

**MINUTES OF TOWN COUNCIL MEETING
TOWN OF SNOWFLAKE
HELD 01/24/2012**

1. CALL TO ORDER/ROLL CALL at 7:10 p.m.

Mayor Kelly Willis, Vice Mayor Jason Whiting, Bev Kay, Tom Poscharsky, Larry Matyas, Lorri Davis, Chris Brimhall STAFF: Paul Watson, Bob Hall, Brian Richards, Rob Emmett, Dale Call, Pat Hancock, Jerry Van Winkle, Terry Cooper, Cathie McDowell, Barbara Flake, Will Wilson

2. PRAYER/PLEDGE Willis/Poscharsky

3. MAYOR'S PROCLAMATIONS & ANNOUNCEMENTS

None

4. CALL TO PUBLIC

Dan Turley, Snowflake Events Committee, thanked Council for their efforts in supporting Pioneer Days and the Rodeo. He thanked the community and sponsors and said without their support the committee could not carry on this heritage tradition. He presented a check to Council in the amount of \$1,500 stating they would like the money designated for use on the Snowflake Academy Building.

Jerry Van Winkle, Chief of Snowflake-Taylor Police Department, announced that the Show Low Police Department is putting on a "Citizens Academy" to inform citizens of the duties of city and county departments. He said they would like a representative from the Council to attend the Academy which will be held every Wednesday for eleven weeks beginning February 1st. Areas that will be covered are: history of police department, what canine does, criminal law, warrior mindset, criminal investigation, crime scene investigation, White Mountain Task Force, DUI, traffic law, collision investigation, MCAT, firearm simulator, domestic violence, victim's rights, gang and border issues, US constitution, SWAT. Van Winkle asked Council to contact him for more information.

5. CONSENT AGENDA

- A. Approve Town Council meeting minutes dated January 10, 2011.
- B. Approve Invoice from Emmett Engineering, LLC for December 2011.
- C. Approve 2nd reading and adopt Ordinance No. 12-01 Rezone property from R-2A to GC. Property is located at 1885 South Main Street, Snowflake, Arizona.
- B. Approve 2nd reading and adopt Ordinance No. 12-02 Rezone property from R-2A to GC. Property is located at 84 East 19th South Street, Snowflake, Arizona. Owner is Tim Livingston.

A motion was made by Matyas and 2nd Whiting to approve the Consent Agenda Items A, B, C, D. Motion passed; unanimous

6. DISCUSSION/ACTION ITEMS

A. Approve/Disapprove variance for construction of attached garage. Property is located at 45 N 2nd West, Snowflake, Arizona. Owner is Troy Flake. (Dale Call)

Call said this variance was recommended for approval by the Planning and Zoning Commission on January 3rd based on information that it was 36 feet from the sidewalk to the house which would have allowed the structure to encroach front setbacks by 4 to 5 feet. Call said after the Planning and Zoning Commission meeting in discussion with Commissioners he did not feel the distance from the sidewalk to the house was accurate. He informed the property owner that a survey would be needed. The property owner did not want to do a survey because of the cost. Call said after looking at the adjacent properties, adjacent property's garage/shop constructed on the property line, and utility lines, it was decided that the property line is in line with existing fences which is 20 feet from the house to the sidewalk. Call said this information would mean that that Flake would have to encroach the entire front setback. He said that after discussion with the Town Engineer it was agreed not to give staff recommendation to allow construction on the utility easement. Troy Flake is in attendance to answer questions.

Willis asked Flake to explain if the property line is the fence line. Flake said based on the documents he received when he purchased the property he measured from the back fence and the front property line does line up with the garage/shop to the South of his property. He said if approval hinges on a survey he will pay for a survey. Flake said the garage would be 20 feet in front of the house, 16.5 feet from the sidewalk, and more than 20 feet from the street. Poscharsky asked if the garage would be lined up with the other structure. Flake said yes. Willis said Council must take into consideration what staff and the engineer say.

Call said there is a manhole on the property. He said that he is making an assumption that there are utility lines on the property based on adjacent fence lines that line up at the property line. Willis asked Flake if the garage would be farther West than other structures on the street. Flake said it would be the same as the garage/shed to the South. Willis asked if there is an alternative so the garage would not extend so far to the West. Flake said a foot or two would not make a difference to the easement and would make the garage too small to be useable. Call said that if the garage is shortened it would be difficult to park a car in the garage and also in front of the garage which he could see happening. He said there is a safety concern with cars being parked on the sidewalks during the Pioneer Day Parade. Flake said all marks from blue staking were toward the street. Rob Emmett said a variance is something not considered when specific to property and convenience to owner and should be unique to allow variance. Poscharsky and Matyas stated that the fact that the garage to the South is as far West as Flake's will come seems a mitigating factor. Flake said if he were building new he would follow setbacks but with the existing structure he does not have that option. He said he feels he is improving the area by building a garage so as not to park on the street. He said he submitted a signed paper from neighbors stating they were okay with the garage. Call said the garage is new and setback should be considered. He said structures were not

built to setbacks fifty years ago but it is a bad precedent for new structures. He said one of the signatures on the paper is from four blocks away. Flake said one of the signatures is his next door neighbor and others are closer than four blocks. Willis read from information provided to Council—"Although the Planning and Zoning Commission previously recommended this variance be approved, staff feels that with the corrected information, the Commission would not have recommended approval. Staff now recommends the Council disapprove this variance request to construct an attached garage." He questioned if the Planning and Zoning Commissioners were contacted. Call said he talked to two of the Commissioners after the fact. Willis questioned why homework was not done. Call said he went off the information from the applicant. He said he would hold another Planning and Zoning Commission meeting and have the applicant get a survey. Willis said he did not want the applicant to have the expense of a survey and that he is concerned with setting a precedent. He said he would like to consider tabling the item to give all a chance to visit the property.

A motion was made by Matyas to table this item until further discussion.

Poscharsky asked if it would be better to send the item back to Planning and Zoning Commission. Watson said the Commission is an advisory body to Council and they based their recommendation on wrong information and should be given another chance to hear the request. He said the property owner could paint where the garage would be and Council could visit the site. Whiting said all the facts tonight show where the property line is so does it make sense to table the item. Kay said she understands not wanting to set precedence but there is no other option to build the garage and it is an improvement on the property. She said enclosing vehicles is an improvement and Council should look at whether it is an improvement to the community. Willis said safety and welfare of the Town should be considered and there is an ordinance that vehicles cannot be parked on sidewalks.

Motion failed for lack of 2nd.

Davis said she would like to table the item to allow someone to show her the property. She agreed with Kay that it is an improvement. She said the parade is once a year. Brimhall said variance definition is special circumstances. He said this is a narrow lot—100 feet with 18 feet to property line on sides. He said the house is there so the issue was not created by the property owner. He said it is not detrimental and a requirement of the variance could be no parking in front of the garage. Flake said it not his intention to park in front of the garage. Brimhall said there are allowances to allow the variance. Poscharsky said he would like to see the blue staking. Willis said safety and utility lines are issues. Flake said he could call Blue Stake again.

A motion was made by Matyas and 2nd by Poscharsky to table Item 6A and to have Planning and Zoning Commission review with better information and look at the blue staking. Motion passed; unanimous

B. Approve/Disapprove sponsorship of White Mountain Endurance Sports Race Calendar for 2012. (Paul Watson)

Jeremy Neff said a \$2,000 donation would serve as working capital to put on events paying sanctioning fees and costs to market around the state. There are four events on the calendar: Trapper Days 1/2 –Day Marathon, Pioneer Days Bicycle Race, Sweet Tri, and Thanksgiving Day Turkey Trot. Neff said the return on the Town's investment is anticipated to be \$6,000 being put back into the area during these events. He said the money from the Sweet Tri and Turkey Trot is donated to the Snowflake Pool and the Snowflake High School Cross-Country Team. Neff said that these events will bring people from outside the community to stay in hotels, buy food and gas, and pay local taxes which would be good for the local economy. He said their company is a registered 501(C)3. He said he would like to have the Chamber of Commerce as a link to their website to drive traffic to other community programs. He said the Town logo would be on t-shirts and materials handed out at all four events. Neff said all the events will be permitted, sanctioned, and insured.

Drew Griffin said White Mountain Endurance Sports wants to help in making a better community. The mission statement of the company is "Actively meet enduring community needs". The partners of the company are Hunter Moore, Scott Crosby, Lynn Johnson, Drew Griffin, and Jeremy Neff. Griffin said they have received a sponsorship from the Special Events Committee in the Town of Taylor. Willis said this seems worthwhile and will be good to bring people into the community.

A motion was made by Willis and 2nd by Whiting to approve sponsoring 2012 events of White Mountain Endurance Sports in the amount of \$2,000.

C. Approve/Disapprove contract with Cable One for Internet and Phone Service. (Brian Richards)

Richards said staff would like to disconnect internet and phone service with Frontier and enter into an agreement with Cable One at a savings of \$300 a month over the next three years. He said the only downside would be that phone service would be lost if power is lost. Richards said the internet would be ten times faster. Watson said the loss of phone service is a concern. Will Wilson said Town phones would still be able to dial out.

A motion was made by Whiting and 2nd by Kay to approve the contract with Cable One for phone and internet services. Motion passed; unanimous

D. Discussion/action regarding Town Council meetings and work sessions for the year 2012. (Paul Watson)

Watson said he would like for the departments to have an opportunity to interact with Council in a work session and also to allow Council to do site visits to areas of the community. He asked Council if they would prefer to do these work sessions before Council meetings or on a different night. Willis said he would like to meet before Council meetings. Kay and Whiting agreed. Willis said to schedule for one hour. Kay suggested scheduling the first work session for 5:00 p.m. to see how it goes. Watson said

staff will schedule one work session a month and provide Council with a schedule for the year. Watson said he will have a retreat with just Council.

7. TOWN MANAGER'S REPORT

Council was reminded of the Groundhog Breakfast, Saturday, February 4th, at 5:00 a.m. Thanks were given to PFFJ for providing the sausage, Ed's IGA for discounting supplies, Snowflake School District for use of facilities, Police Department for cooking the biscuits, Fire Department for coordinating and assisting with food preparation, Barry Flake family for assisting, and Council for coming early to help.

Police Department Administration Committee will meet February 9th, at 7:00 p.m.

Watson asked Council to contact with questions regarding the flyer on the Little Colorado River Plateau RC&D Winter Watershed Conference to be held Feb 1-3, 2012, in Show Low.

Watson said the Town experienced an unusual snow storm. He said staff has discussed a plan for that emergency and a tentative snow plan will be brought to Council. He said it should be recognized that resources are limited—not a single Town vehicle is equipped with a plough but do have a couple of vehicles that could have a plough attached. He said Police and Fire stepped up to help. He said there are things that the Town could do without spending a lot of money.

Watson said Brian Richards is taking the lead to revamp the website to be more user friendly and it is hoped to have this done within the next few months.

Southern Solution—After negotiating with property owner regarding excavated material in detention basins construction is expected this spring.

Economic Development—Poscharsky, Emmett, and Watson did a site visit with a major land owner to look at land sections that could be designated for business.

Watson said that in an effort to communicate better with Council, Department Heads have been asked to give updates consisting of weekly bullet points of what is being worked on which will be compiled with the Manager's Report and sent to Council. He said Council should look for the reports on Fridays and contact Watson by phone or e mail for more information and questions.

8. COUNCIL MEMBER'S SUMMARY OF CURRENT EVENTS

Brimhall on behalf of the Snowflake Academy Foundation expressed gratitude for the opportunity to do the concessions at the rodeo.

ADJOURNED at 8:30 p.m.

REOPEN Regular Council Meeting

9. EXECUTIVE SESSION

A. Evaluation of Town Manager

A motion was made by Willis and 2nd by Davis to go into Executive Session. Motion passed; unanimous

A motion was made by Willis and 2nd by Brimhall to go back into Regular Session. Motion passed; unanimous

10. POST EXECUTIVE SESSION

A. Action regarding Evaluation of Town Manager

No action taken

11. ADJOURNMENT at 10:15 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the Town of Snowflake Council meeting held January 24, 2012. I further certify that the meeting was duly called and a quorum was present.

Dated this 7th day February 2012

Barbara Flake, Town Clerk