



TOWN COUNCIL REGULAR MEETING

Minutes

Wednesday, June 16, 2021 at 6:00 pm

Attendees: Interim Town Manager - Heidi Wink, Town Clerk - Kelsi Miller, Fire Chief - Robert Pena Jr., Battalion Chief - Robert Pena III, Police Chief- Dayson Merrill, Community Services Director Robin Aguero, PW/PZ Director Timothy Rasmussen, Town Attorney - Tosca Henry

**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.

TOWN COUNCIL MEETING: 6:00 P.M.

1. CALL MEETING TO ORDER AND PLEDGE OF ALLEGIANCE:

Minutes:

Mayor Hanson called the meeting to order at 6:00 p.m. Brian Carpenter led the pledge of allegiance.

2. ROLL CALL:

Minutes:

The Town Clerk completed a Roll Call: Councilor Llamas- Present, Vice-Mayor MacKenzie - Present, Mayor Hanson - Present, Councilor Davis- Present, Councilor Reidhead- Present. A quorum is present.

3. PUBLIC PARTICIPATION:

Minutes:

Brian Carpenter an employee for the Town of Springerville community services

addressed the Mayor and Council. He updated that on the number of transportations they have done from March to May explaining a steady increase. It is \$5 for local transports and \$15 to go to Show Low. They try to go to Show Low once a month. They have started in house lunches again and they have increased. They are planning some future activities such as senior belly dancing on Wednesdays, senior nutrition and activities, bingo, and hopefully a trip to Laughlin or Petrified Forest. He explained the emotional challenges the staff at the center face.

Kay Dyson addressed the Mayor and Council. She let them know she is a Meals on Wheels volunteer and she wanted to show support to the item on the agenda looking for new ways to help with funding to the Senior Center. She explained previously they had an opportunity through NACOG to donate to the Center to get a tax credit and unfortunately it did not go through. She appreciates them looking at alternative ways to help and collect charity money for the seniors. Secondly she thanked Ms. Wink and Mr. Rasmussen for the information regarding a public hearing on July 13th to discuss dispensaries in the Town. Over the last 6 months we have heard from a wide variety of people regarding this topic. This issue will affect all of us. She thanked them for the chance to have a public hearing and believes it will be well attended as it affects the entire valley.

4. COUNCIL, MANAGER AND STAFF REPORTS:

a. Mayor & Council Reports: Summary Updates on committee meetings.

Minutes:

Mayor Hanson updated that he attended the Springerville Airport fly in event on Saturday. The weather was great, it was well attended, and the skydivers were there. It was a successful event that is good for our community.

Councilor Davis updated he attended a Public Safety Personnel Retirement System meeting regarding the new hire of Officer Davis. His application was approved.

b. Interim Manager Heidi Wink: Summary Updates & presentation(s)

Minutes:

Interim Manager Wink asked Council if they want to put a float in the Fourth of July Parade? Council directed the Town Clerk to do so, they are not sure if they want to be on the float.

c. Staff Reports: Summary Updates

Minutes:

Robert Pena III the Battalion Chief addressed the Mayor and Council. He reported two fire fighters have completed their certifications for FFI and FFII. The department received funds through the apache county CDBG Grant and have purchased battery power extraction equipment. They also were awarded a grant to purchase CPR mannequins and have three people enrolled in the CPR and first aid instructor course. He reported they currently have a type 6 engine on the telegraph fire with three personnel. After budget discussions last week

the Council authorized the Fire Department to hire one additional full time contracted employee for one year to give the Council the ability to review the financial impacts and see if it is something they can financially support further. He reminded them he asked for two employees non-contract. He talked to different Chiefs and Fire Fighters and feels this is unheard of. HE explained this is not ideal to people who may want to apply. He wanted to review call volumes, over time, and response data. He gave them the four year averages on these items for the last year and the increase in calls. He let them know the data and stats are also included in their packets. He went over a recent fire and the amount of time it took for the engine to arrive. He explained the amount of over time these two positions could get, the overtime he gets, and the number of hours he donates to help the fire fighters train. He explains the new firefighter will want as much overtime as they can get at minimum wage, McDonalds is hiring for higher.

Robert Pena Jr. the Fire Chief addressed the Council. He explained regardless if they get addition employees the department will make it work. He said it really depends on where they want to future of the department to go. Volunteers are harder and harder to get. People hardly want to work in his opinion. He said they will continue to look into other avenues so that it will be less burden on the Town and they may be able to employee more people. Retaining people is as challenging as bringing on new. He gave a brief on the structure fire and that with Eagars back up they had 11 people total respond. Everyone is just trying to provide the best service as possible.

Chief Dayson Merrill let Council know that the cadet Mr. Davis has successfully completed the academy. He has started his first week as an officer, his father retired as a Springerville Police Officer.

Kelsi Miller asked the Council if anyone is interested in judging the parade with the Town of Eagar like last year. Shelly and Phil volunteered to help with parade judging. She updated that we planned to host an ADOT meeting in Springerville June 18th. That has been canceled the in person meeting as they decided they prefer to meet virtually at this time. When they go back to meeting in person they will consider our venue again.

5. CONSENT ITEMS:

Minutes:

Robert MacKenzie / Shelly Reidhead motioned to adopt consent items 5a and 5b as presented.

DISCUSSION: None

Vote results:

Ayes: 5 / Nays: 0

- a. **Consider approval of the May 19, 2021 Town Council Regular Meeting minutes.**
- b. **Consider ratification and approval of accountys payable register from**

5/12/2021 to 6/09/2021.

OLD BUSINESS

6. FIRE CHIEF CONTRACT:

Minutes:

ACTION 1: Robert MacKenzie / Ruben Llamas motioned to reappoint Robert Pena as the Springerville Fire Chief and authorize the Interim Town Manager to renegotiate and execute a contract.

DISCUSSION: Councilor Reidhead has concerns of nepotism. Mayor Hanson asked the Town attorney if nepotism is appropriate. Tosca Henry the Town Attorney explained she unfamiliar with the details surrounding this matter. It was explained that the battalion chief and the fire chief are father/son. She let them know she would be happy to look into this concern, she is not currently privy to the details of how they handle direct supervision. Councilor Llamas asked if nepotism is against the law? She said it determines how you define the law, she will need to look at how we define it in our codes and policies. Councilor Llamas explained living in a small town a lot of people work with family members. He feels it would be a shame to tell someone they can't work somewhere because their family works there. He asked Mr. Pena how long he and his son have worked together, he stated about 10 years. Councilor Llamas said he thinks we need to look into our rules on nepotism so that we don't lose qualified individuals because of it. They discussed having one report to Council and one report to the Town Manager, however they are still in the same department. Mayor Hanson asked Ms. Henry to look further into the nepotism. Chief Pena requested to make a statement to the Council, Mayor Hanson, agreed. Mr. Pena explained to them he understands this situation and this is not the first time this has come up. He coached his kids. He did not favor his kids. He agrees the nepotism policy needs to be rewrote. He said it is hard enough to get people to apply for jobs, the Town needs to be hiring the best person possible. He gave examples parents teaching, coaching, and kids following their parents footsteps. He explains he treats his son, the battalion chief the same as the other fire fighters. He mentioned a situation last year regarding finance policy issue that came up. He feels these policies are things we need to slow down on so we don't make these mistakes. More training on the policies and how to carry them out properly are needed. He understands the nepotism concern, but he doesn't totally agree with it. He simply expects all fire fighters to do their job. Mayor Hanson reiterated he wants Ms. Henry to review the policy how it would apply in this situation first. Vice-Mayor MacKenzie reminded Council this contract ends at the end of this month. Councilor Reidhead said that still gives Council plenty of time, it is only the 16th. Vice-Mayor MacKenzie does not believe nepotism is a factor here, these are two qualified people. Councilor Reidhead said we need to look more into this to be able to move forward correctly, whatever that is. Mr. Pena asked when the nepotism policy came into place? Without looking into it staff was unsure. A vote was called for.

VOTE ON FIRST MOTION: Ayes 2

Nays: 3

ACTION 2: Shelly Reidhead/ Richard Davis motioned to table this item until the attorney can look into this and research this.

2nd DISCUSSION: Councilor Llamas said it is almost the end of the month and we need to revisit this soon.

VOTE ON SECOND MOTION: Ayes: 3

Nays: 2

NEW BUSINESS

7. FISCAL YEAR 21/22 TENTATIVE BUDGET:

Minutes:

Richard Davis/ Robert MacKenzie motioned to adopt the FY 2021/2022 tentative budget for the Town of Springerville as presented.

DISCUSSION: Councilor Llamas asked if this included the changes they discussed earlier. Ms. Wink said yes, this includes all discussed changes and they are in the Councils books.

Vote results:

Ayes: 5 / Nays: 0

8. Ordinance 2021-001:

a. DISCUSSION:

Minutes:

DISCUSSION: Mayor Hanson requested this item be placed on the agenda. He would like us to start Council meetings earlier. Vice-Mayor MacKenzie said starting earlier may make it difficult for people to make the meetings. Councilor Llamas pointed out that 4 of the 5 Council members also work and it would be more difficult to get to the meetings. The public voiced concerns about being able to make it to an earlier meeting with work schedules, a lot of people work until 5:00. They stated the majority of people in Town work 4 days a week so they have longer work days, and parents need to be able to make accommodations with kids prior the meetings. Council showed support to leave the meeting at 6:00 p.m. They will not be doing a first reading.

b. FIRST READING:

9. DIRECTION OF THE COMMUNITY CENTER:

Minutes:

Mayor Hanson reminded everyone that the Community Center is the Senior Center. Robin Aguero the director of the center agreed, she wants people to realize the services they provide are much more than just a senior center. Ms. Wink explained Councilor Reidhead had brought up this subject and wanted to discuss it. They agreed this was a discussion that should take place with all Councilors. Ms. Reidhead shared her thoughts about the potential for more grants if the center was a 501C3. Ms. Aguero said when this item was placed on the agenda she started reaching out to program managers, consultants, and other centers to research the benefits and

disadvantages. She explained there are two options when applying for a 501C3. The first option is to apply with the status being under the Town of Springerville. There are some successes of applying this way, she listed a name of nearby Towns and Cities that have done this including Show Low. The second option is to apply for a 501C3 status independently. This option was highly discouraged by everyone she talked to. She explained currently all financial contracts and grants are listed with as the Town of Springerville. She went over the current grants and contracts and the amounts the center could possibly lose by going independent. Councilor Reidhead asked why they wouldn't be able to keep the funds from those. She further explained when you write a grant you say who you are, what your financial systems are. These are all written with those being the Town of Springerville. They could reapply for some of these grants after certain time frames. Based on her calculations she could lose up to \$522,712 in a five years. She added the Community Center can not afford the 2 million dollar insurance policy, a separate insurance without the umbrella of the Town would be significantly more expensive. She was informed by project managers that they encourage agencies to become part of Towns to help with insurance costs. Every funding source they apply for requires that they have financial systems in place, audits, and staff capable. One grant needs financial references and through the Town they have these. she explained if it isn't broke, don't fix it. If the Council decides to have them go independent it was suggested it is done so with a five year plan. This will allow them to establish and transition. She reiterated the services they provided and gave them the data of their clients and the fact that most of their clients are in poverty. She asked Council how they thought this would be beneficial to the Town and the community? Council agreed after hearing the research Robin conducted, having the center go independently as their entity would not be beneficial. Heidi agreed with Council, this could result in loss of funds for the center. Council agreed that researching the 501C3 option as an umbrella under the Town of Springerville may be beneficial. Robin explained a benefit of being part of the Town while also having the 501C3 is being a qualifying charitable organization. This is beneficial for those giving donations to the center. Heidi feels this will increase their donations. Robin said they would have to work out who they would put the staff under. They can't be employed by both. If you have a 501C3 you would also have to form a board of directors. At this point Robin does not feel like it would be in their best interest. Mayor Hanson said if it comes up again we now have the data and research for those discussions. Councilor Llamas asked Robin a few questions about her data and asked what the Town of Springerville provides her now? Currently the in-kind services and \$35,000 from the general budget. She explained that is less than 1% of the total Springerville budget. Heidi explained that most of their payroll is all paid via grants. Council's discussion indicated they would like to keep it the way it is.

10. EVENT TRAILER:

Minutes:

Interim Town Manager Heidi Wink explained the White Mountain historical society

would like the Town of Springerville to take over the event trailer including licensing it under the Town. Mayor Hanson said we already rent it out for them so we may as well have the entire thing under us. It was explained they would simply be signing the title over to the Town, we would not be paying any money for the trailer and contents. The trailer was a TEP donation and the point is to make sure contents are available for the community to rent at a low rate. The rental rate is \$25 and the funds go back into maintenance of the trailer. Council directed staff to acquire the trailer and contents.

11. ADJOURNMENT:

Minutes:

Robert MacKenzie/ Shelly Reidhead motioned to adjourn at 7:00 p.m.

Vote results:

Ayes: 5 / Nays: 0

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 during the call to the public up to 3 minutes. All comments must be submitted by 5:00 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.