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OUR MISSION

City of Holbrook Government exists to provide ethical and responsible local government.

AGENDA

REGULAR CITY COUNCIL MEETING

OCTOBER 23, 2018

6:00 P.M.

Pursuant to ARS 38-431.02, notice is hereby given to the Holbrook City Council, and to the General public that a meeting, which is open to the public, will be held on above-mentioned date, in the City Council Chambers, at 465 First Avenue, Holbrook, Arizona. Some of the members of the City Council may choose to participate in this meeting telephonically. The City Council may adjourn into executive session, which will not be open to the public, to discuss certain matters in accordance with ARS 38-431.03. Electronic versions of this agenda can be found at www.ci.holbrook.az.us.

The items on the following agenda are for discussion or consideration and possible action:

- 1) CALL TO ORDER:
- 2) ROLL CALL:
- 3) PLEDGE OF ALLEGIANCE/INVOCATION:
- 4) PUBLIC ANNOUNCEMENTS AND PRESENTATIONS (Please limit to 10 minutes)
- 5) CALL TO THE AUDIENCE FOR ITEMS ON THE AGENDA:
The City Council welcomes public comment at this time only for items listed on this Agenda. There is a five minute time limit per citizen.

- 6) CONSENT AGENDA
 - A. Claims/payment approval for October 4, 2018 thru October 17, 2018: Documentation for claims is available at City Hall. (pg 4)
 - B. Minutes of the Regular Meeting held on September 25, 2018. (pg 23)
 - C. Minutes of the Work Session held on October 2, 2018. (pg 39)
 - D. Minutes of the Regular Meeting held on October 9, 2018. (pg 47)

- 7) SUMMARY OF CURRENT EVENTS:
 - Mayor:**
 - Council Members:**
 - Interim City Manager:**
 - Police Chief:**
 - Chamber of Commerce:**

- 8) OLD BUSINESS:

- 9) NEW BUSINESS:
 - A. Discussion/possible action regarding a Resolution supporting Proposition 419, to create a jail district in Navajo County-Councilmember Payne. (pg 62)
 - B. Discussion/possible action regarding the possible sale of real property owned by the City of Holbrook Parcel 403-05-235 located at 4506 Mountain Road in Snowflake-Interim Manager Reyes. (pg 63)
 - C. Discussion/possible action regard the possible sale of real property owned by the City of Holbrook, Parcels 109-21-005A and 109-21-006 located on E. Romero-Interim Manager Reyes. (pg 65)
 - D. Discussion/possible action regarding instruction to advertise a Request for Qualifications for City Attorney Services-Interim Manager Reyes. (pg 70)
 - E. Discussion/possible action regarding the cancellation of the Regular Council meeting to be held on December 25, 2018-Interim Manager Reyes.

- 10) EXECUTIVE SESSION:
 - A. Pursuant to ARS 38-431.03(A) (3), the Council may adjourn into executive session for discussion or consultation or legal advice with the City Attorney for any item listed on the agenda.

- 11) POST EXECUTIVE SESSION:

- 12) CALL TO THE AUDIENCE FOR ITEMS NOT ON THE AGENDA:

The City Council welcomes public comment at this time for items not listed on this Agenda. There is a three minute time limit per citizen.

Citizens may complete one Request to Speak "Public Comment" card per night and submit it to the City Clerk before or during the Council meeting. During this time, any member of the public may come forward and address the City Council on any issue within the jurisdiction of the Council. Public Comment time is reserved for citizen comments regarding non-agendized items. **Speakers are limited to 3 minutes per speaker to address the Council during "Public Comment" time.** Members of the City Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01 (H), action taken as a result of public comment will be limited to directing City staff to study the matter, responding to any criticism, or scheduling the matter for further consideration and decision at a later date. Items on the agenda will not be heard or discussed in Call to the Public. Video or audio

tapes or other overhead visual aids are not allowed during these public appearances. All speakers should begin their remarks by stating their name and address for the record.

13) SUBMISSION OF WRITTEN PETITION TO THE COUNCIL FOR ITEMS NOT ON THE AGENDA:

Requests by citizens to have an item discussed on the City Council Agenda should be addressed to the Mayor and presented on the "Request & Petition of citizens to City of Holbrook Council form" during the Submission of Written Petition to the Council at a regular meeting. Once this form is submitted, the Council will consider the petition and response shall be given within 31 days per the Holbrook City Charter Article II, Section 2.18.

14) ADJOURNMENT:

Dated this 17th day of October 2018.


Cher Reyes, CMC, CPM, City Clerk

According to the Arizona Open Meeting Law, the City Council may only discuss matters listed on the City Council agenda. Matters discussed by the public during public appearances cannot be discussed by the City Council unless they are specifically listed on this agenda. Speaker's visual aids or recorded tapes are not allowed. Members of the public shall refrain from making personal, impertinent or slanderous remarks and from becoming boisterous while addressing the City Council or while attending the meeting. Unauthorized remarks from the audience, clapping, stomping of feet, yelling or any similar demonstrations are also prohibited. Violations of these rules may result in removal from the City Council meeting. Individual members of the public body may respond to criticism made by those who have addressed the public body.

1 MINUTES OF THE HOLBROOK CITY COUNCIL MEETING HELD ON
2 OCTOBER 23, 2018
3

4 CALL TO ORDER:

5 Vice-Mayor Peterson called the meeting to order at 6:00 p.m.

6 Roll Call:

7 Councilmember's Tim Dixon, Earl Kester, Adam Marsh, CJ Wischman and Vice-Mayor
8 Richard Peterson. Mayor Tyler and Councilmember Payne excused due to illness.

9 CITY STAFF:

10 Interim City Manager Cher Reyes, Chief of Police Nathan Christensen, Director of
11 Administration Pat Nichols and Administrative Assistant Lisa Maestas.

12 PLEDGE OF ALLEGIANCE/INVOCATION:

13 The Pledge of Allegiance was led by Vice-Mayor Peterson. The invocation was done by
14 Michael Henninger.

15 PUBLIC ANNOUNCEMENTS AND PRESENTATIONS:

16 None.

17 CALL TO THE AUDIENCE FOR ITEMS ON THE ADGENDA:

18 None.

19 CONSENT AGENDA:

20 Motion to approve the Claims/payment approval for October 4, 2018 thru October 17,
21 2018, the Minutes of the Regular Meeting held on September 25, 2018, the Minutes of
22 the Work Session held on October 2, 2018 and the Minutes of the Regular Meeting held
23 on October 9, 2018 made by Councilmember Dixon, seconded by Councilmember
24 Marsh. The motion carried with the following results: Councilmember Dixon "Aye",

1 Councilmember Kester "Aye", Councilmember Marsh "Aye", Vice-Mayor Peterson "Aye"
2 and Councilmember Wischmann "Aye".

3 SUMMARY OF CURRENT EVENTS:

4 -Councilmember Kester: Attended and enjoyed the Old West Fest and the NPC Eagle
5 Fest on Saturday.

6 -Interim Manager Reyes: Animal Control Officer-Position filled Paul Saiz began work
7 Oct. 22, 2018. Interim Manager Reyes has discussed scheduling with Chief Christensen
8 since the City will have 2 ACO's for about 7 weeks.

9 *Bathrooms at the all the parks will be winterized and closed up. If there is a special
10 function at Hunt Park, the City will unlock the bathrooms for the event and relock when it
11 is over.

12 *Interim Manager Reyes has issued a memorandum to all Department Heads to
13 immediately stop taking sand/dirt from the Airport property. It is leaving big holes that
14 can be a hazard if a plane cannot make a landing.

15 *Interim Manager Reyes has instructed Tim Kelley to remove certain debris and items
16 from the Airport and has also instructed him to grade the crosswind runway and to put
17 enough crown on it to keep the water off the low spots. The City will be having a pre-
18 construction meeting on October 30 with the Airport Engineers and Scenic Electric.
19 Streets crews will be crack sealing the taxiway. Baseboard heaters will be installed as
20 there is no heat in the terminal building.

21 *The Street Sweeper is broke down again.

22 *Interim Manager Reyes is working with APS to see if there is any way to get 2-3
23 streetlights installed on Mission Lane economically.

1 *There is a new addition at Gillespie Park, the branding wall. It is on the east side by
2 Joe and Aggies.

3 *Tomorrow at 7:45 is Walk with me to be Drug Free at the Old Courthouse. Please
4 wear red and come walk to school with the students.

5 *Interim Manager Reyes is in discussion with Navajo Sanitation for possible recycling.

6 *Interim Manager Reyes is working with ADOT to put a park in front of Circle K so that
7 the bus stop is not an island.

8 *The City has met with the Architect and NACOG and is hoping to get as much done as
9 possible with the \$190,000 CDBG Grant. The Architect said they'd have plans and
10 specs done by November 20th at which time we will have to bid for portions of the work.

11 * The City will be re-roofing the Dance Studio in front of the Library in the next 2 weeks
12 to be followed by the Rec. Center.

13 -Police Chief Christensen: Grateful to the City for repairing leaks at the Holbrook Police
14 Department. Chief Christensen is also grateful to Navajo County for sending a cleaning
15 crew to the Police Department every other week. The Holbrook Police Department lost
16 one of the officers in the Academy due to a poor decision on her part. Chief Christensen
17 said that the other cadet is in her 12th week and still doing well. Chief Christensen said
18 that Officer Minnick is starting his 9th week of field training this week. The Holbrook
19 Police Department has not received any new applications this month. Chief Christensen
20 participated in the Old West Fest on Saturday and got "locked up", he raised a little bit
21 of money, but had to post some of his own money to get out of jail.

22 -Holbrook Chamber of Commerce: Secretary Colleen Dawes-Marsh reported that this
23 was the 37th year for the Old West Fest. Mrs. Dawes-Marsh said that there was a lot of

1 competition because NPC also held the Eagle Fest, City held Petrified Forest Marathon
2 and there was a Vintage Marketplace. Mrs. Dawes-Marsh is not sure how many people
3 attended because they did not have a system to keep track, but the Chamber estimates
4 that 500-600 people visited throughout the day. Mrs. Dawes-Marsh said the Chamber
5 would like feedback from everyone in the community so that they can continue to make
6 the Old West Fest better in the future. Mrs. Dawes-Marsh stated that the Festival of
7 Trees will be held November 29th through December 1st at the Family Parish Center.
8 Mrs. Dawes-Marsh also stated that the Parade of Lights and the Food Truck Event will
9 be held on December 1st. The Chamber will also be doing the 12 Days of Christmas
10 Event, it will run from December 14th through December 25th. Mrs. Dawes-Marsh
11 encouraged everyone to attend the Chamber's monthly planning meetings.

12 OLD BUSINESS:

13 None

14 NEW BUSINESS:

15 A. Discussion/possible action regarding a Resolution supporting Proposition 419, to
16 create a jail district in Navajo County: Councilmember Payne appeared
17 telephonic for this agenda item only. Councilmember Payne said that she
18 requested that the Resolution supporting Prop. 419 be included on the agenda
19 because she believes that it will save many jobs in Navajo County and that it will
20 eliminate the amount of money that the municipalities have to pay to the County
21 for incarceration fees. Councilmember Marsh stated that he not only sees this
22 Proposition as a money saver but as a Public Safety Measure. Councilmember
23 Marsh said that without the funding that will be generated from Prop. 419, the

1 County will have to make cuts to the Sheriff's Office and they will no longer to be
2 able to backup Holbrook Police Department, which will cause longer wait times
3 on calls outs. Councilmember Marsh stated that this is an important thing for
4 citizens to thank about and that he appreciates Councilmember Payne bringing it
5 to the Council. Councilmember Wischmann agrees that Prop 419 is a good idea
6 and he says he is happy that it is for a sales tax and not a property tax.

7 Councilmember Wischmann stated that he supports this Resolution.

8 Councilmember Dixon asked County Manager Kephart if there is a law or policy
9 that states that municipalities would no longer have to pay jail fees. Mr. Kephart
10 said that is correct that by Statute the county would no longer be able to charge
11 the municipalities jail fees if they have a jail district. Mr. Kephart also stated that
12 in 2017 the City of Holbrook paid in excess of \$131,000.00 for jail fees. Mr.
13 Kephart stated that over a period of 20 years that would save the City of
14 Holbrook over \$2.8 million. Councilmember Dixon asked County Manager
15 Kephart if he was saying that without the jail district the City would still have to
16 pay the jail fees. Mr. Kephart said "yes". Councilmember Dixon said that he does
17 have a couple of issues with the Resolution supporting Prop 419.

18 Councilmember Dixon said in the 9th "WHEREAS" in the Resolution it reads,
19 "WHEREAS, the Navajo County Attorney's Office would no longer have the
20 resources to prosecute all crimes committed in Navajo County and thus would
21 require the City of Holbrook to reinstitute its own municipal Court system to
22 prosecute all misdemeanor crimes committed within the City:", that the City
23 already has a court system that they pay for through the Navajo County Justice

1 Court. Mr. Kephart said that is something that would have to be worked out in the
2 future if Proposition 419 does not pass. The County Attorney would have to cut
3 the number of prosecutor's therefore the number of cases the County Attorney's
4 Office could prosecute would decrease. Councilmember Dixon said that his issue
5 is with the last sentence of that section of the Resolution, because it states that
6 the City would have to reinstitute its own municipal Court system and the City
7 already has that through the Justice Court. Councilmember Dixon would like that
8 last sentence omitted from the Resolution. Councilmember Dixon asked Mr.
9 Kephart about the 10th "WHEREAS" which reads "WHEREAS, the loss of these
10 public safety employees will impact the safety of Holbrook citizens and the quality
11 of life in Holbrook and Navajo County;" Mr. Kephart explained that although
12 Navajo County has had to reduce staff in the past because of lost revenue they
13 have never had to reduce public safety staff. At this point in time, if Prop 419
14 does not pass they will have to make reductions to the public safety staff which
15 will ultimately cause delays in response times. Councilmember Dixon asked how
16 much the 1/3 cent sales tax would generate. Mr Kephart said that it would
17 generate in excess of \$4 million per year. Councilmember Dixon said he would
18 support the Resolution supporting Prop 419 if the sentence reading "...and thus
19 would require the City of Holbrook to reinstitute its own municipal Court system to
20 prosecute all misdemeanor crimes committed within the City;" was removed.
21 Navajo County Finance Director Paige Peterson responded, explaining that
22 currently Navajo County has an IGA with the City of Holbrook to provide services
23 to prosecute cases. If the County Attorney's Office has to reduce staff they would

1 no longer be able to prosecute as many cases. Councilmember Kester stated
2 that he supports the Resolution to support Prop 419. Councilmember Wischmann
3 asked Mr. Kephart if there are any other City Councils who have done a
4 Resolution supporting Prop 419. Mr. Kephart answered "No". Councilmember
5 Wischmann also stated that he feels that if in the future the Council will be
6 supporting political Resolutions that he would like the Resolutions voted on prior
7 to the start of early voting. Vice-Mayor Peterson asked Mr. Kephart what
8 happens if the 1/3 cent sales tax exceeds the amount of revenue needed. Mr.
9 Kephart responded by saying that the Statute states that if revenue is up the
10 Board of Directors have the authority to reduce the amount of the sales tax or
11 eliminate it altogether. Vice-Mayor Peterson asked if there is a Sunset Clause in
12 the Proposition. Mr. Kephart stated that it is 20 years. Councilmember Dixon
13 made a motion to approve the Resolution in support of Proposition 419 with the
14 amendment of the 9th "WHEREAS", striking "and thus would require the City of
15 Holbrook to reinstitute its own municipal Court system to prosecute all
16 misdemeanor crimes committed within the City;". Councilmember Wischmann
17 seconded the motion. The Resolution supporting Proposition 419 passed with the
18 following results: Councilmember Dixon "Aye", Councilmember Kester "Aye",
19 Councilmember Marsh "Aye", Councilmember Payne "Aye", Vice-Mayor Peterson
20 "Aye" and Councilmember Wischmann "Aye"

21 B. Discussion/possible action regarding the possible sale of real property owned by
22 the City of Holbrook Parcel 403-05-235 located at 4506 Mountain Road in
23 Snowflake: Interim Manager Reyes stated that in March Melissa Anderson

1 contacted her inquiring about buying this property. Interim Manager Reyes did
2 not think it belonged to the City of Holbrook, but after some research she found
3 that it does belong to the City. Interim Manager Reyes said that she forgot to
4 attach a map of the property but that it is located East of Snowflake toward
5 Concho. Interim Manager Reyes said that the property is of no use to the City of
6 Holbrook and she could not find any records of why it was donated to the City of
7 Holbrook. This property is not currently generating any revenue for the City of
8 Snowflake because it is tax exempt. Councilmember Dixon asked how much
9 Melissa Anderson offered. Interim Manager Reyes said that Melissa Anderson
10 had not made an offer at this time. Interim Manager Reyes said that the City can
11 either get an appraisal of the property or that the City could go out to bid.
12 Councilmember Wischmann asked if there was an assessed value. Interim
13 Manager Reyes said that the assessed value is \$2,268.00. Council asked if there
14 are any structures on the property. Interim Manager Reyes stated that there is
15 not. County Assessor Cami Darris stated that this piece of property is not
16 agricultural that is it just a piece of vacant land that is located 10 or 12 miles east
17 of Snowflake. Mrs. Darris said that the \$2000.00 that the property is assessed at
18 is the market value of the land. Vice-Mayor Peterson said that in the past the City
19 has always gotten an appraisal so that property is not sold for less than the value
20 which would be giving away City property. Vice-Mayor Peterson wanted to know
21 if this is the Policy. Interim Manager Reyes said that in the past the City has
22 either gotten an appraisal or put it out to bid. Interim Manager Reyes said that it
23 is up to the Council to decide how they would like to handle it. Vice-Mayor

1 Peterson asked if the City is required to put it out to bid. Interim Manager Reyes
2 said only if it is over \$500,000.00. Councilmember Wischmann said that he thinks
3 an appraisal may cost more than the property is worth. Councilmember
4 Wischmann suggested selling it to Melissa Anderson for the assessed value
5 price. Mrs. Darris said that she can gather sales prices in the same area and get
6 it to Interim Manager Reyes in the morning. Councilmember Dixon said he would
7 like Mrs. Darris to get that information rather than get an appraisal, but he still
8 thinks the City should put it out to bid , as more people might be interested in the
9 property. The Council agreed to table this item to have time to review the
10 information that Mrs. Darris provides. The item will be placed under Old Business
11 on the agenda for the next Council Meeting.

12 C. Discussion/possible action regard the possible sale of real property owned by the
13 City of Holbrook, Parcels 109-21-005A and 109-21-006 located on E. Romero:

14 Interim Manager Reyes stated that Mr. Wright sent a check in the mail to
15 purchase these parcels. Interim Manager Reyes stated that the property is in the
16 flood plain Mr. Wright will be very limited on what he can do with the property and
17 once Mr. Wright found out that he cannot develop the parcels he lowered his
18 offer. County Assessor Darris said that she would not be able to get fair market
19 price in this area because nothing has been sold recently. Vice-Mayor Peterson
20 said that he has two concerns, the first being that the City has been discussing
21 walking trails and expanding the Mud Run, would the City need this property to
22 do this? Interim Manager Reyes said that it is on the wrong side of Romero for
23 the Mud Run. Vice-Mayor Peterson's second concern was about the value price

1 of the property, he would like to at least get a fair market value so that the City is
2 not selling property for less than it is worth. Councilmember Dixon said that it is
3 only fair for the City to get an appraisal of the property and that the buyer pay for
4 the price of the appraisal. Councilmember Dixon said that he does not think the
5 City would need to get a full appraisal but that there is what is called a “drive by
6 appraisal” or a “street side appraisal”, he asked Interim Manager Reyes to look in
7 to this. The Council agreed to place this agenda item on the next agenda under
8 Old Business. Councilmember Marsh suggested that the City write an SOP for
9 land sales.

10 D. Discussion/possible action regarding instruction to advertise a Request for

11 Qualifications for City Attorney Services: Interim Manager Reyes said she is
12 looking for direction from the Council on this agenda item because the City
13 Attorney does not work for the City Staff but works for the Council. The last time
14 that an RFQ was done for City Attorney was in 2006. Dickinson Wright has been
15 the City Attorney since 2008. There was not an RFQ done at that time but Carlo
16 Pilgrim hired them without one. Interim Manager Reyes said that based on the
17 issues with the Personnel Policies and Procedures she thinks that it would be
18 better to hire local representation. Interim Manager Reyes said she would like for
19 the City Attorney to be able to attend Council Meetings when we have heated
20 items on the agenda. The City does not want to pay Dickinson Wright the hourly
21 rate to attend a Council Meeting. Councilmember Dixon asked if local included
22 Flagstaff and the White Mountains. Interim Manager Reyes said that is closer
23 than the current attorney. Councilmember Wischmann said he doesn't think that

1 they need to be local but that they should be able to meet the needs of the
2 Council. Interim Manager Reyes said the City could do a RFQ, Attorneys would
3 submit their qualifications and the Council would score them. Once the Council
4 decides on an attorney then the negotiations for the contract would begin.

5 Councilmember Wischmann made a motion to advertise a RFQ for City Attorney
6 Services. Councilmember Kester seconded the motion. The motion carried with
7 the following results: Councilmember Dixon "Aye", Councilmember Kester "Aye",
8 Councilmember Marsh "Aye", Vice-Mayor Peterson "Aye" and Councilmember
9 Wischmann "Aye".

10 E. Discussion/possible action regarding the cancellation of the Regular Council

11 meeting to be held on December 25, 2018: Councilmember Dixon made a motion
12 to cancel the Council Meeting set for December 25, 2018. Councilmember Marsh
13 seconded the motion. The motion passed with the following results:

14 Councilmember Dixon "Aye", Councilmember Kester "Aye", Councilmember
15 Marsh "Aye", Vice-Mayor Peterson "Aye" and Councilmember Wischmann "Aye"

16 EXECUTIVE SESSION:

17 None

18 POST EXECUTIVE SESSION:

19 None

20 CALL TO THE AUDIENCE FOR ITEMS NOT ON THE AGENDA:


21 None

22 ADJOURNMENT:

23 There being no further business to come before the Council, the meeting is

1 adjourned at 6:58 p.m.

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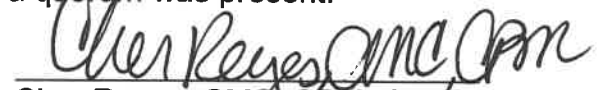
Richard Peterson Vice-Mayor

4 CERTIFICATION:

5 I hereby certify that the foregoing minutes are a true and correct copy of the minutes of
6 the Holbrook City Council Meeting held on the 23rd day of October 2018. I further certify
7 that the meeting was duly called and held and that a quorum was present.

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Cher Reyes, CMC CPM, City Clerk

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