, the MOU had a ten-year life with five year automatic renewals. Save our Park was created to help with fundraising and to help acquire the WLPT and they began to work on a new MOU which is being presented to the Council this evening. This MOU blends what was written by Eric Kramer and what was written twelve year ago by Jack Barker, who was the Town Attorney at the time. Some of the points that this MOU makes is that it sets in writing that the Town will not sell the land that was purchased with funds raised by Save our Park and if the Town identifies some land that would or could be appropriate for development then we could raise those funds ourselves., i.e. a good commercial development. This also provide a mechanism to show potential donors that their donations are safeguarded and that the land would be used for community purposes. We are currently working with a donor that we hope to be able to bring to you soon. We hope to have the donation of the funds to buy these one hundred and seven acres and then I will have the Purchase and Sale agreement from the Forest Service to present to the Council, hopefully at the first Town Council meeting in February.

Councilmember Snitzer said that he has been part of the fund-raising efforts on behalf of Save our Park but said there is something that he has said to them several times and said he would also express it here at the Town Council meeting. He expressed that the MOU is fine from the Town's standpoint, but one of the most important parts of any agreement is to make sure you have a complete meeting of the minds. In his opinion, he does not think there is. He said that he wants the Town to "own" the park and not "buy it" and said that there is a big difference between those two words. The difference is maintenance. He said that the first chapter is about to be closed and starting the second chapter for Save our Park, the first chapter being the one hundred and seven acres. He feels maintenance is not an issue on the one hundred and seven acres because we already maintain it and he believes there is not additional burden on the citizens of Pinetop-Lakeside. He said that he is in favor or acquiring the one hundred and seven acres, but he said that the next step will be to continue the fundraising efforts and identify another portion of the park to purchase and give to the Town and that point he feels that the Town will have to say, wait a minute what about maintenance. He wants this wait a

minute moment to be thought about while Save our Park is raising the money. He stated that because of his feelings regarding this, he would like to have the resolution restructured with some minor changes. He said that there are two changes to the resolution he would like to propose. First, is the Woodland Lake Park Tract, which is five hundred and eighty three acres, but right now we are only talking about the one hundred and seven acres of that, and said that he wants to give a message that says that the Town is making a decision on one hundred and seven acres and for them to come back at another time for additional acreage, but that it has to look different than this resolution. He said that in the first paragraph of the resolution the Town of Pinetop-Lakeside desires to purchase the Woodland Lake Park Tract and said that he added into the middle of this sentence to change it to say “the Town of Pinetop-Lakeside desires to purchase approximately one hundred and seven acres of the five hundred and eighty three acre Woodland Lake Park Tract”. He said he would like the focus to be on the one hundred and seven acres. He said that the fourth paragraph down he would like to add the words “with the understanding that they apply solely to the one hundred and seven acres that is under consideration” at the end of the sentence. He said that the Town is protected by the words in the MOU that says, “we can say no to any deal that they bring to us”.

Council Member Bowen said that she agrees with Council Member Snitzer and said that she feels that the Town is not currently maintaining the entire one hundred and seven acres and that the Forest Service is still maintaining a good portion of it. She said that the Town would be taking on the maintenance of the entire one hundred and seven acres and that it would cost the Town. She stated that she is in favor of obtaining the park but said she does not believe that the Town is in the position right now to agree to this MOU and she feels the Town needs to wait to approve the MOU. She feels that the 1.635 million to purchase the park does not take into account all the other stuff that does not need to be in the agreement. She said that the MOU needs to be very focused and not to take into account the entire acreage and that it needs to be very focused and very clear and feels it does not have to deal with all of the other acreage and that it needs to focus on what we are doing right now and forget all of the other stuff. She stated that there is still a lot of maintenance cost to take care of with the one hundred and seven acres, let alone to even assume that down the road the Town would be able to maintain the entire acreage. She said that the cost of clearing trees for fire prevention is very expensive and she said that the Town does not have the money to take care of this. She said that at this point she is not ready to vote on the MOU and that it is too broad, and it covers too much.

Mayor Irwin said that she agrees with Council Member Bowen and Council Member Snitzer. She says that the original agreement in 2007 was with the White Mountain Alliance, and even though it is still in force, the White Mountain Alliance is no longer in existence. She does not know if the original agreement is still enforceable. She said that Town Manager Johnson stated that some kind of an agreement would give comfort to the donors and said that she feels there needs to be something in place to give the donors some comfort that they are making a donation that matters. However, she feels that the MOU should have been undertaken at the very beginning of the fund-raising process and said that she is confused why Save our Park did not ask for it sooner.

In response to Council Member Snitzer, Council Member Bowen said that the Fire Board has had grants that have taken care of all the clearing, grants that Chief Morgan has obtained. She does not think that the Forest Service has been maintaining the land, and if something is not maintained over a period, we will have a mess.

In response to Council Member Bowen, Public Works Director Patterson said that the Town currently maintains approximately ten acres of the one hundred and seven acres. He said that the Boy Scouts and the fire department have helped with thinning, but said that Council Member Bowen has a valid point and without grants from the fire department the Town would have to maintain the property and keep it at a Firewise level.

Council Member Bowen said that she wants to be very careful with the community and the Town's tax base to be sure that we do not get upside down.

Director Patterson said that the entire five hundred acres would be difficult for the Town to maintain.

Mayor Irwin said in her opinion the MOU should match the resolution.

Council Member Bowen and Council Member Snitzer agreed with Mayor Irwin.

Town Manager Johnson said that a, b, c and d on the first page of the MOU is identifying what the tract is and the forty acres that we will never be able to acquire because it will stay under Forest Service ownership, and it is identifying different parts of the entire tract, not even the full amount. He said that beginning with number 1 and through the rest, pertains to the existing MOU with White Mountain Land Trust, which are not the ones raising funds anymore. He said he

would be able to bring back the entire original MOU, changing names in the document, with the original resolution, have the Mayor review and then bring them both back before the Council. He said the Council only wants to identify one hundred and seven acres.

Council Member Bowen feels that other than the one hundred and seven acres that additional acreage does not need to be mentioned in the MOU.

Town Manager Johnson stated that the MOU is basically saying that Save our Park is asking for a commitment from the Town regarding the funds that they raise to buy the one hundred and seven acres that the Town does not turn around and sell it or any other part that they raise money to purchase.

Council Member Bowen said then let us boil it down to where it needs to be boiled down to and remove all the other stuff. She does not feel that the MOU needs to be three pages long and that it needs to be kept very simple.

Council Member Snitzer suggested for the resolution and the MOU to focus only on the one hundred and seven acres and not the entire Woodland Lake Park Tract. He said he would like to know what the ongoing maintenance burden to the Town would be and if it is huge, we might want to say no to this.

Council Member Bowen said that her concern is not so much with the one hundred- and seven-acres maintenance, but with looking to buying more acres down the road.

Council Member Snitzer said that he does not want the maintenance of the park to become a burden to the citizens of the Town. If, in the future, the Town can purchase acres of the park and not have a maintenance burden to the citizens that would be a good thing.

Town Manager Johnson said that Save or Park would continue to work to raise funds for additional land purchase and they are making some pretty good progress and are getting ready to go public with the next part of their campaign. He believes that they will still be able to continue their fund-raising efforts as they have been. He said that he would work on the revisions of the resolution and the MOU.

Mayor Irwin said this conversation is not intended to discourage and that the entire Council is very supportive of their efforts and thrilled with the progress they have

made. She stated that staff and council members will continue to support their fund-raising efforts to purchase the one hundred and seven acres.

No action was taken on this item.

D.2 Information and Presentation regarding the Porter Mountain Road Improvement.

Public Works Director Patterson stated that the Blue Ridge Elementary and Middle School services approximately twelve hundred students with a total capacity of sixteen hundred students. Students arrive by walking, personal vehicle and school bus. The purpose of this school area assessment is to examine and assess the extent of potential road safety issues on Porter Mountain Road for students walking and biking to school. The analysis will identify and evaluate potential improvements to Porter Mountain Road to reduce congestion during school pick up and drop off and improve the safety of students traveling to and from school.

Public Works Director Patterson explained that the Town staff in partnership with the Blue Ridge Unified School District and Navajo County are examining and assessing potential road safety issues on Porter Mountain Road with a focus on school-related travel to and from Blue Ridge Elementary and Middle School, which is located on the corridor. The Town is considering potential infrastructure improvements to Porter Mountain Road that can address congestion concerns as a result of school drop-off and pick-up, maintain emergency vehicle access, and improve safety for school children walking and biking to school.

Public Works Director Patterson presented to the Council a Porter Mountain Road School Area Assessment plan prepared by Kimley Horn. The proposed plan includes recommended improvements, concepts and estimate of probably cost. He explained that the cost of the plan was split between the Town and Navajo County.

Public Works Director Patterson stated that Porter Mountain Road has issues and this is a very unsafe road for the citizens, first responders and the students. He said the school district and the county have all been receiving complaints regarding the road. He explained that the Town's roads funds are very small and said that this is a very large project. He stated that there are seven different projects in the proposed plan. He explained that currently enrolled at the school are twelve hundred kids, but it can accommodate sixteen hundred students. He said that the school usually does not provide bus service to students within a mile from the school, but since the road is so dangerous that buses are provided to the area. He

stated that there were forty-two accidents in that section of the road which caused back-up to Highway 260. Also, if an incident happens at the school during pick-up or drop-off times it is impossible to be first responders to the school. He explained that the total project would be approximately two million dollars.

Public Works Director Patterson pointed out the following proposed projects:

- New bridge will be construction at Highway 260 and Porter Mountain Road.
- Sidewalks will be added, and the road widened to three lanes.
- The existing pedestrian path will be widened to ten-foot-wide to accommodate first responders, if needed.
- Added cross walks for safe crossing.
- The road will be widened to three lanes.
- The Round-a-bout will be widened to two lanes.
- Sidewalks, signage and painting will be added and resolved.
- The school bus entrance will be three lanes and the construction of the asphalt path will continue to the subdivision to the north.

Public Works Director Patterson said that the Town does not have the funds for the project but said the important thing to know is that we must look for opportunities for funding. He said his next stop will be to present this project at a School Board meeting. He said that with Navajo County's help fixing the round-a-bout can be completed and the school crossing can be fixed.

In response to Mayor Irwin, Director Patterson said that the biggest part of the project is the three lanes, which is the most important part, and is a half a million dollars. He said a grant would help to complete this and would be a great way to take care of this.

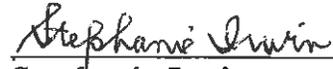
Director Patterson plans to present to the School Board in February and said that he has already talked to Superintendent Wright to help to pay for the construction plans, which will be approximately \$80,000.00.

Council Member Krigbaum commended Director Patterson for proposed plan and said that he and his guys are doing an amazing job.

Mayor Irwin also commended Director Patterson for taking the initiative to getting this done.

E. **Adjournment**

There being no further business at this time, the meeting was adjourned at approximately 7:02 p.m.



Stephanie Irwin
Mayor

ATTEST:



Jill Akins, CMC
Town Clerk



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 2nd day of January 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 2nd day of January 2020



Jill Akins, CMC
Town Clerk

