

**PINETOP-LAKESIDE TOWN COUNCIL
LEGAL ACTION, REGULAR MEETING
Thursday, July 7, 2011**

ITEM NO. 4, CONSENT AGENDA:

COUNCILMEMBER SMITH MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED. COUNCILMEMBER VANESIAN SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

ITEM NO. 6, RESOLUTION NO. 11-1194 RE-APPOINTING JOHN JARCHOW TO SERVE ON THE PLANNING & ZONING COMMISSION IN ACCORDANCE WITH PINETOP-LAKESIDE TOWN CODE CHAPTER 17.116 AS AMENDED. PURSUANT TO A.R.S. SECTION 38-431.03 (A)(1) THE COUNCIL MAY VOTE TO ENTER INTO EXECUTIVE SESSION TO DISCUSS THIS ITEM:

COUNCILMEMBER HUGHES MOVED TO APPROVE RESOLUTION NO. 11-1194 RE-APPOINTING JOHN JARCHOW TO SERVE ON THE PLANNING & ZONING COMMISSION IN ACCORDANCE WITH PINETOP-LAKESIDE TOWN CODE CHAPTER 17.116 AS AMENDED. COUNCILMEMBER SMITH SECONDED THE MOTION AND IT CARRIED 4-1 WITH VANESIAN OPPOSED.

ITEM NO. 7, RESOLUTION NO. 11-1195 RE-APPOINTING JIM SNITZER TO SERVE ON THE PLANNING & ZONING COMMISSION IN ACCORDANCE WITH PINETOP-LAKESIDE TOWN CODE CHAPTER 17.116 AS AMENDED. PURSUANT TO A.R.S. SECTION 38-431.03 (A)(1) THE COUNCIL MAY VOTE TO ENTER INTO EXECUTIVE SESSION TO DISCUSS THIS ITEM:

COUNCILMEMBER SMITH MOVED TO ADOPT RESOLUTION NO. 11-1195 RE-APPOINTING JIM SNITZER TO SERVE ON THE PLANNING & ZONING COMMISSION IN ACCORDANCE WITH PINETOP-LAKESIDE TOWN CODE CHAPTER 17.116 AS AMENDED. COUNCILMEMBER WESSEL SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

ITEM NO. 9, RESOLUTION NO. 11-1196 AWARDDING THE SNOW REMOVAL CONTRACT TO V MOUNTAIN CONSTRUCTION, INC.:

COUNCILMEMBER WESSEL MOVED TO ADOPT RESOLUTION NO. 11-1196 AWARDDING THE SNOW REMOVAL CONTRACT TO V MOUNTAIN CONSTRUCTION, INC. COUNCILMEMBER HUGHES SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

ITEM NO. 10, COUNCIL DECISION REQUEST FOR APPOINTMENT OF MEMBERS TO THE WALNUT CREEK WORK GROUP:

COUNCILMEMBER SMITH MOVED TO APPROVE MAYOR CROCKETT'S RECOMMENDATIONS TO THE WALNUT CREEK WORK GROUP. COUNCILMEMBER VANESIAN SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

ITEM NO. 11, RESOLUTION NO. 11-1197 ADOPTING THE AGREEMENT FOR INFORMATION AND COMMUNICATIONS SERVICES BETWEEN THE TOWN OF PINETOP-LAKESIDE AND THE PINETOP-LAKESIDE CHAMBER OF COMMERCE:

COUNCILMEMBER HUGHES MOVED TO ADOPT RESOLUTION NO. 11-1197 ADOPTING THE AGREEMENT FOR INFORMATION AND COMMUNICATIONS SERVICES BETWEEN THE TOWN OF PINETOP-LAKESIDE AND THE PINETOP-LAKESIDE CHAMBER OF COMMERCE. COUNCILMEMBER WESSEL SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

ITEM NO. 12, RESOLUTION NO. 11-1198 AUTHORIZING THE INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION CONCERNING THE PURCHASE OF MOTOR VEHICLE FUEL:

COUNCILMEMBER SMITH MOVED TO ADOPT RESOLUTION NO. 11-1198 AUTHORIZING THE INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION CONCERNING THE PURCHASE OF MOTOR VEHICLE FUEL. COUNCILMEMBER VANESIAN SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

ITEM NO. 13, ORDINANCE NO. 11-355 AMENDING SECTION 803 OF THE TOWN'S EMPLOYEE MANUAL REDUCING THE TOWN'S 457 MATCH FUNDS BY AMOUNTS THE TOWN MUST PAY INTO ANY RETIREMENT SYSTEM:

COUNCILMEMBER WESSEL MOVED TO ADOPT ORDINANCE NO. 11-355 AMENDING SECTION 803 OF THE TOWN'S EMPLOYEE MANUAL REDUCING THE TOWN'S 457 MATCH FUNDS BY AMOUNTS THE TOWN MUST PAY INTO ANY RETIREMENT SYSTEM. COUNCILMEMBER HUGHES SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

ITEM NO. 14, RESOLUTION NO. 11-1199 THROUGH THE LEAGUE OF ARIZONA CITIES AND TOWNS AND ITS MUNICIPAL MEMBERS, CALL UPON THE ARIZONA STATE LEGISLATURE NOT TO FURTHER REDUCE THE HIGHWAY USER REVENUE FUND ALLOCATIONS TO ARIZONA CITIES AND TOWNS. PINETOP-LAKESIDE FURTHER ADVOCATES THAT THE ARIZONA LEGISLATURE DEVELOP A PLAN TO, AT A MINIMUM, RESTORE HURF FUNDING TO ARIZONA CITIES AND TOWNS TO THE FISCAL YEAR 2008 LEVELS OVER THE NEXT 3 TO 5 YEAR PERIOD:

COUNCILMEMBER SMITH MOVED TO ADOPT RESOLUTION NO. 11-1199 THROUGH THE LEAGUE OF ARIZONA CITIES AND TOWNS AND ITS MUNICIPAL MEMBERS, CALL UPON THE ARIZONA STATE LEGISLATURE NOT TO FURTHER REDUCE THE HIGHWAY USER REVENUE FUND ALLOCATIONS TO ARIZONA CITIES AND TOWNS. PINETOP-LAKESIDE FURTHER ADVOCATES THAT THE ARIZONA LEGISLATURE DEVELOP A PLAN TO, AT A MINIMUM, RESTORE HURF FUNDING TO ARIZONA CITIES AND TOWNS TO THE FISCAL YEAR 2008 LEVELS OVER THE NEXT 3 TO 5 YEAR PERIOD. COUNCILMEMBER WESSEL SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

ITEM NO. 16, LEGAL ADVICE FROM THE TOWN ATTORNEY CONCERNING ITS POSITION IN PENDING LITIGATION AND TO INSTRUCT ITS ATTORNEYS RE: COOK VS. HEFFEL AND THE TOWN OF PINETOP-LAKESIDE. PURSUANT TO A.R.S. § 38-431.03(A)(3-4) THE COUNCIL WILL ENTER INTO EXECUTIVE SESSION TO DISCUSS THIS ITEM:

COUNCILMEMBER SMITH MOVED TO ENTER INTO EXECUTIVE SESSION AT 8:21 P.M. COUNCILMEMBER WESSEL SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

Dated this 13th day of July 2011.

PINETOP-LAKESIDE TOWN COUNCIL

/s/ Lu Anne Frost, Town Clerk