TOWN OF PATAGONIA

REGULAR COUNCIL MEETING **MINUTES**

7:00 P.M. - NOVEMBER 13, 2019

1. CALL TO ORDER--Mayor Wood called the meeting to order at 7:00 P.M.

PRESENT: Mayor Wood, Vice-Mayor Stabile, Council Members Finch & Reibslager

ABSENT: Council Member Murrietta

STAFF: Town Manager Robinson, Marshal Patterson

PUBLIC PRESENT: See attached sign in sheet

1. PLEDGE OF ALLEGIANCE--Mayor Wood led the Pledge of Allegiance.
2. CORRECTION AND/OR APPROVAL OF MINUTES FROM:

 REGULAR COUNCIL MEETING OCTOBER 23, 2019 at 7:00 P.M.

 **MOTION:** Council Member Finch moved to approve the minutes from the Regular Council Meeting October 23, 2019 at 7:00 P.M.

 **SECOND:** Vice-Mayor Stabile

 **VOTE:** The motion passed by a 4-0 vote, with Council Members voting as follows:

 **AYES:** Mayor Wood, Vice-Mayor Stabile, Council Members Finch & Reibslager

 **NAYS:** None

 **ABSTAINERS:** None

 **ABSENT:** Council Member Murrietta

**PLEASE NOTE: THE MAYOR AND COUNCIL MAY ELECT TO TAKE ITEM(S) OUT OF ORDER.** The Mayor moved Item 11. After Item 6. Under **New Business**.

 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. HOWEVER, MEMBERS OF THE PUBLIC BODY SHALL NOT DISCUSS OR TAKE LEGAL ACTION ON MATTERS RAISED DURING AN OPEN CALL TO THE PUBLIC UNLESS THE MATTERS ARE PROPERLY NOTICED FOR DISCUSSION AND LEGAL ACTION.

 **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.

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

 A. FINANCIAL REPORT in books

 B. POLICE REPORT--Marshal Patterson reported the Spirit World 100 Gravel Bike Race was an organized success this past weekend and it was the most organized event he had witnessed in our Town since he has been employed here. He recommends Zander Ault and Heidi Rentz be invited back next year,

 C. PLANNING AND DEVELOPMENT MATTERS--Susan Lange reported that the committee is still working on The General Plan.

 **NEW BUSINESS**

 11. DISCUSSION AND POSSIBLE ACTION TO ADOPT **RESOLUTION NO. 19-07, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, APPROVING AND ADOPTING THE PATAGONIA SENIOR CITIZENS/COMMUNITY CENTER MANAGEMENT AGREEMENT ("AGREEMENT") FROM JULY 1, 2019 THROUGH JUNE 30, 2024.**

 **MOTION:** Council Member Finch moved to adopt Resolution No. 19-07, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, APPROVING AND ADOPTING THE PATAGONIA SENIOR CITIZENS/COMMUNITY CENTER MANAGEMENT AGREEMENT ("AGREEMENT") FROM JULY 1, 2019 THROUGH JUNE 30, 2024.

 **SECOND:** Mayor Wood

 **VOTE:** The motion passed by a 4-0 vote, with Council Members voting as follows:

 **AYES:** Mayor Wood, Vice-Mayor Stabile, Council Members Finch & Reibslager

 **NAYS:** None

 **ABSTAINERS:** None

 **ABSENT:** Council Member Murrietta

 **LATE ARRIVAL:** Council Member Murrietta arrived at 7:05 P.M.

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 7. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE APPOINTMENT BY JUDGE BRACAMONTE OF MARCIA CAMPOS AS "CIVIL TRAFFIC HEARING OFFICER". ONCE APPROVAL HAS BEEN MADE, JUDGE BRACAMONTE WILL SWEAR IN MS. CAMPOS AS "CIVIL TRAFFIC HEARING OFFICER".

 **MOTION:** Council Member Finch moved to approve the appointment by Judge Bracamonte of Marcia Campos as "CIVIL TRAFFIC HEARING OFFICER".

 **SECOND:** Mayor Wood

 **VOTE:** The motion passed by a 5-0 vote, with Council Members voting as follows:

 **AYES:** Mayor Wood, Vice-Mayor Stabile, Council Members Murrietta, Finch & Reibslager

 **NAYS:** None

 **ABSTAINERS:** None

 **ABSENT:** None

 Judge Bracamonte swore Marcia Campos in as "CIVIL TRAFFIC HEARING OFFICER".

 8. SOUTH32 WILL MAKE A PRESENTATION EXPLAINING WHAT A PREFEASIBILITY STUDY IS AND WHAT INFORMATION GOES INTO THE STUDY. SOUTH32 WILL ALSO UPDATE THE TOWN ON THE PROGRESS OF THE PREFEASIBILITY STUDY AND ABOUT THE VOLUNTARY REMEDIATION PROJECT WHICH IS COMING TO AN END. THEY WILL ALSO GIVE AN UPDATE ON THE HERMOSA PROJECT THROUGH THE END OF THIS CALENDAR YEAR.

 Melanie Lawson, South32's Specialist for Communities, gave a recap on all their presentations they have been having including the October Community Open House at the High School. She also mentioned they had recapped the Community interviews of approximately 26 citizens and that was being integrated into the Pre-Feasibility Study. Collet Brown-Rodriguez is a member of the Feasibility Study Team and she explained the purpose of the Pre-Feasibility Study and The Feasibility Study and how they use the information. Hermosa President Pat Risner spoke on how the studies integrate differing information and when this information is broken down, how the Construction Phase and Truck Routes are determined.

 9. DISCUSSION AND POSSIBLE ACTION ON CHANGING THE WEDNESDAY, NOVEMBER 27, 2019 REGULAR COUNCIL MEETING AT 7:00 P.M., TO TUESDAY, NOVEMBER 26, 2019 AT 7:00 P.M.

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 **MOTION:** Council Member Finch moved to change the Regular Council Meeting from Wednesday, November 27, 2019 at 7:00 P.M., to Tuesday November 26, 2019 at 7:00 P.M.

 **SECOND:** Council Member Reibslager

 **VOTE:** The motion passed with a 5-0 vote, with Council Members voting as follows:

 **AYES:** Mayor Wood, Vice-Mayor Stabile, Council Members Murrietta, Finch & Reibslager

 **NAYS:** None

 **ABSTAINERS:** None

 **ABSENT:** None

 10. DISCUSSION AND POSSIBLE ACTION ON ALLOWING THE "LITTLE FREE PANTRY" TO BE MOVED FROM THE FORMER SDA CHURCH TO THE LIBRARY BUILDING. SINCE PEOPLE PAY THEIR OVER DUE BOOK FEES WITH CAN GOODS, THIS WOULD BE A SEAMLESS TRANSITION INTO "THE LITTLE FREE PANTRY" PROGRAM.

 **DISCUSSION:** librarian Laura Wenzel spoke in favor of the move. She mentioned that when citizens have an overdue book, they pay in non-perishable can goods. With "The Little Free Pantry" at the Library, it will be more convenient to keep it stocked and rotated. Ron checked with The Town Attorney and found the Library or the Town would have any liability if someone got sick from a canned item out of the pantry.

 **MOTION:** Council Member Murrietta moved to allow the "Little Free Pantry" be installed at the Library.

 **SECOND:** Council Member Reibslager

 **VOTE:** The motion passed by a 5-0 vote, with Council Members voting as follows:

 **AYES:** Mayor Wood, Vice-Mayor Stabile, Council Members Murrietta, Finch & Reibslager

 **NAYS:** None **ABSTAINERS:** None

 **ABSENT:** None

 12. SENIOR CITIZENS OF PATAGONIA WOULD LIKE TO PRESENT THEIR THREE MONTH RE- CAP (AUGUST-OCTOBER 2019) IN ACCORDANCE TO THE MANAGEMENT AGREEMENT.

 Philip Brister gave a 3 month activities of all the Senior Citizens have been doing along with their expenses.

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 13. DISCUSSION AND POSSIBLE ACTION TO ADOPT **ORDINANCE NO. 19-02 "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA ARIZONA, ADOPTING THE AMENDMENTS TO "THE CODE OF THE TOWN OF PATAGONIA, ARIZONA" APPROVING AND ADOPTING AMENDMENT TO CHAPTER 14 ("PLANNING AND SIGNS"), SECTION 14-1 ("PLANNING AND ZONING COMMITTEE"); PROVIDING FOR SEVERABILITY AND PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES OR RESOLUTIONS; AND SETTING AN EFFECTIVE DATE**

 **DISCUSSION:** Council Member Finch added an addendum correcting length of terms and modified some language.

 **MOTION:** Mayor Wood moved to adopt ORDINANCE 19-02 "AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA ARIZONA, ADOPTING THE AMENDMENTS TO "THE CODE OF THE TOWN OF PATAGONIA, ARIZONA" APPROVING AND ADOPTING AMENDMENT TO CHAPTER 14 ("PLANNING AND SIGNS"), SEVERABILITY AND PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES OR RESOLUTIONS; AND SETTING AN EFFECTIVE DATE. THE COUNCIL IN THIS SAME MOTION ADOPTED THE AMENDMENTS BY COUNCIL MEMBER FINCH.

 **SECOND:** Council Member Reibslager

 **VOTE:** The motion passed by a 5-0 vote, with Council Members voting as follows:

 **AYES:** Mayor Wood, Vice-Mayor Stabile, Council Members Murrietta, Finch & Reibslager

 **NAYS:** None

 **ABSTAINERS:** None

 **ABSENT:** None

 14. DISCUSSION AND POSSIBLE ACTION TO APPROVE A WATER LINE CONNECTION FROM RICHARDSON PARK TO DR. MOCK PARK. MATERIALS TO BE FUNDED BY THE TOWN TREE AND PARK FUND AND RECOMMEND LABOR BE PROVIDED BY THE TOWN. ESTIMATED MATERIALS COST $500.00 OR LESS AND LABOR COSTS TO MATCH. CURRENTLY 4 TREES ARE WATERED BY PORTABLE MEANS.

 **DISCUSSION:** Mary McKay explained that this project would complement the Arizona Parks and Trails Grant that they are working on to provide water to irrigate present trees and future trees. Town Manager Robinson was asked by Mayor Wood about the labor costs, and he said it could be worked out in the budget.

 **MOTION:** Mayor Wood moved to approve a water line connection from Richardson Park to Dr. Mock Park. Materials to be funded by the Town Tree and Park Fund and labor provided by the Town. Estimated cost $500.00 materials and labor to match.

 **VOTE:** The motion passed by a 5-0 vote, with Council Members voting as follows:

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 **AYES:** Mayor Wood, Vice-Mayor Stabile, Council Members Murrietta, Finch & Reibslager

 **NAYS:** None

 **ABSTAINERS:** None

 **ABSENT:** None

 15. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE ADDITION OF WATER CONNECTIONS BEHIND THE GAZEBO TO PROVIDE ADDITIONAL WATER SOURCES FOR VENDORS, FESTIVAL PARTICIPANTS AND POLLINATOR GARDEN. MATERIAL PROVIDED BY PRIVATE SOURCES ESTIMATED AT $500.00 AND TOWN LABOR TO MATCH.

 **DISCUSSION:** Bob Ollerton said this is much needed for the vendors and the pollinator garden. Town Manager Robinson was asked by Mayor Wood if the money was available for labor on this project and he said yes.

 **MOTION:** Council Member Finch moved to approve the addition of water connections behind the Gazebo to provide additional water sources for vendors, Festival Participants and pollinator garden. Material provided by private sources estimated at $500.00 and Town Labor to match.

 **SECOND:** Council Member Reibslager

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

 **AYES:** Mayor Wood, Vice-Mayor Stabile, Council Members Murrietta, Finch & Reibslager

 **NAYS:** None

 **ABSTAINERS:** None

 **ABSENT:** None

 16. DISCUSSION AND POSSIBLE ACTION TO ALLOW THE TREE AND PARK COMMITTEE TO PURSUE A GRANT FROM THE SOUTHERN ARIZONA COMMUNITY FOUNDATION (SACF) SPONSORED BY SOUTH32, FOR $10,000.00 TO FUND THE COMPLETE IRRIGATION INFRASTRUCTURE IN DR. MOCK PARK AND WITH ANY REMAINING FUNDS, PURCHASE TREES FOR DR. MOCK PARK.

 **DISCUSSION:** Caleb Weaver spoke on the Tree and Park Committee's desire to apply for Grant funding through SACF, sponsored by South32. Unfortunately, they only give grants to 501.C3 Non-Profits. Mayor Wood said she was a board member of the Patagonia Community Garden and she would ask if they would help apply. They are a 501.C3.

 **MOTION:** Mayor Wood moved to allow the Tree and Park Committee to pursue a grant from the SACF sponsored by South32 for $10,000.00 to fund the complete irrigation

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 infrastructure in Dr. Mock Park and with any remaining funds, purchase trees for Dr. Mock Park.

 **SECOND:** Council Member Reibslager

 **VOTE:** The motion passed by a 5-0 vote, with Council Members voting as follows:

 **AYES:** Mayor Wood, Vice-Mayor Stabile, Council Members Murrietta, Finch & Reibslager

 **NAYS:** None

 **ABSTAINERS:** None

 **ABSENT:** None

 17. DISCUSSION AND POSSIBLE ACTION TO ADOPT **RESOLUTION NO. 19-08, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, AUTHORIZING SALE OF AN ABANDONED PORTION OF THREE R AVENUE.**

 **DISCUSSION:** Mayor Wood asked Town Manager Robinson what the Town received in monies from the sale. Town Manager Robinson said .63 cents per square foot. **$10,784.34** is the amount from the sale.

 **MOTION:** Mayor Wood moved to adopt Resolution No. 19-08, a Resolution of the Mayor and Council of the Town of Patagonia, Arizona, authorizing sale of an abandoned portion of Three R Avenue.

 **SECOND:** Council Member Finch

 **VOTE:** The motion passed by a 5-0 vote, with Council Members voting as follows:

 **AYES:** Mayor Wood, Vice-Mayor Stabile, Council Members Murrietta, Finch & Reibslager

 **NAYS:** None

 **ABSTAINERS:** None

 **ABSENT:** None

 18. DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF ACCOUNTS PAYABLE.

 **MOTION:** Council Member Reibslager moved on approval of Accounts Payable

 **SECOND:** Council Member Murrietta

 **VOTE:** The motion passed by a 5-0 vote, with Council Members voting as follows:

 **AYES:** Mayor Wood, Vice-Mayor Stabile, Council Members Murrietta, Finch & Reibslager

 **NAYS:** None

 **ABSTAINERS:** None

 **ABSENT:** None

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 19. **FUTURE AGENDA ITEMS:**

 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 TOWN OF PATAGONIA, ARIZONA CODE. 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).

 Mayor Wood requested The Community Pool issue be put on the next agenda.

 20. **ADJOURN**

 **MOTION:** Council Member Finch moved to Adjourn

 **SECOND:** Vice-Mayor Stabile

 **VOTE:** The motion passed by a 5-0 vote, with Council Members voting as follows:

 **AYES:** Mayor Wood, Vice-Mayor Stabile, Council Members Murrietta, Finch & Reibslager

 **NAYS:** None

 **ABSTAINERS:** None

 **ABSENT:** None

 The meeting adjourned at 8:24 P.M.

 I hereby confirm the foregoing minutes are a true and accurate copy of the minutes of a Regular Council Meeting held November 13, 2019 at 7:00 P.M. I further certify that the meeting was duly called, held, and that a quorum was present.

 Dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2019

 APPROVED:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Mayor

 ATTEST:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Town Clerk/Manager