



TOWN COUNCIL REGULAR MEETING MINUTES

Wednesday, February 15, 2023 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.

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

Mayor Reidhead called the meeting to order at 6:00 p.m. and led the pledge of allegiance.

2. **ROLL CALL:**

Members of the Town Council or Legal Counsel that are unable to be present in person at a scheduled Council meeting, may participate in the meeting by telephone or video conference.

Present: Shelly Reidhead, Mayor; Richard Davis, Vice-Mayor; Douglas Henderson, Councilor; Donald Scott, Councilor; Florencio Lozoya, Councilor

Staff Present: Town Clerk Kelsi Miller; Town Attorney Telephonically Tosca Henry; Finance Director Heidi Wink; Interim Planning and Zoning Director Timothy Rasmussen; Public Works Director Steve Christensen; Heritage Center Beth Conlin

3. **INVOCATION:**

Pastor Luke Gallagher offered the invocation.

4. **PUBLIC PARTICIPATION:**

This portion of the agenda is set aside for the public to address the Council regarding items, whether they are listed on the agenda for discussion or not. However, the Council cannot engage in discussion regarding any item that is not officially listed on the agenda for discussion and/or action (A.R.S. §38-431.02(H).) Comments are limited to a 3 minute time period.

Becky Christensen with the Springerville - Eagar Regional Chamber of Commerce addressed the Mayor and Council. She updated on advertisements for Springerville and Eagar in the valley area. She told Council about upcoming events including a mother / daughter tea party in May at Lyman Lake, classic car show called rods & hogs, a hot air balloon festival in August, and a St. Patricks Day mixer at Averys.

Terry Shove addressed the Mayor & Council. She let them know about a Dr. Suess reading event at the elementary school in February and March. Council is invited to come read with third-graders. She next updated on Little League Basketball. The season is going well, they have 306 kids playing this year. They have 19 teams from St. Johns, 18 teams from Round Valley, and 1 team from Quemado. Lastly, she updated that the wrestling teams are going to a state tournament in Prescott.

Lane Scott, a builder, addressed the Mayor and Council. He discussed the concerns around the country and the lack of affordable housing. He builds not only tiny houses but tiny villages that have shops and houses to create a community. He gave Council his brochure if they are interested.

5. **COUNCIL, MANAGER AND STAFF REPORTS:**

Summary reports will be given on the items listed and no action will be taken on any matters mentioned in the summary unless listed in the agenda. (A.R.S. 38.431.02(k))

Council welcomed back Tim Rasmussen the Interim Planning and Zoning Director. He reported the department was left in perfect shape. Everything is going well.

Councilor Henderson thanked Public Works for the great job they did with snow removal.

Mayor Reidhead reported on a meeting with TEP. She explained we need to come up with some projects as their will be funding coming from them.

Submitted staff reports

6.

CONSENT ITEMS:

Discussion and possible action to approve consent items 6a - 6e as presented.

Motioned by Councilor Donald Scott, seconded by Vice-Mayor Richard Davis to approve consent items 6a, 6b, 6c, 6d, and 6e as presented.

Discussion: None

AYE: Mayor Shelly Reidhead, Vice-Mayor Richard Davis, Councilor Douglas Henderson, Councilor Donald Scott, Councilor Florencio Lozoya

5 - 0 Passed - Unanimously

- a. Consider approval of the January 18, 2023 Regular Council Meeting Minutes. [1.18.23 Regular Council Meeting Draft Minutes](#)
- b. Consider approval of the January 18, 2023 Special Council Meeting Minutes. [1.18.23 Special Meeting Draft Minutes](#)
- c. Consider approval of the January 24, 2023 Joint Council Meeting Minutes. [1.24.23 Joint Council Meeting Draft Minutes](#)
- d. Consider approval of the January 10, 2023 Special Council Meeting Minutes. [1.10.23 Special Council Meeting Draft Minutes](#)
- e. Consider ratification and approval of the accounts payable register from January 11, 2023 through February 8, 2023.

7.

PUBLIC HEARING:

- a. **HOWARD JOHNSON LIQUOR LICENSE TRANSFER:**

Discussion and possible action to enter into a public hearing to take public and Council comments on the transfer of ownership on the liquor license for 242 E Main Street from Gary Kiehne DBA Rode Inn to Andrea Lewkowitz DBA Howard Johnson of Springerville.

Motioned by Vice-Mayor Richard Davis, seconded by Councilor Florencio Lozoya to enter into a public hearing to take Council and public comments on the liquor license transfer application from Gary Kiehne DBA Rode Inn to Andrea Lewkowitz DBA Howard Johnson of Springerville.

AYE: Mayor Shelly Reidhead, Vice-Mayor Richard Davis, Councilor Douglas Henderson, Councilor Donald Scott, Councilor Florencio Lozoya

5 - 0 Passed - Unanimously

No Council or public made comments.

Motioned by Vice-Mayor Richard Davis, seconded by Councilor Florencio Lozoya to leave the public hearing and enter back into regular session.

AYE: Mayor Shelly Reidhead, Vice-Mayor Richard Davis, Councilor Douglas Henderson, Councilor Donald Scott, Councilor Florencio Lozoya

5 - 0 Passed - Unanimously

8. **ANNUAL AUDIT PRESENTATION:**

Colby & Powell, PLC will present Council with the annual audit via Zoom.

Scott Graff with Colby and Powell PLC gave the Springerville audit presentation for fiscal year ending June 30, 2022 via Zoom. He explained what the audit covers and what areas are the responsibility of the Town. He explained Springerville's finance department is doing a great job and has great system controls. The audit presentation included a five year comparison of the general fund and its net position, and the five year comparison of the utility fund and its net position. All funds have increased in health over the last five years.

OLD BUSINESS

9. **ORDINANCE 2022-006:**

a. Discussion and possible second reading of Ordinance 2022-006

ORDINANCE NO. 2022-006 AN ORDINANCE OF THE TOWN OF SPRINGERVILLE, APACHE COUNTY ARIZONA, AMENDING TITLE 17, CHAPTER 17.68 GENERAL COMMERCIAL RELATED TO MINI STORAGE COMPLEXES AS A CONDITIONAL USE IN C-1 COMMERCIAL, PROVIDING FOR REPEAL OF ANY CONFLICTING ORDINANCES, AND ESTABLISHING AN EFFECTIVE DATE.

b. Discussion and possible action on Ordinance 2022-006 regarding mini storage in C-1 commercial zoning with a conditional use permit.

Mayor Reidhead completed the second reading of Ordinance 2022-006.

Motioned by Councilor Donald Scott, seconded by Vice-Mayor Richard Davis to approve Ordinance 2022-006 regarding mini storage in C-1 commercial zone with a conditional use permit.

AYE: Mayor Shelly Reidhead, Vice-Mayor Richard Davis, Councilor Douglas Henderson, Councilor Donald Scott, Councilor Florencio Lozoya

5 - 0 Passed - Unanimously

DISCUSSION: None

10. **ORDINANCE 2022-007:**

a. Discussion and possible second reading of Ordinance 2022-007

ORDINANCE NO. 2022-007

AN ORDINANCE OF THE TOWN OF SPRINGVILLE, APACHE COUNTY ARIZONA, AMENDING THE TOWN CODE TITLE 17 CHAPTERS 17.08, 17.28, 17.32, 17.40 SECTIONS 17.28. REMOVING “CAMPGROUNDS AS A USE PERMITTED BY CONDITIONAL USE PERMIT, AND REMOVING CAMPGROUNDS FROM 7.08, “DEFINITIONS” AND 17.28.160 “GENERAL PROVISIONS” PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, AND ESTABLISHING AN EFFECTIVE DATE.

b. Discussion and possible action on Ordinance 2022-007 regarding removing campgrounds as a conditional use and in other related references in Chapter 17.

Mayor Reidhead completed the second reading of Ordinance 2022-007.

Motioned by Councilor Douglas Henderson, seconded by Councilor Donald Scott to approve Ordinance 2022-007 regarding removing campgrounds as a conditional use and in other related references in Chapter 17.

AYE: Mayor Shelly Reidhead, Vice-Mayor Richard Davis, Councilor Douglas Henderson, Councilor Donald Scott, Councilor Florencio Lozoya

5 - 0 Passed - Unanimously

DISCUSSION:None

11. **ORDINANCE 2023-001:**

a. Discussion and possible second reading of Ordinance 2023-001.

ORDINANCE NO. 2023-001

AN ORDINANCE OF THE TOWN OF SPRINGVILLE, APACHE COUNTY ARIZONA, ADOPTING A PUBLIC RECORD.

b. Discussion and possible action on Ordinance 2023-001, regarding adopting a public record.

Mayor Reidhead completed the second reading of Ordinance 2023-001.

Motioned by Vice-Mayor Richard Davis, seconded by Councilor Donald Scott to adopt Ordinance 2023-001 adopting a public record.

AYE: Mayor Shelly Reidhead, Vice-Mayor Richard Davis, Councilor Douglas Henderson, Councilor Donald Scott, Councilor Florencio Lozoya

5 - 0 Passed - Unanimously

DISCUSSION: None

12. RESOLUTION 2023-R003:
Discussion and possible action to adopt Resolution 2023-R003 regarding declaring a public record of Ordinance 2022-007.

**RESOLUTION NO. 2023-R003
A RESOLUTION OF THE TOWN OF SPRINGERVILLE, APACHE COUNTY
ARIZONA, DECLARING AS A PUBLIC RECORD ORDINANCE NO.
2022-007.**

Motioned by Vice-Mayor Richard Davis, seconded by Councilor Donald Scott to adopt Resolution 2023-R003, declaring Ordinance 2022-007 a public record.

AYE: Mayor Shelly Reidhead, Vice-Mayor Richard Davis, Councilor Douglas Henderson, Councilor Donald Scott, Councilor Florencio Lozoya

5 - 0 Passed - Unanimously

DISCUSSION:None

NEW BUSINESS

13. **LIQUOR LICENSE TRANSFER:**
Discussion and possible action to approve the liquor license transfer to the Howard Johnson of Springerville.

Motioned by Vice-Mayor Richard Davis, seconded by Councilor Donald Scott to approve the liquor license application from the Howard Johnson of Springerville as presented.

AYE: Mayor Shelly Reidhead, Vice-Mayor Richard Davis, Councilor Douglas Henderson, Councilor Donald Scott, Councilor Florencio Lozoya

5 - 0 Passed - Unanimously

DISCUSSION: None

14. **TOURISM TAX REQUEST:**

Discussion and possible action on the request of tourism tax funds in the amount of \$750 for the Chrome in the Dome event.

Motioned by Vice-Mayor Richard Davis, seconded by Councilor Donald Scott to approve the request for tourism tax funds in the amount of \$750 for the Chrome in the Dome event.

AYE: Mayor Shelly Reidhead, Vice-Mayor Richard Davis, Councilor Douglas Henderson, Councilor Donald Scott, Councilor Florencio Lozoya

5 - 0 Passed - Unanimously

DISCUSSION: Mike Campbell addressed the Mayor and Council. He thanked them for their continuous support of the event. He invited Mayor Reidhead to present an award from Springerville. He let know with the funds from last year helped the American Legion, the high school FFA program, and a raffle to help purchase a plasma cutter table in the amount of \$12,000 for the high school and gave a scholarship. Council thanked him this event.

15. **APPOINTMENT OF PLANNING AND ZONING COMMISSIONER:**

Discussion and possible action to appoint Planning & Zoning Commissioner to vacant term ending December 31, 2025.

Motioned by Vice-Mayor Richard Davis, seconded by Councilor Douglas Henderson to appoint Brian Hayes to the vacant Planning and Zoning Commission with a term ending December 31, 2025.

AYE: Mayor Shelly Reidhead, Vice-Mayor Richard Davis, Councilor Douglas Henderson, Councilor Donald Scott, Councilor Florencio Lozoya

5 - 0 Passed - Unanimously

Brian thanked the Council for having faith in him.

16. **WATER MAIN EXTENSION INTO THE COUNTY:**

Discussion and possible action to allow public works to extend a water main into a county island to allow additional connections.

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

Motioned by Councilor Donald Scott, seconded by Councilor Douglas Henderson to allow the extension of the water main into the county island off of Becker Lane.

AYE: Mayor Shelly Reidhead, Councilor Douglas Henderson, Councilor Donald Scott, Councilor Florencio Lozoya

4 - 0 Passed - Unanimously

DISCUSSION: The public works director, Steve Christensen addressed the Mayor and Council. He explained for years we have stopped mains and ran long spaghetti lines on the east side town. A builder contacted us wanted to extend the main off of Becker Lane. He is willing to provide the funds for the main. Mayor Reidhead asked if we know how many meters they are looking to connect. He explained initially it would be 3, but we could also do some clean up on other lines there and connect them to the main. It was explained there is a possibility of looping and circling this main back into itself. Mr. Christensen asked Council to consider his suggestion of allowing these main extensions at his discretion. Mayor Reidhead said she would like Council to visit main extensions on a case by case basis, Councilor Scott agreed.

17. **APACHE-SITGREAVES NF AIRBASE LEASE RENEWAL:**

Discussion and possible action to consider the Apache - Sitgreaves airbase lease amendment proposal for 45,000 sqft of land located within the municipal airport.

Council may convene into executive session pursuant to ARS 38-431.03 (A) (1) (7) discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property.

Motioned by Councilor Douglas Henderson, seconded by Vice-Mayor Richard Davis to approve the lease agreement proposal with the Apache Sitgreaves National Forest with the amendment to pay the amount per the Town fee schedule.

AYE: Mayor Shelly Reidhead, Vice-Mayor Richard Davis, Councilor Douglas Henderson, Councilor Donald Scott, Councilor Florencio Lozoya

5 - 0 Passed - Unanimously

Discussion: None

18. **EXECUTIVE SESSION:**

a. SAGUARO HEALTH CENTER LLC/ MASON CAVE/RAOF MANAGEMENT:

Discussion or consultation with the attorneys of the public body in order to consider its position regarding Saguario Health Center LLC/ Mason Cave/ RAOF Management and instruct its attorneys regarding the Town's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation, Update and consultation with the Town Attorney pursuant to ARS § 38-431.03 (A) (3) (4).

b. WMF LLC:

Discussion or consultation with the attorneys of the public body in order to consider its position regarding White Mountain Flower and discussion or consultation for legal advice with the attorney or attorneys of the public body pursuant to ARS § 38-431.03 (A) (3).

c. COMNET:

Discussion or consultation with the attorneys of the public body in order to consider its position regarding Comnet and instruct its attorneys regarding the Town's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation, Update and consultation with the Town Attorney pursuant to ARS § 38-431.03 (A) (3) (4).

d. BOYS AND GIRLS CLUB REQUEST TO LEASE PROPERTY:

Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property pertaining to the request to lease property at 418 E Main St. by the Boys and Girls Club pursuant to ARS § 38-431.03 (A) (7).

e. NATIONAL OPIOID SETTLEMENTS:

Discussion or consultation with the attorneys of the public body in order to consider its position regarding the National Opioid Settlements and discussion or consultation for legal advice with the attorney or attorneys of the public body pursuant to ARS § 38-431.03 (A) (3).

f. COURT OPERATIONS:

Executive session pursuant to Ariz. Rev. Stat. 38-431.03(A)(3) discussion or consultation for legal advice with the attorney or attorneys of the public body regarding court operations.

Motioned by Vice-Mayor Richard Davis, seconded by Councilor Donald Scott to enter into executive session at 6:43 p.m.

AYE: Mayor Shelly Reidhead, Vice-Mayor Richard Davis, Councilor Douglas Henderson, Councilor Donald Scott, Councilor Florencio Lozoya

5 - 0 Passed - Unanimously

Motioned by Councilor Donald Scott, seconded by Vice-Mayor Richard Davis to leave executive session and enter back into regular session at 7:51 p.m.

AYE: Mayor Shelly Reidhead, Vice-Mayor Richard Davis, Councilor Douglas Henderson, Councilor Donald Scott, Councilor Florencio Lozoya

5 - 0 Passed - Unanimously

19. **ACTION AS A RESULT OF EXECUTIVE SESSION:**
Discussion and possible action as a result of executive session.

No action as a result of executive session.

20. **ADJOURNMENT:**

Motioned by Vice-Mayor Richard Davis, seconded by Councilor Donald Scott to adjourn the meeting.

AYE: Mayor Shelly Reidhead, Vice-Mayor Richard Davis, Councilor Douglas Henderson, Councilor Donald Scott, Councilor Florencio Lozoya

5 - 0 Passed - Unanimously

Shelly Reidhead, Mayor

ATTEST:

Kelsi Miller, Town Clerk

I hereby certify that the foregoing is a true copy of the minutes of the Springerville Town Council in a Regular Meeting on Wednesday, February 15, 2023. I further certify that the meeting was duly called and a quorum was present.

Dated this _____ day of _____ 2023

Kelsi Miller, Town Clerk

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.