

**MINUTES OF TOWN COUNCIL MEETING  
TOWN OF SNOWFLAKE  
HELD 02/11/2014**

**1. CALL TO ORDER/ROLL CALL** at 7:00 p.m.

Mayor Kelly Willis, Vice Mayor Jason Whiting, Bev Kay, Tom Poscharsky, Stuart Hensley, Lynn Johnson, Kerry Ballard STAFF: Paul Watson, Bob Hall, Barbara Flake, Terry Cooper, Pat Hancock, Dale Call, Cathie McDowell

**2. PRAYER/PLEDGE** Ballard/Willis

**3. MAYOR'S PROCLAMATIONS & ANNOUNCEMENTS**

None

**4. CALL TO PUBLIC**

Shelby Noe, American Legion Post 126, 520 S 2<sup>nd</sup> St East, stated that the post is having financial difficulties and is seeking help with utility costs. Mayor Willis referred Mr. Noe to staff.

**5. CONSENT AGENDA**

- A. Approval of Council Meeting minutes dated 01/14/2013.
- B. Approval of Council Retreat minutes dated 01/28/23014.
- B. Approval of Invoice from Brown & Brown Law Offices dated January 2014.
- C. Approval of Invoice from Robert M. Hall, P.C. for months Oct—Dec 2014.
- D. Approval of Invoice from Yost & Gardner Engineers for months Apr—Dec 2013.
- E. Approval of Invoice from CMI Engineering for months Aug—Dec 2013.
- F. Approval of Purchase of Vehicle for Parks Department.

*Motion by Poscharsky, 2<sup>nd</sup> by Ballard, to approve the Consent Agenda A through F including both B's. Motion passed; unanimous*

**6. DISCUSSION/ACTION ITEMS**

A. Discussion & Presentation by Swimming Pool Committee. (Paul Watson)  
Watson said he has had meetings with some small groups with an interest in keeping the pool operating looking at options. Watson said he is meeting this Friday with an individual that is considered an expert with this type of building.

Drew Griffin stated the following:

He is overwhelmed with the desires and intentions and support of the community regarding the pool. A Facebook page, "Save Our Pool", has received 700 likes and offers of information and help. People attended the Groundhog Breakfast to support the pool and share information. A person offered to buy a beam for the pool. He did research and found that this is not just a local issue. USA Swimming is offering ways to build and program pools. He contacted a woman conducting a seminar about if the programming of pools is done the same as has been done the last 40 years, pools will not survive. The seminar will show ways to go forward in a better way. He spoke with Watson about attending the seminar. He asked Council for their individual opinions about how valuable

of an asset the pool is to them. He asked them not to answer looking only at the budget. He asked what the pool is worth in capital asset budget dollars. He asked what the Town could do debt-wise and if the Town would be willing to invest in the pool that way.

**Council Comments:**

Ballard—He loves the pool and thinks it is a great asset for the community. He is willing to pay property tax to get a pool and is partial to looking into a bond.

Johnson—He is an advocate for the pool. Multiple departments need dollars to be sustainable and need to be considered also. The amount needed to renovate the pool is way beyond the scope of the Town's budget. He is not willing to pledge a money amount because that may sacrifice the needs of other departments. He was advocate of a bond so people could pay for a pool. In this economy, there are other priorities and makes this a great loss.

Hensley—The Town does not have the money to spend. Emergency Services, Roads, Water, and Sewer are priorities. There is not a huge emergency fund available and other departments cannot be short-changed. He would love to have the pool available.

Poscharsky—He agrees with Hensley and Johnson. He feels the Town cannot economically do this without the help of the Town of Taylor, the school district, and others involved in the use of the pool. He thinks the pool is a great asset.

Whiting—He enjoys the pool and feels kids have benefitted from the pool. He feels the pool is a jewel for tourism, the Sweet Tri, and those that visit Snowflake. He feels this is not a dead topic but the liability issue is cause to close the pool. He is encouraged that intelligent, talented people that don't want to take no for an answer are trying to keep the pool open. He would like to continue as a community to look at solutions that may be available. He does not know if an amount of money he would commit would negatively affect other departments.

Kay—She agrees with what has been stated. She feels the timing might be wrong and in 2 or 3 years the community will see an upward trend and there will be more revenues coming in. The Town has lost 3 businesses in the last month. She feels we should never give up on an idea. She would personally like to see a new facility.

Willis—The need to grow our economy was the number one priority during a recent Council and Staff Retreat. He feels there are groups like this one for the pool that are for roads and the Academy Building. He feels if he asked for money to fix the pool, staff would asked where would we get it. He would like to focus on and finish a project and then move on to another project. Snowflake receives zero property tax and revenue comes from sales tax and shared sales tax.

Drew Griffin thanked the Council for their candor, opinions, and faith. He said Council leadership is needed. He said people here and in Taylor are willing to follow but Council

needs to take the lead. He said more people are willing to give to the pool than are willing to be taxed for it.

B. Consider a variance request to encroach front yard setbacks. Property is located at 83 N 1<sup>st</sup> St East, Snowflake, AZ. Owner is Charles Foote. (Dale Call)  
Call said the owner is requesting a variance to construct an attached garage on the home. Call said the property meets all the setbacks with the exception of the front setback. He said there would be a 2 to 3 ft. encroachment. Neighbors were notified and Call received 1 objection by phone. The Planning & Zoning Commission unanimously to recommend approval of the variance. Ballard stated that the wall on the South side of the property goes to where the garage ends. Charles Foote said he talked with some of the neighbors and there were no objections.

***Motion by Ballard, 2<sup>nd</sup> by Hensley, to approve variance request for Chuck Foote.  
Motion passed; unanimous***

C. Consider a Variance Request to place a single-section manufactured home on a property which is zoned R-1A. Property is located at 2605 E Sundown Lane, Snowflake, AZ. Owner is Richard Fritz. (Dale Call)  
Call stated Mr. Fritz is requesting a variance to place a single-section manufactured home on his property that is zoned R-1A which is contrary to the current zoning ordinance. He said current zoning allows multi-section homes. He said the tongue would be removed and the home would be placed by a contractor. He said the current Town ordinances do not match the covenants that were established when the subdivision was created and approved. Mr. Fritz received approval from the developer for this home. Call said several neighbors voiced opposition to a single-section home being placed on the property. He said there are single-section homes in the area. He said Mr. Fritz's home is 700 sq. ft. and the covenants of the subdivision require a minimum of 600 sq. ft. and the zoning change restricting single-section homes was made in 2004. Call said staff recommends Council approve the variance request.

Johnson asked how many neighbors were in opposition and was informed that there were 5 complaints. Poscharsky said the Planning & Zoning Commission does not give credence to CCR's and the developer 1<sup>st</sup> United. He said he would vote now to turn this down. He said he is upset that this request made it to Planning & Zoning and does not want to see this issue come back to Council again. Fritz said he would leave the decision up to the Council. He said he did not understand the zoning issue having brought the property 8 years ago and received approval from the development. He said he did not understand the difference of zoning and CCR's. Willis told Fritz he had the right to come before the Council. He said that those in opposition have lived by the rules and feel strongly about this issue. Fritz said he can just see if anyone wants to buy the lot. Johnson asked how others in the area were able to place single-section homes. Call said they were placed before the 2004 zoning change.

Richard Oakes, 433 N. Snowflake Heights Blvd, stated that the rules and regulations were in place when he moved to the area. He said he wanted to place his home at an

angle but it was not allowed and he complied while another person was approved to change his placement. He said the single-sections homes in the area are in disrepair. He said he does not feel a part of Snowflake and that he complains about the roads but they are not maintained. He does not feel the need to change rules when he had to comply.

Call said the Town code does not state the width of a single or multi-section home. He said if the home were 28 ft. single-sections, it would be the same size as the Fritz 16 ft. home.

Poscharsky said he would like to see a new Planning & Zoning Committee formed.

Watson said variance requests are allowed, that the procedure allows this type of request.

***Motion by Poscharsky, 2<sup>nd</sup> by Whiting, to disapprove variance request to place single-section manufactured home on property zoned R-1A. Motion passed; unanimous***

D. Consider a Special Use Permit to construct a 2<sup>nd</sup> residence as a caretaker/watchman quarters. Property is located at 2671 Willis Ranch Lane, Snowflake, AZ. Owner is Cathy Evans. (Dale Call)

Call stated Ms. Evans' family would live in the caretaker quarters. He said that Evans goes to work daily and has been burglarized in the past. Call said the Planning & Zoning Commission approved the request and neighbor comments were that the property is nice and they did not object to the watchman quarters. Evans said this is an affordable situation for her and her family.

***Motion by Ballard, 2<sup>nd</sup> by Kay, to approve Special Use Permit for Cathy Evans to construct a caretaker/watchman quarters. Motion passed; unanimous***

E. Consideration & Possible Approval of Resolution No, 14-03 Urging United States Congress and United States Forest Service to provide increased financial support to Arizona's local forests, particularly the Apache-Sitgreaves National Forest. (Hunter Moore)

Hunter Moore, Navajo County Government Affairs Officer, and Executive Director of Real AZ, stated that he along with a natural resource group and Real AZ wrote this resolution. The resolution is requesting support from members of the Arizona Congressional Delegation, the Secretary of the Interior, and the Chief of the Forest Service to give political and financial support to the forest management efforts taking place in Arizona. The resolution asks for meaningful steps be taken to provide increased financial support to Arizona's local forests particularly the Apache-Sitgreaves National Forest so existing forest management industry in the White Mountain region will be supplied with enough treatable acres. Moore stated that Navajo County Supervisor Tenney has spoken to Senator Jeff Flake regarding this issue. Moore gave the following information regarding why the resolution is necessary:

- 200 to 300 jobs depend on forest management in our area
- Private industry can't wait for 4 FRI to be able to work
- There is concern that there will not be enough treatable acreage available in the coming years particularly in the Apache-Sitgreaves National Forest.

- Without additional funds, the Apache-Sitgreaves will not be able to keep pace with the continuous demand for wood by the industry because the labor and equipment to prepare timber sales by the Apache-Sitgreaves National Forest will be insufficient.
- If forest management industry does not have a reliable and continuous supply of wood fiber, they will be unable to further the restoration efforts in the national forests, and the investment and effort to re-grow industry in the White Mountain region will have been squandered.

Poscharsky said this is to keep people working and to help get 4 FRI moving ahead.

Watson said there is a strong argument being made because millions are spend on firefighting when putting maintenance in place would show greater benefit for less cost.

***Motion by Poscharsky, 2<sup>nd</sup> by Whiting, to approve Resolution No. 14-03 Urging United State Congress & Forest Service to provide increased financial support to Arizona's local forests, in particular, the Apache-Sitgreaves National Forest. Motion passed; unanimous***

F. Consideration & Possible Approval of Amendment No. 1 to Tetra Tech, Inc. Professional Services Agreement for Design and Construction Services for the West 7<sup>th</sup> Street South 12-Inch Water Line. (Terry Cooper)

Cooper explained the need for an amendment to the Professional Services Agreement (PSA) with Tetra Tech, Inc. He said certain items were not included in the PSA because they were to be completed in-house. These activities would have been done by Rob Emmett who has retired. Also, since the initiation of the Tetra Tech design process the NACOG and ADOT administered roadway improvement project, West 7<sup>th</sup> St. South, Senator Jake Flake Crossing to 975' East of Centennial Blvd (including Centennial Blvd South to 8<sup>th</sup> St. South) has progressed and conflicts to the East of Centennial Blvd have been identified. The conflict is that the water line is too shallow and requires lowering to be clear of the NACOG/ADOT roadway improvement project. The cost of completing these additional tasks is \$10,458 for a revised total contract amount of \$25,661. The project is being paid through the Water Infrastructure Financing authority (WIFA) loan.

Willis asked if the cost would be about the same if Emmett did the work. Watson said it might have been a little less. Kay asked Tetra Tech to reduce costs if possible.

***Motion by Poscharsky, 2<sup>nd</sup> by Ballard, to approve Amendment No. 1 to Tetra Tech, Inc. Professional Services Agreement for Design and Construction Services for the West 7<sup>th</sup> St. South 12-inch Water Line for an amount of \$10,458. Motion passed; unanimous***

G. Consideration & Possible Approval of Amendment No. 1 to Tetra Tech, Inc. Professional Services Agreement for Design and Construction Services for the 300,000 Gallon Water Tank at Well No. 4. (Terry Cooper)

Cooper explained that this amendment is also to pick up services that Emmett would have done in-house. The amendment includes the following tasks:

- Submittal of ADEQ Approval to Construct

- Provide Bidding Services including preparation of bid docs, pre-bid conference, addendums, bid tabulations, and pre-construction conference
- Submittal of ADEQ Approval of Construction

The cost of completing these additional tasks is \$7,359 for a revised total contract amount of \$24,111. The project is being paid through the Water Infrastructure Financing authority (WIFA) loan.

Hensley asked if the golf course is being watered with treated water and how much water is being used. Cooper said the golf course is being watered from the tank but not with treated water. He said he did not know the exact amount and could only guess about 25 million gallons. Hensley asked why the Town is looking at a 2<sup>nd</sup> tank instead of drilling a well. He also asked what happens if there is fire in the area. Cooper said staff can control the water and extra storage is needed. Cooper said the 12" line is not to fill the new tank. He said that by connecting the 12" line on 7<sup>th</sup> South a loop system is created which will help with fire flow. He said the tank is a separate issue because storage is needed. Willis said that more water can be pumped from a tank than from a well. Hensley stated that he did not want to see emergency services needing water and have none available because the tank is drained from watering grass.

***Motion by Whiting, 2<sup>nd</sup> by Kay, to approve Amendment No. 1 to Tetra Tech, Inc. Professional Services Agreement for Design and Construction Services for the 300,000 Gallon Water Tank at Well No. 4 for an amount of \$7,359. Motion passed; unanimous***

H. Consideration & Possible Approval of Resolution No. 14-02 Adopting a Policy & Procedures for Purchasing from the Mayor and Town Council. (Barbara Flake)  
Watson stated that this resolution is required by state statute annually.

***Motion by Poscharsky, 2<sup>nd</sup> by Whiting, to approve Resolution No. 14-02 Adopting a Policy & Procedures for Purchasing from the Mayor and Town Council. Motion passed; unanimous***

## **7. COUNCIL MEMBER'S SUMMARY OF CURRENT EVENTS**

Ballard thanked all who helped with the groundhog breakfast. He said about 600 people were served.

Hensley thanked all involved with the groundhog breakfast and said it was great.

Poscharsky also said the groundhog breakfast was great. He said the resolution to keep the forest industry active is good. He said the pellet plant and potash are still moving along.

Whiting said Snowflake is #1 and playing basketball in Show Low this weekend.

Kay said the Town's support is needed for basketball.

Dale Call thanked PFFJ for their support of the groundhog breakfast by donating the sausage patties. He said they have made this donation for many years.

Willis asked that a thank you note be sent.

#### **8. MANAGER'S SUMMARY OF CURRENT EVENTS AND REPORT**

Watson said the next Council meeting would be joint with the Town of Taylor Council at the Taylor Fire Department at 6 p.m.

Economic development continues to look good regarding the potential of this area being looked at by industry. The creation of jobs will bring change in the economy. Economy is the #1 priority and staff works at it on a daily basis. There are positive signs.

#### **9. ADJOURNMENT** at 8:55 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the Town of Snowflake Council meeting and Work Session held February 11, 2014. I further certify that the meeting was duly called and a quorum was present.

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Barbara Flake, Town Clerk