

TOWN OF PATAGONIA
REGULAR COUNCIL MEETING MINUTES
SEPTEMBER 11 , 2013
7:00 P.M.

DRAFT **DRAFT**

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 and Coleman. By phone: Council member Gilbert.

STAFF PRESENT: Town Manager Teel, Deputy Clerk Van Nest, Town Attorney Masee, Marshall Patterson.

A number of citizens attended including: Shafer, Montoy, King, Bennett, Montanez, Klein

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, AUGUST 28, 2013- 7:00P.M.

MOTION: Council member Quiroga moved to approve the minutes of REGULAR COUNCIL MEETING, AUGUST 28, 2013- 7:00P.M.

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, Coleman and Gilbert

NAYS: None

ABSTAINERS: None

ABSENT: None

b. SPECIAL COUNCIL MEETING, SEPTEMBER 4 , 2013 – 6:00 PM

c. SPECIAL COUNCIL WORKSHOP MEETING,SEPTEMBER 4- 6:30 P.M.

MOTION: Council member Coleman moved to approve the minutes of

b. SPECIAL COUNCIL MEETING, SEPTEMBER 4 , 2013 – 6:00 PM

c. SPECIAL COUNCIL WORKSHOP MEETING,SEPTEMBER 4- 6:30 P.M.

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, Coleman and Gilbert

NAYS: None

ABSTAINERS: None

ABSENT: None

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

4. 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 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.

Charles Montoy, speaking on behalf of the Wagon Wheel Saloon and its owner, Mr. Hawkins, expressed his continuing concern with the language of Chapter 10, Seciton 10-1-9. He was advised to have the owner suggest some specific alternative language for council consideration. Montoy indicated that he would be encouraging a referendum to defeat the measure and Town Attorney Masee pointed out that the same language existed in the present Ordinance and a referendum would not reverse the provision.

Amanda Montanez reported on her trip to Hayden and visits to and tours of, some mines there, as well as discussion with a number of citizens about the impact of the mines on the Town. The citizens had reported favorable experiences. Ms. Montanez suggested that the members of Council visit Hayden or other mining towns to see first-hand the impact of the mines.

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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 EVENTS OR MONTHLY REPORTS.
- 6. STAFF REPORTS ON ONGOING ACTIVITIES WITH POSSIBLE DIRECTION BY COUNCIL.
 - A. FINANCIAL STATEMENT/BUDGET- In the council packet
 - B. POLICE Marshal Patterson reported they had issued 226 citations last month and 93 to date this year.
 - C. CDBG/USDA WATER SYSTEM PROJECT Mr. Teel reported continuing progress on final approval of the project for bidding.
 - D. PLANNING AND ZONING MATTERS. Mayor Isakson reported that two members had resigned (Pendleton and Stabile) There was discussion of the role of the Committee and the need for its continued existence.
 - E. SOLID WASTE DISPOSAL Nothing from Nogales yet.
 - F. OTHER

NEW BUSINESS

- 7. DISCUSSION AND POSSIBLE ACTION ON REQUEST FOR APPROVAL OF TREE AND PARK COMMITTEE APPLICATION FOR AN AZ COMMUNITY CHALLENGE GRANT FOR TREE AND PARK COMMITTEE TO HELP PARK TREE MAINTENANCE AND HEALTH. VICE MAYOR WOOD. Cornelia O’Connor discussed the proposed grant application.

Council Member Coleman indicated that he generally supported the application but before final approval he wanted to see:

- a. Details on the number of hours by volunteers and how they would be assured so the town would not have to pay to make up the amount. .
- b. A plan for the costs and responsibilities for maintenance of the irrigation system after it is installed, including a comparison with what we are spending now.
- c. Details on costs and responsibilities for the administrative costs for executing the grant, including reporting.

MOTION: Council member Coleman moved to ENCOURAGE THE COMMITTEE AND CONTINUE THE APPLICATION PROCESS SUBJECT TO PROVIDING THE ADDITIONAL DETAILS HE HAD REQUESTED ALONG WITH THE APPLICATION AND BUDGET FOR THE NEXT COUNCIL 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, Coleman and Gilbert

NAYS: None

ABSTAINERS: None

ABSENT: None

8. DISCUSSION AND POSSIBLE ACTION OF REQUEST FOR APPOINTMENT OF CALEB WEAVER TO TREE AND PARK COMMITTEE. VICE MAYOR WOOD.

MOTION: Mayor Isakson moved the APPOINTMENT OF CALEB WEAVER TO TREE AND PARK COMMITTEE.

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, Coleman and Gilbert

NAYS: None

ABSTAINERS: None

ABSENT: None

9. DISCUSSION AND POSSIBLE ACTION ON REQUEST FOR APPROVAL OF SPECIAL EVENTS LIQUOR LICENSE FOR KPUP DURING PATAGONIA FALL FESTIVAL.

MOTION: Council member Coleman moved for APPROVAL OF SPECIAL EVENTS LIQUOR LICENSE FOR KPUP DURING PATAGONIA FALL FESTIVAL

SECOND: Vice Mayor Wood

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, Coleman and Gilbert

NAYS: None

ABSTAINERS: None

ABSENT: None

10. DISCUSSION AND POSSIBLE ACTION REGARDING THE PLANNING AND ZONING COMMITTEE AND TOWN MANAGERS AUTHORITY RELATING TO USE PERMITS AND DECISIONS THAT AFFECT CHANGES WITHIN THE TOWN LIMITS. COUNCIL MEMBER QUIROGA.

Council member Quiroga called on Ms. Bennett who expressed her concern about the fairness of the use permit process and the role of the Manager and Planning and Zoning committee. She cited the problem of an occupant of the property next to hers, the former Red Mountain Food location where someone had done extensive remodeling and was opening a business with no use permit. Mr. Teel stated that after receiving her complaint, steps had been taken regarding a building permit and any necessary business licenses. Mayor Isakson explained the use permit process. There was a brief discussion of the need for a Planning and Zoning Committee, particularly in light of the diminished membership.

11. DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION 13-13 "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 TEN, OFFENSES”.

MOTION: Council member Coleman moved to ADOPT RESOLUTION 13-13 “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 TEN, OFFENSES”.

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, Coleman and Gilbert

NAYS: None

ABSTAINERS: None

ABSENT: None

12. DISCUSSION AND POSSIBLE ACTION TO ADOPT ORDINANCE 13-10 “AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, ADOPTING AMENDED TOWN CODE CHAPTER 10, OFFENSES “ AND REPEALING CURRENT TOWN CODE CHAPTER 10, OFFENSES”

MOTION: Council member Coleman moved to ADOPT ORDINANCE 13-10 “AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, ADOPTING AMENDED TOWN CODE CHAPTER 10, OFFENSES “ AND REPEALING CURRENT TOWN CODE CHAPTER 10, OFFENSES”

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, Coleman and Gilbert

NAYS: None

ABSTAINERS: None

ABSENT: None

13. DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION 13-14 “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 ““AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, ADOPTING AMENDED TOWN CODE “CHAPTER 9, HEALTH, SANITATION AND ENVIRONMENT “; AND REPEALING CURRENT TOWN CODE CHAPTER 9, HEALTH AND SANITATION ”

MOTION: Vice Mayor Wood moved to ADOPT RESOLUTION 13-14 “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 ““AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, ADOPTING AMENDED TOWN CODE “CHAPTER 9, HEALTH, SANITATION AND ENVIRONMENT “; AND REPEALING CURRENT TOWN CODE CHAPTER 9, HEALTH AND SANITATION ”

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, Coleman and Gilbert

NAYS: None

ABSTAINERS: None

ABSENT: None

14. DISCUSSION AND POSSIBLE ACTION TO ADOPT ORDINANCE 13-11 “AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, ADOPTING AMENDED TOWN CODE “CHAPTER 9, HEALTH, SANITATION AND ENVIRONMENT “; AND REPEALING CURRENT TOWN CODE CHAPTER 9, HEALTH AND SANITATION ”

MOTION: Vice Mayor Wood moved to ADOPT ORDINANCE 13-11 “AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, ADOPTING AMENDED TOWN CODE “CHAPTER 9, HEALTH, SANITATION AND ENVIRONMENT “; AND REPEALING CURRENT TOWN CODE CHAPTER 9, HEALTH AND SANITATION ”

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, Coleman and Gilbert

NAYS: None

ABSTAINERS: None

ABSENT: None

15. DISCUSSION AND POSSIBLE ACTION TO ADOPT ORDINANCE 13-09 AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, GRANTING A FRANCHISE TO SULPHUR SPRINGS VALLEY ELECTRIC COOPERATIVE, INC., AN ARIZONA CORPORATION, TO MAINTAIN AND OPERATE AN ELECTRIC ENERGY TRANSMISSION AND DISTRIBUTION SYSTEM WITHIN THE CORPORATE LIMITS OF THE TOWN OF PATAGONIA.

Ms. King inquired as to why the town was granting a franchise. Mayor Isakson explained the reasons and the history of the previous franchise.

Mr. Montoy stated that the new franchise would increase costs to Patagonia citizens and that we had already received a notice of that increase. It was explained to Mr. Montoy that the notice he had received had nothing to do with the proposed new franchise, but rather was their request in order to meet increased costs. It was explained that the new franchise would permit the town to collect both a franchise fee and a TPT tax if Mayor and Council subsequently decided to do so, but that decision had not been made yet and would be considered at a future meeting.

MOTION: Council member Quiroga moved to ADOPT ORDINANCE 13-09 AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, GRANTING A FRANCHISE TO SULPHUR SPRINGS VALLEY ELECTRIC COOPERATIVE, INC., AN ARIZONA CORPORATION, TO MAINTAIN AND OPERATE AN ELECTRIC ENERGY TRANSMISSION AND DISTRIBUTION SYSTEM WITHIN THE CORPORATE LIMITS OF THE TOWN OF PATAGONIA.

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, Coleman and Gilbert

NAYS: None

ABSTAINERS: None

ABSENT: None

16. APPROVAL OF ACCOUNTS PAYABLE.

MOTION: Vice Mayor Wood moved to APPROVE THE ACCOUNTS PAYABLE

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, Coleman and Gilbert

NAYS: None

ABSTAINERS: None

ABSENT: None

17. 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 THOSE ITEMS 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).

There was a discussion about when to have a workshop to complete Chapter 8 and it was agreed to have a workshop at 6:30 p.m. on September 25, before the regular meeting.

Items identified for the next meeting agenda included:

- a. Discussion of TPT and Franchise costs when the new franchise is adopted.
- b. Discussion of the proposed ore cart donation for a park display.
- d. Discussion of proposed street vacating as requested by Ms. King.

18. ADJOURN.

MOTION: Council member Quiroga moved 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, Coleman and Gilbert

NAYS: None

ABSTAINERS: None

ABSENT: None

The meeting was adjourned at 8:31 p.m.

I hereby confirm the foregoing minutes are a true and accurate copy of the minutes of a Special Council Meeting held September 11, 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