



TOWN COUNCIL REGULAR MEETING

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:**
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.
3. **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.
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)

Submitted staff reports
6. **CONSENT ITEMS:**
Discussion and possible action to approve consent items 6a - 6e as presented.

- 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.

8. **ANNUAL AUDIT PRESENTATION:**

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

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.

10. **ORDINANCE 2022-007:**

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

**ORDINANCE NO. 2022-007
AN ORDINANCE OF THE TOWN OF SPRINGERVILLE, 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.

11. **ORDINANCE 2023-001:**

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

**ORDINANCE NO. 2023-001
AN ORDINANCE OF THE TOWN OF SPRINGERVILLE, APACHE COUNTY
ARIZONA, ADOPTING A PUBLIC RECORD.**

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

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.**

NEW BUSINESS

13. **LIQUOR LICENSE TRANSFER:**

Discussion and possible action to approve the liquor license transfer to the Howard Johnson of Springerville.

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.

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

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

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.

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.

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 Saguaro 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.

19. **ACTION AS A RESULT OF EXECUTIVE SESSION:**

Discussion and possible action as a result of executive session.

20. **ADJOURNMENT:**

Submitted by: _____

Posted by: _____

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 or summarized during the call to the public. All comments must be submitted by 12:00 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) | Agenda published on ____/2022 at 3:00 PM