

**MINUTES OF THE REGULAR MEETING
OF THE HONORABLE TOWN COUNCIL
OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA,
HELD ON THURSDAY, APRIL 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 4:00 p.m.

➤ **Roll Call**

The following Council Members were present:

Stephanie Irwin	Mayor
Jerry Smith	Vice Mayor <i>participated telephonically</i>
Kathy Dahnk	Council Member <i>participated telephonically</i>
Carla Bowen	Council Member <i>participated telephonically</i>
Jim Snitzer	Council Member <i>participated telephonically</i>
Mazie Hastings	Council Member <i>participated telephonically</i>
Lynn Krigbaum	Council Member <i>participated telephonically</i>

Also, Present:

Keith Johnson	Town Manager
Kevin Rodolph	Finance Director
Jill Akins	Town Clerk
Dan Barnes	Chief of Police
Tony Alba	Community Services Manager
Annie DeRosier	Visitor Information Specialist
Rob Hephner	Birdman Media

➤ **Pledge of Allegiance and Invocation**

Mayor Irwin led the Pledge of Allegiance to the Flag.

Pastor Kerry Neuhardt delivered the Invocation.

B. 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 as presented. Councilmember Snitzer seconded the motion and by verbal roll call the following vote was recorded:

<u>AYES</u>	<u>ABSTAIN</u>	<u>NAYS</u>
Mayor Irwin		
Vice Mayor Smith		
Council Member Dahnk		
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 7-0 vote.

B.1 Approval of the Minutes of the Emergency Town Council Meeting held on March 17, 2020 and the Town Council Regular Meeting held on March 19, 2020.

By a unanimous vote under the Consent Agenda, Town Council approved the minutes of the Emergency Town Council Meeting held on March 17, 2020 and the Town Council Regular Meeting held on March 19, 2020.

**B.2 Consider approval of the Town Check Register for the period
February 1, through 29, 2020.**

By a unanimous vote under the Consent Agenda, Town Council approved Town Check Register for the period February 1, through 29, 2020.

C. 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.

C.1 Week of the Young Child Proclamation.

Mayor Irwin read the “Week of the Young Child in Navajo and Apache Counties” proclamation and proclaimed the Week of April 11-17, 2020 as the “Week of the Young Child in Navajo and Apache Counties”.

C.2 Fair Housing Month Proclamation.

Mayor Irwin read the “Fair Housing Month Proclamation” and proclaimed April 2020 as Fair Housing Month in the Town of Pinetop-Lakeside.

**C.3 Consider the Approval of the Woodland Lake Park Donor
Agreement.**

Town Manager Keith Johnson stated that staff recommends that Mayor and Council approve this agreement between the Town and the Peter and Nancy Salter Family Foundation, Inc. It fulfills the long-held dream of the Town to be able to control the future use and destiny of the Park. Due to Forest Service regulations the Town’s hands have quite often been tied to NEPA studies and other red tape in order to make improvements at the Park. He said that efforts by the Town of Pinetop-Lakeside to acquire the 583-acre Woodland Lake Park Tract formally began in 1987, when the Town filed a Townsite Act application to purchase the WLPT from the U.S. Forest Service. Efforts to have the price reduced or to have the land gifted to the Town have consistently failed. In 2007, the Town formed a task force to evaluate acquisition options and strategies. Save our Park was formed

through this effort. Their mission was to raise awareness in the community and funds to facilitate the purchase. An appraisal was completed in 2009 and Woodland Lake Park was valued at \$6,050,000. An effort to purchase the park by raising a TPT tax failed in 2011. A market analysis was performed in 2015 that showed a significant reduction in the price of the Woodland Lake Park. The Town Council approved Resolution 15-1355 in October 2015 requesting that the Forest Service perform another appraisal. The Save Our Park Board paid for that appraisal.

Town Manager Johnson explained that on March 7, 2019 the Town Council accepted the completed appraisal from the U.S. Forest Service. At that time Save our Park began a concerted effort to raise the funds needed to complete the purchase. They hired the Cagney Group to help manage and direct that effort. The Board worked with Lynda Williams on this campaign. In June 2019 staff was approached by the Peter and Nancy Salter Family Foundation, Inc. about donating the amount needed to complete the purchase. This was tremendous news. The family has been supporters of this initiative for several years and we are very grateful for this generous donation. The Salter Family have had a home here for many years and desire to leave a legacy that will benefit the community for many generations to come. Woodland Lake Park is an important part of the Town. It provides recreational opportunities, facilitates tourism and is recognized by many to be a gem of the White Mountains. It has hosted many softball tournaments, cross country track meets, Arizona Game and Fish events, picnics, fun runs, canoeing and more. This park has truly been a blessing to our community. One of the terms of this Donation Agreement does place a restrictive covenant to not sell the property. That is found in Exhibit B. He said that the Park has been maintained by the Town for the past 35 years so there should not be any significant increase over the normal annual expenditures.

Mayor Irwin expressed her gratitude for this incredible gift to the Town of Pinetop-Lakeside, the entire community and to the future generations in the Town.

In response to Councilmember Snitzer, Town Manager Johnson stated that the donor has not asked for anything in particular and his suggestion has been to place plaque for their generous donation from their foundation. He said that there are others to be recognized for their efforts.

Councilmember Dahnk thanked the entire Town and the community that has helped over the years for this great purchase and to the Salters and Save our Park who have worked diligently for many, many years.

Councilmember Krigbaum moved to approve the Donation Agreement between the Town of Pinetop-Lakeside and the Peter and Nancy Salter Family Foundation, Inc., a Delaware non-profit corporation for the purchase of the Woodland Lake Park. Vice Mayor Smith seconded the motion and by verbal roll call the following vote was recorded:

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

Mayor Irwin then declared that the Donation Agreement between the Town of Pinetop-Lakeside and the Peter and Nancy Salter Family Foundation, Inc., a Delaware non-profit corporation for the purchase of the Woodland Lake Park as presented was approved, passed and adopted with a 7-0 vote.

C.4 Public Hearing regarding the Proposed Amendments to Title 17, Chapter 17.20 (R-Low) Rural Zoning District; **Resolution No. 20-1543**, Declaring as Public Record a Certain Document Filed with the Town Clerk and entitled “Town Code Amendments to Title 17, Chapter 17.20 (R-Low) Rural Zoning District”; and **Ordinance No. 20-427**, Adopting the Town Code Amendments to Title 17, Chapter 17.20 (R-Low) Rural Zoning District.

Director Blake said that staff recommends that the Council adopt the amendments to Town Code Title 17, Chapter 17.20 (R-LOW) Rural Zoning District. He explained that The Planning and Zoning Commission has reviewed Chapter 17.20 and has made the following recommendations to the council.

Sections amended in Chapter 17.20 (R-LOW) Rural Zoning District:

- 17.20.010 Purpose.
- 17.20.020 Permitted uses.
- 17.20.030 Conditional uses.
- 17.20.040 Height regulations.

- 17.20.050 Yard regulations.
 - 17.20.060 Intensity of use regulations.
-

Director Blake thanked the Planning and Zoning Commission for their thought, effort and work done on these chapters and on the suggested changes.

Director Blake pointed out the following significant changes:

- New to the R-Low Zoning District is individuals with one acre or more would be able to have a guest house up to twelve hundred square feet located on their property. This property would have to meet all the set-back requirements of the primary residence, but this would allow for a guest home.
- In a previous chapter, the equine requirements were revised to allow for properties in the R-Low district to not have to apply for a Conditional Use Permit to have horses on their property. This change is in conjunction with the changes made in the Equine Regulations that would allow horses on one acre or larger parcels, still following the Equine Regulations, but would be able to have horses without a Conditional Use Permit.
- The distance between buildings on the same lot would be changed from fifteen feet to ten feet, mostly related to accessory structures like garages or storage sheds.

In response to Councilmember Hastings, Director Blake explained that there is not a minimum square footage requirement, but he said that if the building code requirements are met the square footage could go as low as two hundred square feet.

In response to Councilmember Bowen, Director Blake said a guest house could be built ten feet away from the main residence.

Councilmember Dahnk moved to adopt Resolution No. 20-1543 and Ordinance No.20-427 amending Town Code Chapter 17.20 (R-Low) Rural Zoning District. Councilmember Bowen seconded the motion and by verbal roll call the following vote was recorded:

AYES
Mayor Irwin
Vice Mayor Smith

ABSTAIN

NAYS

Council Member Dahnk
Council Member Bowen
Council Member Snitzer
Council Member Hastings
Council Member Krigbaum

Mayor Irwin then declared that Resolution No. 20-1543 and Ordinance No.20-427 amending Town Code Chapter 17.20 (R-Low) Rural Zoning District as presented approved, passed and adopted with a 7-0 vote.

C.5 Public Hearing regarding the Proposed Amendments to Title 17, Chapter 17.24 (R1-2) Single Family Residential Zoning District; **Resolution No. 20-1544** , Declaring as Public Record a Certain Document Filed with the Town Clerk and entitled “Town Code Amendments to Title 17, Chapter 17.24 (R1-2) Single Family Residential Zoning District;”; and **Ordinance No. 20-428**, Adopting the Town Code Amendments to Title 17, Chapter 17.24 (R1-2) Single Family Residential Zoning District.

Director Blake said that staff recommends that the Council adopt the amendments to Town Code Title 17, Chapter 17.24 (R1-2) Single Family Zoning District. He explained that The Planning and Zoning Commission has reviewed Chapter 17.24 and made the following recommendations to the council.

Sections amended in Chapter 17.24 (R1-2) Single Family Zoning District:

17.24.010 Purpose.
17.24.020 Permitted uses.
17.24.030 Conditional uses.
17.24.040 Height regulations.
17.24.050 Yard regulations.
17.24.060 Intensity of use regulations.

Director Blake pointed out the following significant changes:

- Clarify one dwelling per lot.
- Distance between accessory buildings on the lot from fifteen feet to ten feet.

In response to Vice Mayor Smith, Director Blake said that the set-back would be the same width of the front yard if there is another street on the other side of the lot.

Councilmember Bowen stated the language is clear to her and said she is fine with the statement.

Councilmember Bowen moved to adopt Resolution No. 20-1544 and Ordinance No.20-428 amending Town Code Chapter 17.24 (R1-2) Single Family Zoning District. Councilmember Hastings seconded the motion and by verbal roll call the following vote was recorded:

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

Mayor Irwin then declared that Resolution No. 20-1544 and Ordinance No.20-428 amending Town Code Chapter 17.24 (R1-2) Single Family Zoning District as presented was approved, passed and adopted with a 7-0 vote.

C.6 Public Hearing regarding the Proposed Amendments to Title 17, Chapter 17.28 (R1-4) Single Family Residential Zoning District; Resolution No. 20-1545, Declaring as Public Record a Certain Document Filed with the Town Clerk and entitled “Town Code Amendments to Title 17, Chapter 17.28 (R1-4) Single Family Residential Zoning District;” and Ordinance No. 20-429, Adopting the Town Code Amendments to Title 17, Chapter 17.28 (R1-4) Single Family Residential Zoning District.

Director Blake said that staff recommends that the Council adopt the amendments to Town Code Title 17, Chapter 17.28 (R1-4) Single Family Zoning District. He explained that The Planning and Zoning Commission has reviewed Chapter 17.28 and has made the following recommendations to the council.

Sections amended in Chapter 17.28 (R1-4) Single Family Zoning District:

- 17.28.010 Purpose.
 - 17.28.020 Permitted uses.
 - 17.28.030 Conditional uses.
 - 17.28.040 Height regulations.
 - 17.28.050 Yard regulations.
 - 17.28.060 Intensity of use regulations.
-

Director Blake pointed out the following significant changes:

- Conditional Uses were put into their own section.
- Accessory structures on the lot from fifteen feet to ten feet.

In response to Councilmember Bowen, Director Blake explained that the minimum lot size in R1-4 is ten thousand, but he said that there are individuals in the Town that have that zoning on larger lots. He said that under the equine regulations if the property is at least a half-acre up to two horses are allowed.

Councilmember Krigbaum moved to adopt Resolution No. 20-1545 and Ordinance No. 20-429 amending Town Code Chapter 17.28 (R1-4) Single Family Zoning District. Councilmember Dahnk seconded the motion and by verbal roll call the following vote was recorded:

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

Mayor Irwin then declared that Resolution No. 20-1545 and Ordinance No. 20-429 amending Town Code Chapter 17.28 (R1-4) Single Family Zoning District as presented was approved, passed and adopted with a 7-0 vote.

C.7 Public Hearing regarding the Proposed Amendments to Title 17, Chapter 17.32 (R1-6) Single Family Residential Zoning District.; **Resolution No. 20-1546**, Declaring as Public Record a Certain Document Filed with the Town Clerk and entitled “Town Code Amendments to Title 17, Chapter 17.32 (R1-6) Single Family Residential Zoning District”; and **Ordinance No. 20-430**, Adopting the Town Code Amendments to Title 17, Chapter 17.32 (R1-6) Single Family Residential Zoning District.

Director Blake said that staff recommends that the Council adopt the amendments to Town Code Title 17, Chapter 17.32 (R1-6) Single Family Zoning District. He explained that The Planning and Zoning Commission has reviewed Chapter 17.32 and has made the following recommendations to the council.

Sections amended in Chapter 17.32 (R1-6) Single Family Zoning District:

- 17.32.010 Purpose.
 - 17.32.020 Permitted uses.
 - 17.32.030 Conditional uses.
 - 17.32.040 Height regulations.
 - 17.32.050 Yard regulations.
 - 17.32.060 Intensity of use regulations.
-

Director Blake pointed out the following significant changes:

- Conditional Uses were put into a separate section.
- Accessory structures on the lot from fifteen feet to ten feet.

Councilmember Hastings moved to adopt Resolution No. 20-1546 and Ordinance No. 20-430 amending Town Code Chapter 17.32 (R1-6) Single Family Zoning District. Councilmember Snitzer seconded the motion and by verbal roll call the following vote was recorded:

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

Mayor Irwin then declared that Resolution No. 20-1546 and Ordinance No. 20-430 amending Town Code Chapter 17.32 (R1-6) Single Family Zoning District as presented was approved, passed and adopted with a 7-0 vote

- C.8 Public Hearing** regarding the Proposed Amendments to Title 17, Chapter 17.36 (R-2) Multiple-Family Residential Zoning District; **Resolution No. 20-1547**, Declaring as Public Record a Certain Document Filed with the Town Clerk and entitled “Town Code Amendments to Title 17, Chapter 17.36 (R-2) Multiple-Family Residential Zoning District”; and **Ordinance No. 20-431**, Adopting the Town Code Amendments to Title 17, Chapter 17.36 (R1-2) Multiple-Family Residential Zoning District.
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Director Blake stated that staff recommends that the Council adopt the amendments to Town code Title 17, Chapter 17.36 (R-2) Multiple-Family Zoning District. He said that The Planning and Zoning Commission has reviewed Chapter 17.36 and has made the following recommendations to the council.

Sections amended in Chapter 17.36 (R-2) Multiple-Family Zoning District:

- 17.36.010 Purpose.
 - 17.36.020 Permitted uses.
 - 17.36.030 Conditional uses.
 - 17.36.040 Height regulations.
 - 17.36.050 Yard regulations.
 - 17.36.060 Intensity of use regulations.
-

Director Blake pointed out the following significant changes:

- Conditional uses and Permitted uses separated into their own sections.
- Intensity of uses regulations the Commission recommends reducing the minimum size footprint for a house from 1,000 square feet down to six-hundred square feet and increasing the maximum density from 12 units to 14 units per acre.

Vice Mayor Smith said that he appreciates and likes the set-back for corner lots giving the depth of twenty feet.

Councilmember Hastings said this is very important and positive move to make more affordable housing with the tiny homes being so popular.

In response to Councilmember Snitzer, Director Blake said that there are several different zonings that allow for manufactured homes but said that some of them do have restriction on size and on being Class A.

Councilmember Snitzer moved to adopt Resolution No. 20-1547 and Ordinance No. 20-431 amending Town Code Chapter 17.36 (R-2) Multiple-Family Zoning District. Vice Mayor Smith seconded the motion and by verbal roll call the following vote was recorded:

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

Mayor Irwin then declared that Resolution No. 20-1547 and Ordinance No. 20-431 amending Town Code Chapter 17.36 (R-2) Multiple-Family Zoning District as presented was approved, passed and adopted with a 7-0 vote.

C.9 Report and Update from Mayor Irwin and Town Manager Johnson.

Mayor Irwin said that she and Town Staff are on conference calls daily with the State of Arizona and said that the information is mind boggling at times. She said that the Mayors in their twice a week briefing with the Governor’s office has asked for a true list of what the Governor sees as non-essential businesses. She feels that the businesses have to make a moral decision and consider whether they are an essential business or not at this time. She encourages that businesses that do stay open to follow the CDC guidelines and do the right thing. She said that the sooner we get this under control the sooner we can get back to normal. She encourages businesses to think strong and hard whether to stay open or not.

Town Manager Johnson said that Town staff participates in many conferences calls each week and he said that it was reported yesterday that 22,000 tests have been completed with 6% of those tests being positive for COVID19. Navajo County has 129 cases and there is one confirmed case in Pinetop-Lakeside. Now is the time to take it seriously as businesses and citizens. This virus can be spread by people that are not exhibiting symptoms. He said that he encourages everyone to wear a mask,

which will help avoid the virus coming in contact with your face and eyes. If you have a fever, cough or shortness of breath contact your Doctor. If your symptoms are mild, self-quarantine for fourteen days. He encourages everyone to look on the Summit website for daily updates and to self-quarantine if you have come into contact with anyone that has tested positive for COVID19 and said that there are also other viruses too. Mayor Irwin, myself and Town staff have been very involved with efforts throughout the county, state and federal government to ensure that our concerns are being heard. He said that we have a concern about our summer visitors and seasonal homeowners and said that the Governor has been asked to suggest to them to stay in the area where they are currently living so they do not impact our resources up here, buy supplies in our stores or healthcare. On a daily basis we have been providing updates through the Town newsletter by email or on our Town's Facebook page. We have seen bright spots in our community and would like to commend the Blue Ridge Fab Lab for their work in creating masks, shields and ventilator parts. This is an awesome and inspiring project that they have undertaken. The Town has created videos, including an interview with Mayor Irwin produced by Rob Hephner with Birdman Media. Everyone is stepping up to be a part of the solution and not a part of the problem. Bottom line, we are all sacrificing a lot, our businesses, citizens and families. Follow the guidelines. Essential businesses are being creative to meet the needs of our community and for the most part, non-essential businesses have closed as per the Governor's Executive Order. Here at the Town of Pinetop-Lakeside we are all committed to doing what we can to keep the Town functioning and he thanked the staff for their work to take care of and meet the needs of our community. Our work is to follow President Trump's guidelines of "Thirty Days to Slow the Spread" and after that we will rely on our faith and our prayers.

Mayor Irwin reminded citizens to visit restaurants for take-out and said that many of them have created specials.

Jayne Edgar, 2547 Pima Way, Lakeside, AZ 85929, asked the following question: "Is this just zoning stuff or is it going to be how to keep us all safer than we are now. It's still packed out there. No one is staying home?? But how will we know? No names are being released. So we will have no clue"

Town Manager Johnson explained that per HIPPA rules names of individuals that have tested positive cannot be released. He said that there are only so many tests available, and only the people with the most severe symptoms are being tested.

Mayor Irwin said there are still a lot of people out and hopefully they are just taking care of essential business and said that it is a personal responsibility and she encourages citizens to follow the Governors Executive Order.

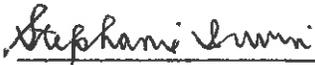
Leha Hulse Searcy, General Manager at Green Tree Inn & Suites and Best Western Inn of Pinetop, 431 E. White Mountain Blvd., Pinetop, AZ, asked the following question: “Is Woodland Lake Park and the walking trail still open.”

Mayor Irwin said that the playgrounds and restrooms are closed but the walking trail and the parks are still open.

Mayor Irwin thanked the Town staff and said that this is a very stressful time for everyone. She encouraged the entire community to be safe, follow the guidelines and please stay home.

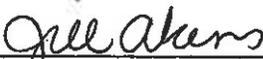
D. Adjournment

There being no further business at this time, the meeting was adjourned at approximately 5:04 p.m.



Stephanie Irwin
Mayor

ATTEST:



Jill Akins, CMC
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 2nd day of April 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 2nd day of April 2020.



Jill Akins, CMC
Town Clerk

