

MINUTES OF THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA, HELD OCTOBER 1, 2009 AT 7:00 P.M. IN THE TOWN COUNCIL CHAMBERS.

Mayor Smith called the Regular Meeting to order at 7:00 p.m. Roll call was taken as follows:

<u>ROLL CALL:</u>	<u>Present</u>	<u>Absent</u>		<u>Present</u>	<u>Absent</u>
Mayor Luke Smith	<u>X</u>	___	Stephanie Irwin	<u>X</u>	___
Vice Mayor Rich Crockett	<u>X</u>	___	Kim Webb	___	<u>X</u>
Woody Biscoe	<u>X</u>	___	Leslee Wessel	___	<u>X</u>
Norris Dodd	<u>X</u>	___			

STAFF PRESENT:

L. Kelly Udall, Town Manager; Rosemary Rosales, Town Attorney; Lu Anne Frost, Town Clerk; Susan Stein, Deputy Town Clerk; Paul Esparza, Community Development Director; Jessica Grey, Library Director; Tom Thomas, Public Works Director; and Sherwood Eldredge, Chief of Police.

ITEM NO. 2, PLEDGE OF ALLEGIANCE AND INVOCATION:

The Pledge of Allegiance was said, followed with an invocation by Vice Mayor Crockett.

ITEM NO. 3, CALL TO THE PUBLIC:

Mayor Smith explained the rules for Call to the Public.

Jim Beck stated on September 22, the recently formed People’s Vision Committee (PVC) held its first town hall meeting. He said the PVC wants to be a conduit between the citizens and the Town Council. He stated the meeting was attended by 30 concerned citizens. He said Mary Ellen Bittorf suggested a portion of Woodland Lake Park be dedicated for an educational facility. He added the PVC thinks constructive suggestions should be encouraged. He said residents in opposition to the Stone Bridge PUD are preparing a referendum and obtaining signatures. He stated several citizens are drafting an initiative to acquire all 583 acres of Woodland Lake Park. He said the first draft of the initiative would include 90 acres of the Walnut Creek Node for commercial use, subject to a vote by the people. He added it would include making annual appeals by the Town of Pinetop-Lakeside to Congress for the highest and best use as forever open space and said it would ask the citizens to approve an increase in sales tax. He said a special account would be established so the money would be used exclusively for the Park, and said they would seek legal advice. Mr. Beck said the PVC will hold its second meeting, tentatively scheduled for mid-November, when the draft is complete. He stated they believe government works best when the people are involved.

ITEM NO. 4, CONSENT AGENDA:

The consent agenda consisted of the Minutes of the Work Session and Regular Meeting of September 17, 2009; Resolution No. 09-1073 Appointing Barry Green to Fill an Unexpired Term

on the Board of Directors of the Pinetop Water Community Facilities District; and Resolution No. 09-1074 Declaring that Document known as “Town Code Section 5.20 Sexually-Oriented Business License and Regulations” to be a Public Record.

**COUNCILMAN DODD MOVED THE COUNCIL APPROVE THE CONSENT AGENDA AS PRESENTED. VICE MAYOR CROCKETT SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.**

ITEM NO. 5, UPDATE ON THE LARSON MEMORIAL PUBLIC LIBRARY ACTIVITIES BY JESSICA GREY, LIBRARY DIRECTOR:

This item was heard during the work session.

ITEM NO. 6, PRESENTATION ON THE FOUR SEASONS CONNECTION TRANSIT SERVICE AND THE WHITE MOUNTAIN CONNECTION BY TOM THOMAS, PUBLIC WORKS DIRECTOR:

This item was heard during the work session. Tom Thomas added the White Mountain Connection averaged 50 riders per day through August, but said the numbers may change due to the County’s 4/10 work schedule. He said Mr. VanSciver would have updated information at the joint meeting next week.

ITEM NO. 7, ORDINANCE NO. 09-334 AMENDING TOWN CODE CHAPTER 5.20 SEXUALLY-ORIENTED BUSINESS LICENSE AND REGULATIONS TO INCREASE DISTANCE REQUIREMENTS TO BE CONSISTENT WITH A.R.S. § 13-1422(A):

Paul Esparza stated this text amendment is to bring the Town Code in compliance with State requirements. He said staff found the Town Code was less restrictive than the State requirements, and said they felt the Town Code should be consistent. He stated this was advertised as a public hearing.

**VICE MAYOR CROCKETT MOVED TO ADOPT ORDINANCE NO. 09-334 AMENDING TOWN CODE CHAPTER 5.20 SEXUALLY-ORIENTED BUSINESS LICENSE AND REGULATIONS TO INCREASE DISTANCE REQUIREMENTS TO BE CONSISTENT WITH A.R.S. § 13-1422(A). COUNCILMAN DODD SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.**

ITEM NO. 8, CURRENT EVENTS BY TOWN MANAGER:

Kelly Udall stated the Capitol Christmas Tree would be coming from the Alpine area and said the Council is invited to the tree cutting on November 7<sup>th</sup>. He asked the Council to advise staff of their attendance for transportation arrangements. He said this is a big deal for Arizona, and especially the White Mountains; to show there are big green trees in Arizona. He said the first stop after the tree is cut will be in Eagar, and said the next stop will be in Pinetop-Lakeside. He stated the Advertising and Promotion Committee is putting a program together. He thanked those who were in the Fall Festival Parade and said the Mayor was scooping poop. He thanked the staff who put the Town float together and said it won “Best of Theme.” He said the Fall edition of the *Town Citizen* would be coming out in November and said the Town Clerk’s

Department is accepting articles. He stated Cool Runnings had 150 participants, of which many were from the Valley or Tucson. He said TRACKS did a fantastic job assisting with the event and thanked them. He stated Blue Ridge High School hosted a 10-team cross country meet at Woodland Lake Park. Vice Mayor Crockett stated Allison Rydberg won the individual event. Mr. Udall stated about 1,500 people attended Fall Festival local's night; and said approximately 5,000 attended the Festival on Saturday and Sunday. He said he did not have attendance information on the Car Show. He said the Chamber of Commerce is hosting the Woodland Wildlife Festival at the Nature Center this weekend. He said the Parks and Recreation Department is gearing up for the 3<sup>rd</sup> Annual Trunk or Treat on Saturday, October 31, from 6:00 to 8:00 p.m. He said they are limiting trunks to 40 and referred interested parties to contact John Vuolo. He said they did the final walk-through with ADOT on the pedestrian pathway, and said it is now the Town's. He said signage will be installed and said no motor vehicles are allowed on the trail. He informed the Council that, as of October 5, the Forest Service will have a contractor at Woodland Lake Park to finish tree trimming on small diameter trees at the North side of the Park and Walnut Creek. He stated Mr. Vuolo would be coordinating work with the Forest Service officials. He stated the Town audit has been completed and said the Council was provided with a copy of the Budget for Fiscal Year 2009-2010. He said the audit went very well.

Councilman Biscoe asked if there is a method to conduct car counts on event weekends. Mr. Udall stated they counted traffic on Porter Mountain Road last weekend. He said it would have been nice to have the counters on the highway. Councilman Biscoe asked who owns the counters. Mr. Udall stated the Town does not own any, but said they can be borrowed from the County as needed. Councilman Biscoe stated the Advertising and Promotion Committee would like to compare the event attendance numbers with other years. He stated they would provide a calendar to Mr. Udall. He stated it might help them to budget advertising expense.

Councilman Biscoe asked about the turn lane intersection on White Mountain Blvd. at Red Devil Pizza. Mr. Udall stated ADOT is currently conducting a pedestrian safety study and said the answer may be handled by medians. Councilman Dodd confirmed a follow-up public meeting would be held on October 8 at Blue Ridge High School.

ITEM NO. 9, CONSULTATION REGARDING NEGOTIATIONS FOR THE PURCHASE OR EXCHANGE OF REAL PROPERTY BETWEEN THE TOWN OF PINETOP-LAKESIDE, DAVID RENNER, AND THE WHITE MOUNTAIN NATURE CENTER:

Councilman Dodd and Councilwoman Irwin excused themselves for conflict of interest.

**VICE MAYOR CROCKETT MOVED THE COUNCIL ENTER INTO EXECUTIVE SESSION AT 7:25 P.M. COUNCILMAN BISCOE SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.**

Mayor Smith reconvened the regular meeting at 7:57 p.m.

The regular meeting was adjourned at 7:58 p.m.

Dated this 7<sup>th</sup> day of October 2009.

PINETOP-LAKESIDE TOWN COUNCIL

/s/ Lu Anne Frost, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Town Council of the Town of Pinetop-Lakeside, Arizona, held on the 1st day of October 2009. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 7th day of October 2009.

/s/ Lu Anne Frost, Town Clerk