



TOWN COUNCIL REGULAR MEETING

Minutes

Wednesday, March 17, 2021 at 6:00 pm

Attendees: Staff: Interim Town Manager/ Finance Director- Heidi Wink, Town Clerk- Kelsi Miller, Public Works Director- Tim Rasmussen, Robin Aguero- Community Services Director, Chief of Police- Dayson Merrill, Police Assistant- Dennis Gilliam, Animal Control- Shane Phillips, Officers - James Kemp, Quintin McCue, Daniel Walker, Braydon Wiltbank

**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. Dayson Merrill led the pledge of allegiance.

2. ROLL CALL:

Minutes:

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

A quorum is present.

3. PUBLIC PARTICIPATION:

Minutes:

Terry Shove gave an update that Little League basketball is over. They had 26 teams this year, 7 of them being from St. Johns. The St. Johns 5th and 6th-grade girls won the league. The parents were excited to have the players play new teams. The White Mountain Give Away Raffle starts next Monday. She went over the prize package. The AIA basketball and wrestling seasons have ended. Spring sports have also started and players will not have to wear masks, but spectators will. They will be allowed to have 50% capacity at sports events.

Steve Martin addressed the Council regarding previous concerns. He stated the former Town Manager was instructed to be working on getting a hydrology study in Round Valley to see if we can support the 25-year promise to supply millions of gallons of water per year. Reports from State and Federal agencies show that groundwater is in a decline and we are in a drought. There is uncertainty with the climate. He asked can we support the millions of gallons of water needed for marijuana plants and how long can our valley sustain? When will the town hire for the study? What will happen to all of those who have wells if the property is released from the FAA for expansion?

Kerry Nedrow a resident of Coronado Acres addressed the Council. He feels the air and odors from the marijuana farm will settle in Coronado Acres and he is not happy about this. The purpose of Planning and Zoning is to help avoid incompatible uses of an area. The Planning and Zoning Commission and Town Council have now approved a marijuana farm in a residential area. He does not understand the logic in this. This area is one of the nicer residential areas in Springerville. He feels this has devalued property and will decrease the quality of life that will come from the odors. He believes they will have to keep windows closed to keep the smells out. He wants Council to understand why they are upset.

Travis Schroeder addressed the Council. He said he would also like to address the issue regarding the marijuana farm and dispensaries. He has spoken with police officers, community leaders, and pastors and very few people want this in our community. He does not understand why the Town Council thinks people want this. He understands the farm will bring jobs to town, but what is the cost to bringing those types of jobs in our community. He has heard that when there was a medical dispensary in Springerville it was closed due to selling other drugs out the back door. He feels to say this kind of thing doesn't lead to worse things is ridiculous and it is documented and can be found all over the place. He reminded the Council, our voters voted against recreational use in both all precincts. He has also heard from an Apache County employee that they went to visit the farm and he was met by a man proclaiming to be the owner who asked if they are friend or foe and mentioned that few people are not in favor of this but they will go away. He said he heard in a meeting a few months ago a representative for WMF said it did not matter regarding the issues because they have an agreement. Why would Council want to do business with someone who doesn't feel like community input matters? He is surprised why Council is continuing discussions. He asks they shut down further discussions regarding expanding the farm or starting a recreational dispensary.

Steve Petuck addressed the Council. He said he is tired of this. He asked why Council is letting 6-7 people run the Council? He feels he and his partner spent 6 months with Joe Jarvis and the lawyers doing it right. He said this is ridiculous, they have talked about the lights and smell concerns. He said someone came up last night but did not identify himself. He did not know this person's intentions, for all he knew this person was a threat. He said the Council knows him and Chris they came from the other side of the Country to be positive for this town. He came here tonight to defend Ruben because they are trying to recall him. He said the Silvas thinks he is a bad person. He asked when will the little gnats stop flying around your head? He said we have a contract and it is legal. Enough, please. The majority of people in this town view this as positive. Any of the naysayers who want to come to visit, feel free.

Chris Dodge addressed the Council. He explained the fact of the matter is at this point in time his business, farm, employees, and members of the Council are being harassed. The Nedrow's and Henderson or whoever these 6 people are keep saying the whole town is against them. What about the 10-20 people that drive by the farm and thank them. He said the group of opposers has not grown. Phil and Ruben are now being personally attacked. He stated yes, we have contracts but at the end of the day, this is supposed to be a small tight-knit community. His kids are being harassed at the middle school by other kids and teachers because of this. How is that fair and how is that the small-town community the opposers preach? How can people say the marijuana farm is so bad but they think it is okay to harass his children and employees? They are asking for support from the Town Council. He feels they have been good neighbors, there have been issues and bumps and things have gotten heated but they have tried to work through this and have done what they said they would. They have come and built and hired locals when they could. He said there are people coming to the farm daily looking for jobs. There are few jobs in Springerville. The harassment needs to stop. He can bring in signatures showing support for Phil and Ruben.

Shannon Latham with the Apache County Youth Council. She is once again advocating for our youth and community. For her this is something she feels she has to do, she is with the kids in the schools. The kids talk about Prop 207, the smoke shop, and the marijuana farms. She feels they are very influenced by the messages being sent to them. She asks we do not normalize this for our youth. She wanted to share some statistics that included: 25% increase in cannabis use disorder from kids 12-17 in states that marijuana is legalized in, Increases in potency in THC, in states that legalize it the vast majority of cities and towns opt-out, the white mountains opted out in the vote, marijuana commercialization plays a role in increasing youth use, high numbers of dispensaries will show an increase in youth use, dispensaries are linked to high school students use, marijuana can affect brain development in youth and increase future use of other drugs, chronic marijuana use can use to poor school and work performances. These decisions send a message to our youth. She hopes they think of that while they make decisions for the community.

Kelsi Miller read a written submission of public participation from Cameron Hunt.

Camerons written comments state that he lives near the marijuana farm and he has several concerns. He feels there has been a lack of regard for the feelings and fears of those near the farm. He feels there were loopholes and shady deals to force the farm where it is. He is wondering why the Town is trying to work things out with the farm and not work things out with the concerned citizens. He asked Council to put themselves in his shoes and how would they feel if this farm was in their back yard. He has attempted to reach Chris Dodge multiple times with no response. The Town has also not made them address some of the concerns. This farm has caused concerns for those living close regarding water, smell, traffic, property value, and quality of life. He states if WMF wants to be part of the community they would be more willing to put these fears at ease. He mentions a brief internet search will show you that in practically every community where these farms have been built so close to homes the town and the company have been brought under numerous lawsuits. He would ask the Town Council to work things out with its citizens by requiring some things of White Mountain Flowers as a sign of good faith that they really want to be a part of this community and be good neighbors: 1. Create a committee of all parties that can work together on these issues with representatives from White Mountain Flowers, The Town Council, and the neighborhood. 2. The Town should independently research and find the best filters or other systems to reduce the smell of the marijuana and require White Mountain Flowers to install them. 3. The Town should independently research the effect these farms have on property values of homes so close and reports should be presented by the town. 4. The Town should work to create a parking and traffic plan with the farm and the neighborhood to ensure that our residential area does not turn into an industrial one. He asks the council to listen to the pleas of the citizens and move forward with the above proposed.

4. COUNCIL, MANAGER AND STAFF REPORTS:

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

Minutes:

Councilman Llamas reported he wants to address the residence of Springerville. There is a recall petition going around for the removal of him from this Council. Never at any time did he use his position for self-benefit. He said look at his road, he has addressed several people in the Town saying he would not self-benefit by having his road fixed first. He has provided the people of Town with Facebook videos of Council sessions so that the community can hold Councilors accountable for their actions, himself included. He is being attacked and yet he has left the videos up. He is an honest man and he has nothing to hide. However, the residence also needs to educate themselves and review these videos and Council meeting minutes. He said if anyone would like to look at his application, contract, or even tax returns to verify when he started they are welcome to look. Since this started he has been willing to show these documents. At any time anyone is welcome to his home to discuss issues. He has had residence come and talk to him regardless if they are for or against the

farm he values the concerns of the citizens. He asked people to not come up here and lie and to educate themselves.

Mayor Hanson, on behalf of the Springerville Police Department, presented Police Chief Dayson Merrill with a Leadership Commendation and plaque. The commendation states Chief Merrill has faced many challenges and has surmounted those challenges, leads by example, always willing to be a team player, has had to make tough calls but always looked at the best interest of the department and Town, and the Police Department is very pleased with him as a new leader.

b. Staff Reports: Summary Updates

Minutes:

Town Clerk Kelsi Miller said she was contacted by ADOT earlier this month regarding them utilizing the Council Chambers for their State Transportation Board Meeting on June 18, 2021. They inquired if the Springerville Council would like to host them the night before the board meeting. Council responded yes.

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

5. CONSENT ITEMS:

Minutes:

ACTION: Robert MacKenzie/ Shelly Reidhead motioned to approve consent items 5a,5b, 5c as presented.

DISCUSSION: None

Vote results:

Ayes: 5 / Nays: 0

- a. Consider approval of the February 17, 2021 Regular Town Council minutes.**
- b. Consider approval of the March 8, 2021 Special Town Council minutes.**
- c. Consider ratification and approval of accounts payable register from 2/10/21 to 3/07/21.**

6. PRESENTATION:

Minutes:

Mannie Bowler the former Director of the Boys and Girls Club introduced Sarah Meacham the new Director of the Boys and Girls Club. They would like to showcase what they did last year. They played a video with a recap of some of their events and field trips. They had significantly lower attendance throughout the year due to COVID-19. She explained the effects they saw on the kids from things changing during the pandemic. She explained the importance of donations to the club for the kids that can not afford the daily admission. They took 46 field trips during the summer. They hiked, fished, camped, and swam. They volunteered in-kind \$2,500 worth of services to the Round Valley Cares. They updated how some of their fundraisers went including the car washes and help from united way. The kids will donate their services for dilly bar Ice creams. Sarah explained they have been approved to build a new club, they are currently looking for new land. The current tenant is asking for them to

leave. They are also hoping to get a new van, their current one is old and doesn't have air conditioning. When zoos and sporting events open up they plan to take the kids to those. She thanked the Council for their continuous support. She talked about the tax credit and how that will be given back when you file your taxes. If 250 couples in this community give \$800 to the Boys and Girls Club they would be funded for 1 year.

7. PUBLIC HEARING:

Minutes:

ACTION: Robert MacKenzie / Ruben Llamas motioned to enter into a public hearing to take Council and public comments on fees associated with civil traffic enforcement.

DISCUSSION: Manager Wink explained right now the Police Department needs a little more time. They may come back to the Council with a Resolution to make changes.

ACTION: Robert MacKenzie/ Shelly Reidhead motioned to close the public hearing at 6:41 p.m.

Vote results:

Ayes: 5 / Nays: 0

OLD BUSINESS

NEW BUSINESS

8. APPOINTMENT OF INTERIM PLANNING AND ZONING ADMIN:

Minutes:

FIRST ACTION: Ruben Llamas motioned to table this item. Motioned did not receive a second therefore did not go forward.

SECOND ACTION: Shelly Reidhead/ Richard Davis motioned to appoint Tim Rasmussen as the Interim Planning and Zoning Administrator.

DISCUSSION: Councilor Llamas asked Tim if he had formerly resigned from this position? Tim replied he had. Councilor Llamas said he is not completely confident he is the right person for this job given the recent events. Richard Davis states he feels Tim will do just fine.

VOTE ON SECOND MOTION:

AYE: 4 NAYES: 1

9. 5310 GRANT AGREEMENT:

Minutes:

ACTION: Ruben Llamas / Robert MacKenzie motioned to approve the ADOT/5310 Grant Agreement in the amount totaling \$57,209.00. This amount includes a local match of \$12,339.00

DISCUSSION: None

Vote results:

Ayes: 5 / Nays: 0

10. TOURISM TAX COMMITTEE RECOMMENDATION:

Minutes:

ACTION: Richard Davis/ Ruben Llamas motioned to approve the request from Chrome in the Dome for a donation of \$500.00 from the Tourism tax fund.

DISCUSSION: Mayor Hanson stated he is glad this event is back. Richard Davis said this event is great for the community.

Vote results:

Ayes: 5 / Nays: 0

11. BUDGET ADJUSTMENTS:

Minutes:

ACTION: Shelly Reidhead / Richard Davis motion to adopt budget adjustments 11a, 11b, and 11c as presented.

DISCUSSION: Interim Manager Wink explained there is an emergency with our roof falling in throughout the building. We did not budget to replace the roof. We did budget some grant match funds for a grant we did not receive and some contingency. We are asking to transfer these funds from one line item to another but this wont change our bottom-line budget. Mayor Hanson feels the leaks in the museum could damage priceless items. Councilor Reidhead asked if the roof will go out to bid? Interim Manager Wink explained we will follow the procurement process.

Vote results:

Ayes: 5 / Nays: 0

- a. **Consider approval of the proposed general fund grant match/admin transfer of \$32,000 as presented.**
- b. **Consider approval of the proposed general fund grant match/ building department capital expenditures transfer of \$125,000 as presented.**
- c. **Consider approval of the proposed general fund general government contingency/ Mayor & Council transfer of \$65,000 as presented.**

12. ADJOURNMENT:

Minutes:

ACTION: Ruben Llamas/ Shelly Reidhead motioned to adjourn at 6:47 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. 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.

Contact: Kelsi Miller, Town Clerk (kmiller@springervilleaz.gov (928) 333-2656 x 224) | Minutes
published on 03/29/2021, adopted on 04/21/2021