

**TOWN OF PATAGONIA
REGULAR COUNCIL MEETING MINUTES
FEBRUARY 27, 2013
7:00 P.M.**

1. CALL TO ORDER: Mayor Isakson called the meeting to order at 7:00 p.m.
PRESENT; Mayor Isakson, Vice mayor Wood, Council Members Quiroga, Gilbert and Coleman.
ABSENT: None
STAFF: Town Manager Teel, Marshal Patterson, Deputy Clerk Van Nest

2. PLEDGE OF ALLEGIANCE: Mayor Isakson led the recitation of the Pledge of Allegiance

3. CORRECTION AND/OR APPROVAL OF MINUTES OF:

(A) REGULAR COUNCIL MEETING, DECEMBER 26, 2012- 7:00PM
(B) REGULAAR COUNCIL MEETING JANUARY 9, 2013- 7:00 PM
(C.) REGULAR COUNCIL MEETING, FEBRUARY 13, 2013 – 7:00 PM

MOTION: Vice Mayor Wood made a motion to approve the minutes of the COUNCIL MEETINGS OF DECEMBER 26, JANUARY 9 AND FEBRUARY 13, 2013.

SECOND: Council member Quiroga.

VOTE: The Motion passed by a vote of 5-0 with Council Members voting as follows:

AYES: Mayor Isakson, Vice mayor Wood, Council Members Quiroga, Gilbert and Coleman.

NAYS: None

ABSTAINERS: None

ABSENT: None

PLEASE NOTE: THE MAYOR AND COUNCIL MAY ELECT TO TAKE ITEM(S) OUT OF ORDER

3. CALL TO THE PUBLIC A.R.S. §38-431.01(H): AT THIS TIME, ANY MEMBER OF THE PUBLIC IS ALLOWED TO ADDRESS THE TOWN COUNCIL, SUBJECT TO REASONABLE TIME AND MANNER OF RESTRICTIONS. PURSUANT TO THE ARIZONA OPEN MEETING LAW, AT THE CONCLUSION OF THE CALL TO THE PUBLIC, INDIVIDUAL MEMBERS OF THE COUNCIL MAY RESPOND TO CRITICISM MADE BY THOSE WHO HAVE ADDRESSED THE COUNCIL, MAY ASK STAFF TO REVIEW THE MATTER, OR MAY ASK THE MATTER BE PLACED ON A FUTURE AGENDA.

Juliette Pendleton presented and spoke concerning data showing the Bowdon property being carried on the tax roles as “residential”

Carolyn Shafer read a letter to Council on the Bowdon request for a use permit. A copy is in the file.

Cornelia O Connor spoke on the need for a prohibition of dogs in Richardson Park, as well as gates.

Marcella Heiss thanked Council for their efforts and encouraged them not to act on items that they did not fully understand.

OLD BUSINESS

5. MAYOR’S REPORT ON CURRENT EVENTS. AT THIS TIME THE MAYOR MAY WISH TO CALL UPON THE COUNCIL OR STAFF FOR CURRENT EVENT REPORTS.

Mayor Isakson inquired as to whether or not Council would prefer to have the workshop meetings on the open Wednesday nights instead of Saturday mornings. After discussion it was agreed that Wednesday evenings

would be desirable if the meetings started at 6 p.m. and ended at 8 p.m. The next workshop was scheduled for March 6 at 6 p.m.

6. STAFF REPORTS ON ONGOING ACTIVITIES WITH POSSIBLE DIRECTION BY COUNCIL.

Marshal Paterson reported that they were busy with a number of on-going cases.

Mr. Teel reported on the CBDG project with the MOA needing Washington approval.

Mayor Isakson called for Council to skip to Item 14 on the agenda.

14. DISCUSSION AND POSSIBLE ACTION TO APPROVE SIGN FOR THE POLLINATOR GARDEN IN THE TOWN PARK.

MOTION: Council member Gilbert made a motion to APPROVE SIGN FOR THE POLLINATOR GARDEN IN THE TOWN PARK.

SECOND: Council member Coleman.

VOTE: The Motion passed by a vote of 5-0 with Council Members voting as follows:

AYES: Mayor Isakson, Vice mayor Wood, Council Members Quiroga, Gilbert and Coleman.

NAYS: None

ABSTAINERS: None

ABSENT: None

7. DISCUSSION AND POSSIBLE ACTION ON APPLICATION FOR USE PERMIT PURSUANT TO ARTICLES 14-2-C-3 AND 14-2-C-4 OF THE CODE OF THE TOWN OF PATAGONIA :

ED AND JACKIE FLEDER, 504 N. 3D AVENUE, PATAGONIA-CONSTRUCTION OF A HAM RADIO TOWER FOR HAM RADIO COMMUNICATIONS AND EMERGENCY COMMUNICATIONS.

MOTION: Vice mayor Wood made a motion to approve the APPLICATION FOR USE PERMIT PURSUANT TO ARTICLES 14-2-C-3 AND 14-2-C-4 OF THE CODE OF THE TOWN OF PATAGONIA :

ED AND JACKIE FLEDER, 504 N. 3D AVENUE, PATAGONIA-CONSTRUCTION OF A HAM RADIO TOWER FOR HAM RADIO COMMUNICATIONS AND EMERGENCY COMMUNICATIONS.

SECOND: Council member Quiroga.

VOTE: The Motion passed by a vote of 5-0 with Council Members voting as follows:

AYES: Mayor Isakson, Vice mayor Wood, Council Members Quiroga, Gilbert and Coleman.

NAYS: None

ABSTAINERS: None

ABSENT: None

8. DISCUSSION AND POSSIBLE ACTION ON APPLICATION FOR USE PERMIT PURSUANT TO ARTICLES 14-2-C-3 AND 14-2-C-4 OF THE CODE OF THE TOWN OF PATAGONIA:

BRENT BOWDON AND ADROIT LLC. 539 N. 3D AVENUE- OFFICE SPACE FOR 3D PARTY USE IN INDUSTRIAL STORAGE BUILDING ERECTED FOR PRE-EXISTING INDUSTRIAL STORAGE AND OPERATIONS USE.

Council discussed the applicability of the P&Z recommendations to the use permit application as opposed to the building permit process. Concern was expressed that approval of the permit not be broadly

construed to be applicable to expansion of other operations on the property.

MOTION: Mayor Isakson moved to APPROVE THE APPLICATION FOR USE PERMIT PURSUANT TO ARTICLES 14-2-C-3 AND 14-2-C-4 OF THE CODE OF THE TOWN OF PATAGONIA FOR BRENT BOWDON AND ADROIT LLC. 539 N. 3D AVENUE- FOR OFFICE SPACE ONLY FOR 3D PARTY USE WITHIN THE EXISTING INDUSTRIAL STORAGE BUILDING AS ERECTED FOR PRE-EXISTING INDUSTRIAL STORAGE AND OPERATIONS USE.

SECOND: Council member Quiroga.

MOTION: Council member Coleman moved to AMEND THE MOTION TO ADD A REQUIREMENT AS A CONDITION OF THE USE PERMIT THAT THE TOWN MANAGER FOLLOW UP TO INSURE THAT ALL NECESSARY PERMITS ARE SECURED WITHIN 120 DAYS.

SECOND; Council member Quiroga

Mayor Isakson called for a vote on the amended motion.

Mr. Pendleton raised a point of order that the Mayor had a conflict of interest due to Mr. Bowdon's financial support of the Fire Company and should recuse himself.

Mayor Isakson stated that he did not have a conflict of interest but since it would not affect the outcome of the motion, he would recuse himself. He called for a vote:

VOTE: The Motion as amended passed by a vote of 4-0-1 with Council Members voting as follows:

AYES: Vice mayor Wood, Council Members Quiroga, Gilbert and Coleman.

NAYS: None

ABSTAINERS: Mayor Isakson

ABSENT: None

9. DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. 13-02. A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE TOWN CLERK AND ENTITLED "AMENDED CHAPTER 7, "BUILDING".

MOTION: Council member Gilbert made a motion to ADOPT RESOLUTION NO. 13-02. A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE TOWN CLERK AND ENTITLED "AMENDED CHAPTER 7, "BUILDING".

SECOND: Council member Coleman.

VOTE: The Motion passed by a vote of 5-0 with Council Members voting as follows:

AYES: Mayor Isakson, Vice mayor Wood, Council Members Quiroga, Gilbert and Coleman.

NAYS: None

ABSTAINERS: None

ABSENT: None

10. DISCUSSION AND POSSIBLE ACTION ON APPLICATION PURSUANT TO ARS 9-462.04 TO CONSIDER ADOPTION OF ORDINANCE NUMBER 13-02 AN ORDINANCE AMENDING CHAPTER 7 "BUILDING"; DELETING CURRENT TOWN CODE CHAPTER 7 "BUILDING" AND CREATING A PENALTY FOR VIOLATIONS THEREOF.

MOTION: Council member Gilbert made a motion to ADOPT ORDINANCE NUMBER 13-02 AN ORDINANCE AMENDING CHAPTER 7 “BUILDING”; DELETING CURRENT TOWN CODE CHAPTER 7 “BUILDING” AND CREATING A PENALTY FOR VIOLATIONS THEREOF

SECOND: Council member Coleman.

VOTE: The Motion passed by a vote of 5-0 with Council Members voting as follows:

AYES: Mayor Isakson, Vice mayor Wood, Council Members Quiroga, Gilbert and Coleman.

NAYS: None

ABSTAINERS: None

ABSENT: None

11. DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. 13-03. A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE TOWN CLERK AND ENTITLED “AMENDED CHAPTER 14, ‘PLANNING AND SIGNS.’”

MOTION: Council member Quiroga made a motion to ADOPT RESOLUTION NO. 13-03. A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE TOWN CLERK AND ENTITLED “AMENDED CHAPTER 14, ‘PLANNING AND SIGNS.’”

SECOND: Council member Gilbert.

VOTE: The Motion passed by a vote of 5-0 with Council Members voting as follows:

AYES: Mayor Isakson, Vice mayor Wood, Council Members Quiroga, Gilbert and Coleman.

NAYS: None

ABSTAINERS: None

ABSENT: None

12. DISCUSSION AND POSSIBLE ACTION PURSUANT TO ARS 9-462.04 TO CONSIDER ORDINANCE NO. 13-03. AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, ADOPTING AMENDED TOWN CODE CHAPTER 14 “PLANNING AND SIGNS” AND DELETING CURRENT TOWN CODE CHAPTER 14 “PLANNING AND SIGNS.”

MOTION: Council member Quiroga made a motion to ADOPT ORDINANCE NO. 13-03. AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, ADOPTING AMENDED TOWN CODE CHAPTER 14 “PLANNING AND SIGNS” AND DELETING CURRENT TOWN CODE CHAPTER 14 “PLANNING AND SIGNS.”

SECOND: Council member Coleman.

VOTE: The Motion passed by a vote of 5-0 with Council Members voting as follows:

AYES: Mayor Isakson, Vice mayor Wood, Council Members Quiroga, Gilbert and Coleman.

NAYS: None

ABSTAINERS: None

ABSENT: None

13. DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE EXECUTION OF THE ARIZONA MUTUAL AID CONTRACT.

MOTION: Council member Coleman made a motion to AUTHORIZE EXECUTION OF THE ARIZONA MUTUAL AID CONTRACT.

SECOND: Council member Quiroga

VOTE: The Motion passed by a vote of 5-0 with Council Members voting as follows:

AYES: Mayor Isakson, Vice mayor Wood, Council Members Quiroga, Gilbert and Coleman.

NAYS: None

ABSTAINERS: None

ABSENT: None

15. APPROVAL OF ACCOUNTS PAYABLE.

MOTION: Council member Quiroga made a motion to APPROVE THE ACCOUNTS PAYABLE.

SECOND: Council member Coleman.

VOTE: The Motion passed by a vote of 5-0 with Council Members voting as follows:

AYES: Mayor Isakson, Vice mayor Wood, Council Members Quiroga, Gilbert and Coleman.

NAYS: None

ABSTAINERS: None

ABSENT: None

16. FUTURE AGENDA ITEMS: AT THIS TIME THE COUNCIL MAY BRING FORTH TOPICS FOR FUTURE AGENDAS, AND IF PREVIOUSLY REJECTED BY THE MAYOR, THE COUNCIL MAY VOTE ON WHETHER TO PLACE THAT ITEM ON A FUTURE AGENDA PURSUANT TO SECTION 2-5-5 OF THE CODE OF THE TOWN OF PATAGONIA, ARIZONA. THE COUNCIL MAY NOT DISCUSS, DELIBERATE OR TAKE ANY ACTION ON THE SUBSTANCE OF THE TOPICS OTHER THAN TO VOTE TO INCLUDE THEM ON A FUTURE AGENDA. A.R.S. § 38-431.02(H). None

17. ADJOURN.

MOTION: Council member Quiroga made a motion to ADJOURN THE MEETING

SECOND: Council member Gilbert.

VOTE: The Motion passed by a vote of 5-0 with Council Members voting as follows:

AYES: Mayor Isakson, Vice mayor Wood, Council Members Quiroga, Gilbert and Coleman.

NAYS: None

ABSTAINERS: None

ABSENT: None

The meeting was adjourned at 8:00 p.m.

I hereby confirm the foregoing minutes are a true and accurate copy of the minutes of a Regular Council Meeting held February 13, 2013 at 7:00 P.M. I further certify that the meeting was duly called, held, and that a quorum was present.

Dated this ___ Day of _____, 2013.

Approved: _____
Mayor

Attest:

Town Manager