

**CITY OF ST. JOHNS**  
**REGULAR CITY COUNCIL MEETING**  
**MINUTES**

**December 14, 2016**

The meeting was duly posted. Mayor Ryan Patterson called the meeting to order at approximately 6:38 p.m. in the City Council Chambers.

**ROLL CALL:** Mayor Ryan Patterson, Vice Mayor Spence Udall, Councilman Tony Lindsey, Councilman Pete Hancock, Councilman Tony Raykovitz, and Councilman JR Richardson.

**ABSENT:** Councilwoman Kay Hauser

**STAFF PRESENT:** Interim City Manager Paul Ramsey, Finance Director/City Clerk Timothy Hinton, Deputy City Clerk Cindy Lee, City Attorney Bryce Patterson, Police Chief Daniel Brown, Police Sergeant Paul Albert, Police Officer Creig Wallace, Police Officer Wyatt Smith, Fire Chief/Airport Manager Gary Liston, Assistant Fire Chief Jason Kirk, and Assistant EMS Chief Jean Kirk.

**OTHERS PRESENT:** Brennen Eagar, Mike Nuttall, Mike Sweetzer, Jason Spear, Commander McNeil, Devin Brown, Dodee Wallace, and Holly Smith.

**PLEDGE:** Police Officer Creig Wallace

**INVOCATION:** Police Officer Wyatt Smith

**CALL TO THE PUBLIC**

- No public wished to speak

**CONSENT AGENDA**

- 1. Consider approval of November 9, 2016 and November 29, 2016 City Council minutes.**
- 2. Request approval for payment of bills from November 1-30, 2016. Special details of bills can be requested at City Hall.**

**MOTION**

Motion made by Councilman JR Richardson to approve the Consent Agenda as stated. Motion was seconded by Councilman Tony Lindsey.

**Motion passed 6-0**

**3. Discussion regarding the lights on 13<sup>th</sup> West.**

Interim City Managers Paul Ramsey commented that he was asked to research the cost of the light poles for the 11 existing pedestals on the west side of 13<sup>th</sup>. The information was received today and the cost for each pole is \$2650. That will include the freight. This does not include the installation or the pulling of the wires. The conduit is in the ground. With everything we are looking at about \$35,000. It would take about 14 to 18 weeks for the poles to come in. The company already has the style of the poles. So that would not be an issue.

Councilman Hancock asked what the costs of the poles were from previous. Interim City Manager Paul Ramsey commented that the poles were under \$2500.

**4. Inter-Governmental Agreement with the St. Johns Police Dept. and the White Mountain Special Response Team.**

Chief Brown commented that this is the current IGA for the Special Response Team that is in place as of July 2012. Currently all the agencies in Navajo County are part of the IGA. In response wanting to form a Special Response Team in Apache County, we ran into a number of people than needed to qualify for the team. The Special Response Team has a specialized training. We have Interim Police Chief Sweetzer from Eagar, Police Chief Mike Nuttall from Springerville and Chief Deputy Brennen Eagar from Apache County Sheriff's Office, they will be bringing this agreement before their towns and the County Board of Supervisors in January 2017.

We did acquire a 10-33 vehicle that would be used for the team. We currently have 5 members form Apache County; we have grant funding to outfit 7.

Mayor Patterson asked what is the outlook in the other towns (Springerville and Eagar) and do you anticipate any issues?

Both Police Chief's commented that there should be no issues.

Mr. Bryce Patterson had no issues with the IGA and approved the form of the IGA.

**MOTION**

Motion was made by Vice Mayor Spence Udall to ratify the IGA between St. Johns Police Dept. and the White Mountain Special Response Team. Motion was seconded by Councilman Tony Lindsey.

**DISCUSSION:**

Councilman Lindsey asked Chief Brown "What has your experience been; has it been positive and have you had time to solve issues?"

Chief Brown commented that yes it has been positive, we have a very good relationship, we continually work together. The Special Response Team is here in support of St. Johns joining the team. We do work very well together.

Mayor Patterson asked Chief Deputy Eagar if Apache County is in support of the Special Response Team.

Chief Deputy Eagar commented that in a meeting with the Sheriff, he stated that he is 110% behind the Special Response Team. This will be the path that the Sheriff's office will take and that the Apache Counties attorney's office is in support also.

Mayor Patterson commented on the cost.

Chief Brown commented that the cost will be mostly the training and outfitting, but will be with in the budget. We are trying to work on grants and use some of RICO funding.

Councilman Richardson asked how they chose team members.

Commander McNeil commented that these officers are put through a testing process, have 2 years' experience, be off probation and have no disciplinary action. With this specializing team, we want the best. They have to get a letter from their Chief or Commander stating that they meet the requirements to be able to test. They have to be physically fit to pass the physical test. Once they have passed the test and are a member, we train 10 hours a month. The training rotates between agencies so that the officers that are not on the team will have a chance to participate and get the experience.

**Motion passed 6-0**

**5. Consider replacing the filtration system at the City Pool.**

Finance Director/City Clerk Timothy Hinton commented that it is not in the budget right now, it would have to come out of the contingency fund.

Mayor Patterson commented that we have hit that pretty hard.

Mr. Hinton commented yes, but we have the reserve and on top of that some contingency fund. So this is not necessarily the reserve fund balance. This is the contingency fund that we were planning on spending in the year when something comes up or an emergency.

Mayor Patterson commented that he appreciates the photos. What will this take to fix the filtration system? And do you recommend fixing the filtration system?

Pool Manager Bonnie Cain commented around \$18,000. The pool is 36 years old and in 35 years sense she has been there they have only replaced 3 modulating valves and butterfly valves. Three of them are the original valves. They are leaking. We are not getting our full performance as far our back flushing. She also commented that she is afraid something is going to happen during the season and shut the pool down to do repairs.

Interim City Manager Paul Ramsey commented that it is also something that other communities from the south and west come to utilize our pool because

they no longer have a pool. From an economic stand point this is something that needs to be fixed and not wait till it breaks.

**MOTION**

Motion was made by Councilman Pete Hancock to replace the filtration system at the pool. Motion was seconded by Vice Mayor Spence Udall.

**Motion passed 6-0**

**6. Consider recommendation of award for the 2016 ambulance bid.**

Assistant Fire Chief Jason Kirk commented that as you are aware that rates established by the Department of Health Services and parts of the Ambulance Services to purchase an ambulance every 5 years is part of the fleet maintenance program in purchasing ambulances. We purchased the last ambulance in 2014. We are looking to make a purchase in 2016 bid and being able to go back to the 4 serviced vehicles. The recommendation is in your packets. The recommendation is PPS/American Emergency Vehicle at \$198,420.79.

Mayor Patterson commented that we have different silos that we are pulling from; other than the ALCO building and the pool, those are being pulled from different silos. We are specifically getting this from the Healthcare District.

Mr. Kirk commented that the funding of \$100,000 is from the Healthcare District, \$25,000 is funded by the year's budget and the rest is from the LGIP.

**MOTION**

Motion was made by Councilman Tony Raykovitz to approve the bid from American Emergency Vehicle. Motion was seconded by Councilman Tony Lindsey.

**Motion passed 6-0**

**7. Consider approval of change in Personnel Policy 8.1, L.4 Holidays for Sworn Officers.**

Finance Director/City Clerk Timothy Hinton commented that with the Personnel Policy regarding the holidays we have two separate policies. We have one that is specific to Sworn Officers and one that applies to everyone else. Sometimes there is confusion between the two. The essential difference is that the police officers bank their holidays and can use them sometime later in the year. That also creates some problem because of the way it is written. The officer has until the end of the year to use their holidays. Towards the end of the year in November, you have Thanksgiving and a day after Thanksgiving, what is now known as a floating holiday, you also have Christmas Eve and Christmas. There are 4 holidays that have to be used before the first of the year. What we would like to do is bring the Sworn Officers in line with everyone else. Do away with the holiday bank and pay

them like everyone else in the City. That would mean to take a separate day off with in the same pay period or the next.

Mayor Patterson commented that can we do this legally in the next pay period? I don't know that you can. That is my understanding of FSLA.

Chief Brown commented that he brought all the officers together and asked them what they wanted. They took the option of them taking the holiday in their own pay period. Taking the holiday or paying for the holiday not taken. They are banking their holidays, comp. time and PTO and they are not getting to use all this time and are losing it.

Mr. Hinton commented that he could change the policy to read; the employee shall be paid in a similar manner as other city employees except he/she shall have the option of taking a different day off within the same pay period instead of being paid for the holiday.

**MOTION**

Motion was made by Councilman Tony Raykovitz to approve the change in the Personnel Policy 8.1, L.4. Motion was seconded by Councilman JR Richardson.

**Motion passed 6-0**

**8. Consider the Resolution to authorize the purchase of the ALCO building.**

Finance Director/City Clerk Timothy Hinton commented that in the last meeting Council voted to purchase the ALCO building. The City Attorney Bryce Patterson has written up the purchase agreement and the resolution of the purchase.

**MOTION**

Motion was made by Vice Mayor Spence Udall to approve the resolution to purchase the ALCO building. Motion was seconded by Councilman Tony Raykovitz.

**Motion passed 6-0**

**9. Discuss the promotion of the ALCO building.**

Interim City Manager Paul Ramsey commented that in talking in the last meeting regarding the purchase of the ALCO building we were asked to have this as an agenda item to discuss what would be our method or direction to promote the building. Mr. Ramsey commented that he did a little research; he talked to the City of Eagar in regarding to the agreement with Basha's store. They currently do not charge them any rent, unless they hit a threshold in sales, which they have not. Previously they were charging rent, the City of Eagar were nervous that Basha's were going to pull out of the building, so the City backed off. They are making enough on the sales tax.

Mayor Patterson had citizen approach him regarding the ALCO building. Information has been giving to the state with the building listed as a building available. We have also listed land prices for other potential business. Councilman Raykovitz commented that he thinks we need to have a committee to try and get someone into the building. Mayor Patterson commented that Interim City Manager Paul Ramsey, Finance Director/City Clerk Timothy Hinton, Vice Mayor Spence Udall and himself had a meeting to discuss putting together a committee and have those meetings on a monthly basis.

**10. Proposed dates for 2017 City Council Meetings.**

Mayor Patterson commented that these were proposed dates for City Council and that he recommended them.

Councilman Raykovitz commented that he works most Thursdays.

**Item dies from lack of motion.**

**11. Discuss the employee evaluations for the head of departments.**

Mayor Ryan Patterson commented that the council has received the forms for the evaluation in your packets.

Interim City Manager Paul Ramsey commented that we need to agree that this is the form that you are wanting to use. This form is what we have used in the past for City Managers. He thinks it was the City Manager's job to do the evaluation on the heads of departments and the Council does the evaluation on the City Manager.

Councilman Richardson agreed with Mr. Ramsey. That it is the way it should be.

Mayor Patterson commented with the exception of the Police Chief, because he reports directly to us. He asked Mr. Ramsey how he felt about the Council evaluating the Police Chief.

Mr. Ramsey commented that in the past it has always been the City Manager evaluating the Chief of Police. It is the Councils decision to hire or fire, but it has been the City Manager to do the day to day operations.

Chief Brown commented that although we have the direct line of communications, I don't make major decisions unless the City Manager is aware of it. He is the City Manager and I keep him aware.

Mayor Patterson commented that his intentions have always the City Managers and the Chief of Police. If we choose as a Council not to do the evaluation on the Chief of Police, it will be ok.

Councilman Lindsey commented that we need to do an evaluation on the Chief of Police and he does the evaluation as well. There are things that he is aware of and we are not, especially on the positive side.

Mayor Patterson commented that he would like the Council to at least have a say in the Chief of Police's evaluation.

Councilman Hancock commented that he thinks this kind of discussion needs to be done in executive session.

Mayor Patterson commented that is how we are going to do the evaluation. He also asked Mr. Ramsey to go ahead and do the evaluations on the heads of departments and we meet with you in executive session and finalize the evaluations in that fashion.

Mr. Ramsey commented that when we get to that point and we are evaluating the Chief of Police, that Chief Brown is invited into the executive session. The other procedure that was done, you were given the evaluation form and you all completed the forms by a certain date. Then we did the evaluation.

Councilman Hancock commented that the way we did it in the past was that we each completed the form and it was compiled by the Mayor so not everyone saw your form.

Mayor Patterson commented that he was ok with that, but he will not be the one compiling the forms. He will have Cindy do that. The one thing he would recommend on this form is that we take the time on each category and put your comments, give an understanding. If it is not excellent, explain.

#### **MOTION**

Motion was made by Councilman Pete Hancock to go into executive session.

Motion was seconded by Councilman Tony Raykovitz.

#### **DISCUSSION:**

Attorney Bryce Patterson commented that there are a certain number of things we can go into executive session.

Mayor Patterson asked if this is what we are going in for is personnel.

Councilman Hancock commented that yes on personnel, on how this is going to be compiled.

Mayor Patterson commented that he didn't know if we can go into executive session for how it will be compiled. If we are discussion an individual it is one thing, if we are just discussing format, we can't go in for that.

Councilman Hancock commented that it is not the format; it is who – so it is personnel. It is who is going to compile it. I want to go into executive session to discuss who is compiling.

Mayor Patterson asked Councilman Hancock if he was having issues having Cindy compiling the evaluations.

Councilman Hancock commented yes; serious issues.

Attorney Bryce Patterson commented that he is not sure we can go into executive session without it being noticed. Going in under which provisions; legal advice on a personnel issue.

Mayor Patterson commented that the Council can legally go into executive session.

**Motion failed 1-5 (Aye – Hancock. Nay – Patterson, Udall, Raykovitz, Richardson, and Lindsey.)**

Mayor Patterson commented that on the evaluations; define and give a reason so they will understand and that there may be a goal behind the comment. We will be doing the City Managers evaluation only. Please have the evaluation completed by January 4<sup>th</sup>. He asked that Cindy not review the evaluations, just compile them. She will have an envelope for you to put the evaluations in when you bring them into City Hall. He also commented that his compilation is going to be weak. If you find something that is unappealing or concerning, I will take names off of the evaluation to maintain your confidentiality. Cindy may do the typing, but she will not know who it has come from.

**CITY MANAGERS REPORT**

- **Patterson Ponds** - We went up to evaluate the ponds. The lower pond was quite low. We contacted the schools and shut the water off going to the school. We don't have a mechanism to add any water to the ponds. Game & Fish did stock the ponds today.  
Mayor Patterson commented that we need to make sure that our water shares are maintained and that we need to use them in this next season.  
Mr. Ramsey commented that he had talked to Nelsen Davis today. The city is going to try and locate a meter to control the water going out. That way we can maintain the ponds for the fish.
- **Lights** – We have ordered 6 new heads. Two lights have been blown down. We are going to try some LED lights. We will see how they will work. To convert to LED it will cost about \$450 per light. But in the long run it will cut cost and maintenance.
- **Transportation** – The state and NACOG have been discussing having HURF exchange come back. HURF has always been HURF dollars. HURF has always been a huge positive for small communities. We are looking about 2 years out for the next project of paving the 2 miles stretch of 24<sup>th</sup> to 15<sup>th</sup>, the school bus route. Some communities are behind and all of our paper work is in order. We might get this project completed at the end of 2018.
- **Christmas parade** – We appreciate all those who participated in the Christmas parade and our staff for putting this all together. It was a great event.

**CITY POLICE CHIEF REPORT**



- **Two new Officers** – We put out a lateral position, Creig Wallace was hired from that process. We are glad to have him with his experience. He worked for the City as an officer for 8 ½ years and went to the Apache County Sheriff’s office for a couple of years and then on to Navajo County Sheriff’s office. We also have Wyatt Smith who has just finish with the Academy. He came home with some major awards. Chief also thanked Councilman Lindsey and Interim City Manager Ramsey for coming to the Graduation.
- **FBI National Academy** – Council will see in the next few weeks a delegation of authority to Sergeant Albert. Who will be the acting Chief while Chief Brown is at the FBI Academy. Chief Brown commented that he will be back the last part of March. He thanked the Council for the opportunity to go to the FBI Academy. If Council needs anything, contact Sgt. Albert or Chief Brown. You can contact Chief Brown by email.
- **Mamba** – (Santa’s sleigh) The mamba did not cost the City anything. It was the City of Prescott’s. They donated the mamba to the Special Response Team for Apache County. It has been used in a situation already in Round Valley.

**FUTURE AGENDA ITEMS**

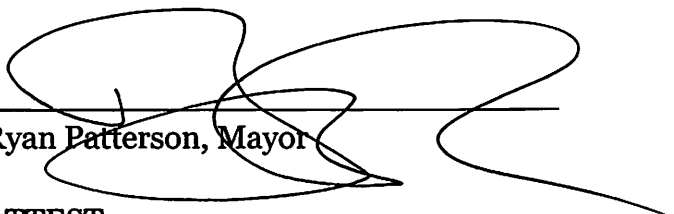
- **No items**

**ADJOURNMENT**

Motion was made by Councilman Tony Raykovitz to adjourn the meeting. Motion was seconded by Councilman Tony Lindsey.

**Motion passed 6-0**

**Meeting adjourned at 8:00 p.m.**

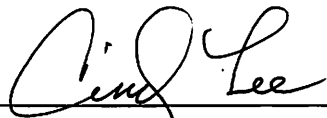
  
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 Ryan Patterson, Mayor

ATTEST:

  
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 Cindy Lee, Deputy City Clerk

**CERTIFICATION**

I hereby certify that the forgoing minutes are a true and correct copy of the minutes of the regular meeting of the St. Johns City Council meeting held December 14, 2016. I certify that the meeting was duly called, held, and that a quorum was present.

  
Cindy Lee, Deputy City Clerk

**\*Please note: Approved minutes are not verbatim record of what happened at the City Council meeting, they capture a summary of the meeting as well as all action taken. A recording of the entire meeting is available upon request at the City Clerk's office for three months following the meeting.**