TOWN OF PATAGONIA

REGULAR COUNCIL MEETING **MINUTES**

7:00 P.M. - JUNE 10, 2020

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

2. ROLL CALL/THIS MEETING WILL HAVE PARTIAL REMOTE PARTICIPATION WITH LIMITED PUBLIC PARTICIPATION IN THE MEETING. Mayor Wood present, Vice-Mayor Stabile present, Council Member Reibslager present, Council Member Finch present via Zoom Meeting and Council Member Murrietta present via teleconference.

 STAFF PRESENT: Town Manager Robinson, Marshal Patterson and ACO Hilliard

 PUBLIC PRESENT: Caleb Weaver & Debbie Robinson, Via Zoom Meeting--Robert Gay, Carolyn Shafer and David Budd

3. PLEDGE OF ALLEGIANCE--Mayor Wood led the Pledge of Allegiance

4. CORRECTION AND OR APPROVAL OF MINUTES FROM:

 REGULAR COUNCIL MEETING MAY 27, 2020 @ 7:00 P.M. WITH PARTIAL REMOTE PARTICIPATION WITH LIMITED PUBLIC PARTICIPATION IN THE MEETING.

 **MOTION:** Council Member Finch

 **SECOND:** Mayor Wood

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

 **AYES:** Mayor Wood, Vice-Mayor Stabile, Council Member Reibslager, Council Member Finch via Zoom Meeting and Council Member Murrietta via teleconference

 **NAYS:** None

 **ABSTAINERS:** None

 **ABSENT:** None

5. 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 COMMITTEE, SUBJECT TO REASONABLE TIME AND MANNER RESTRICTIONS. THE PUBLIC WILL ONLY BE RECOGNIZED TO SPEAK ON AGENDA ITEMS LISTED FOR PUBLIC INPUT PURSUANT TO TOWN CODE SECTION 2-5- 6. 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. None

 **OLD BUSINESS**

6. 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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 Mayor Wood reported the Pool Advisory Committee received bids to find the source of the pools operating problem and then repair. No action has been taken. Town Manager Robinson reported the AZCARES Act allotment is being treated like a grant. We submitted costs for our Marshal's Department and costs for fire and rescue. The wastewater treatment grant is moving from scope of work to technical assistance. The NAD Bank will be sending samples of bid documents for us to review and prepare. The revised bid from McKay's Custom Home came within funding perimeters.

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

 A. FINANCIAL REPORT

 B. POLICE REPORT--Marshal Patterson reported one death in Town and there will be an autopsy. ACO Hilliard rescued an injured cat and it is improving. Had an incident on Sunday which required Deputy Town Clerk Van Nest and Town Manager Robinson to be at Town Hall late Sunday evening to assist on paperwork.

 C. PLANNING AND DEVELOPMENT MATTERS--ITEM #11

 **NEW BUSINESS**

8. **DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 20-08**, **A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, TO APPROVE AMENDMENT TO GRANT ADDITIONAL 15 YEAR OPTIONAL GROUND LEASE RENEWAL TO BURKE COMMERCIAL.**

 **MOTION:** Mayor Wood moved to approve RESOLUTION NO. 20-08, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, TO APPROVE AMENDMENT TO GRANT ADDITIONAL 15 YEAR OPTIONAL GROUND LEASE RENEWAL TO BURKE COMMERCIAL.

 **SECOND:** Council Member Reibslager

 **DISCUSSION:** CouncilMember Reibslager wanted to make sure Mr. Burkeunderstood his responsibility to take care of the Ground Lease Parking area. Town Manager Robinson assured Council Member Reibslager Mr. Burke understood.

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

 **AYES:** Mayor Wood, Vice-Mayor Stabile, Council Member Reibslager, Council Member Finch via Zoom Meeting and Council Member Murrietta via teleconference

 **NAYS:** None

 **ABSTAINERS:** None

 **ABSENT:** None

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 9. **DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. 20-09, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, APPROVING AND ADOPTING THE AGREEMENT FOR FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES ("AGREEMENT") WITH THE PATAGONIA VOLUNTEER FIRE AND RESCUE DEPARTMENT ("FIRE DEPARTMENT") FROM JULY 1, 2020 THROUGH JUNE 30, 2021.**

 **MOTION:** Council Member Finch moved to adopt Resolution 20-09, A Resolution of the Mayor and Council of the Town of Patagonia, Arizona, APPROVING AND ADOPTING THE AGREEMENT FOR FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES ("AGREEMENT") WITH THE PATAGONIA VOLUNTEER FIRE AND RESCUE DEPARTMENT ("FIRE DEPARTMENT") FROM JULY 1, 2020 THROUGH JUNE 30, 2021.

 **SECOND:** Mayor Wood

 **DISCUSSION:** Mayor Wood asked Town Manager Robinson if the PVRFD were going to start sending monthly reports. Town Manager Robinson said they would.

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

 **AYES:** Mayor Wood, Vice-Mayor Stabile, Council Member Reibslager, Council Member Finch via Zoom Meeting and Council Member Murrietta via teleconference

 **NAYS:** None

 **ABSTAINERS:** None

 **ABSENT:** None

10. **DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. 20-10, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, APPROVING AND ADOPTING THE LEASE BETWEEN THE TOWN OF PATAGONIA ("TOWN") AND MARIPOSA COMMUNITY HEALTH CENTER, INC. ("HEALTH CENTER") AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT FOR A TERM OF FIVE YEARS FROM JULY 1, 2020 THROUGH JUNE 30, 2025.**

 **MOTION:** Mayor Wood moved to ADOPT RESOLUTION NO. 20-10, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, APPROVING AND ADOPTING THE LEASE BETWEEN THE TOWN OF PATAGONIA ("TOWN") AND MARIPOSA COMMUNITY HEALTH CENTER, INC. ("HEALTH CENTER") AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT FOR A TERM OF FIVE YEARS FROM JULY 1, 2020 THROUGH JUNE 30, 2025

 **SECOND:** Council Member Reibslager

 **DISCUSSION:** Town Manager Robinson reported Mariposa Health Clinic was notified of the lease renewal and the 5% additional monthly lease amount for the next 5 years. They responded they would accept it.

 **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 Member Reibslager, Council Member Finch via Zoom Meeting and Council Member Murrietta via teleconference

 **NAYS:** None

 **ABSTAINERS:** None

 **ABSENT:** None

11. **DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. 20-11, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, APPROVING AND ADOPTING THE CONTRACT BETWEEN THE TOWN OF PATAGONIA AND MCKAY'S CUSTOM HOME TO PROVIDE MATERIALS, EQUIPMENT, AND LABOR FOR THE DR. MOCK PARK CONCRETE WALKWAY AND GAZEBO PROJECT ("CONTRACT"), ASPT #471916**

 **MOTION:** Mayor Wood moved to ADOPT RESOLUTION NO. 20-11, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, APPROVING AND ADOPTING THE CONTRACT BETWEEN THE TOWN OF PATAGONIA AND MCKAY'S CUSTOM HOME TO PROVIDE MATERIALS, EQUIPMENT, AND LABOR FOR THE DR. MOCK PARK CONCRETE WALKWAY AND GAZEBO PROJECT ("CONTRACT"), ASPT #471916

 **SECOND:** Council Member Murrietta

 **DISCUSSION:** Caleb Weaver said the revised bid of McKay's Custom Home came in $1,084.00 under the grant allotment. He wasn't sure if McKay's bid included a 4 or 6 sided gazebo but Town Manager Robinson said it was bid as a six sided one. Start dates were discussed, but no definitive date was written in the contract. The contract just gave 90 days to complete.

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

 **AYES:** Mayor Wood, Vice-Mayor Stabile, Council Member Reibslager, Council Member Finch via Zoom Meeting and Council Member Murrietta via teleconference

 **NAYS:** None

 **ABSTAINERS:** None

 **ABSENT:** None

 12. JOINT PUBLIC HEARING ON USE PERMIT FOR TODD AND STARR NORTON.

 MAYOR WOOD OPENED THE PUBLIC HEARING AT **7:14 P.M.**

COUNCIL MEMBER MURRIETTA SAID THE PARKING ON THE WEST SIDE OF BUILDING WOULD NOT BLOCK FIRE TRUCKS GETTING OUT.

 PUBLIC COMMENTS: CAROLYN SHAFER WAS CONCERNED ABOUT THE RETAIL STORE PART CREATING TOO MANY PEOPLE COMING AND GOING AND NOT ENOUGH PARKING SPACES. ALSO, SHE WAS CONCERNED ABOUT THE SPEED LIMIT ON DUQUESNE AVENUE AND MAXIMUM OCCUPANCY.

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 COUNCIL MEMBER FINCH BROUGHT UP OVERFLOW PARKING POSSIBLY AT THE YOUTH CENTER BEING A PROBLEM.

 COUNCIL MEMBER REIBSLAGER ASKED IF WE COULD PUT UP MORE DIRECTIONAL PARKING SIGNS. MAYOR WOOD SAID WE NEED TO WAIT AND SEE IF THERE IS A PROBLEM. COUNCIL MEMBER MURRIETTA AND VICE-MAYOR STABILE, BOTH MEMBERS OF THE GYM, SAID, THERE ARE USUALLY NOT MORE THAT 3-5 PEOPLE

 IN THE GYM AT ONE TIME.

 MAYOR WOOD ADJOURNED THE PUBLIC MEETING AT **7:29 P.M.**

13. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE RECOMMENDATION FROM THE PLANNING AND DEVELOPMENT COMMITTEE TO ALLOW TODD AND STARR NORTON A USE PERMIT TO CONVERT THE SEVENTH DAY ADVENTIST CHURCH BUILDING LOCATED AT 296 DUQUESNE AVENUE INTO A GYM, SMOOTHIE BAR AND POSSIBLE OFFICE RENTALS. SEE ATTACHED LETTERS AND NOTICE.

 **MOTION:** Council Member Reibslager moved to APPROVE THE RECOMMENDATION FROM THE PLANNING AND DEVELOPMENT COMMITTEE TO ALLOW TODD AND STARR NORTON A USE PERMIT TO CONVERT THE SEVENTH DAY ADVENTIST CHURCH BUILDING LOCATED AT 296 DUQUESNE AVENUE INTO A GYM, SMOOTHIE BAR AND POSSIBLE OFFICE RENTALS.

 **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 Member Reibslager, Council Member Finch via Zoom Meeting and Council Member Murrietta via teleconference

 **NAYS:** None

 **ABSTAINERS:** None

 **ABSENT:** None

 14. DISCUSSION AND POSSIBLE ACTION TO APPROVE PAYMENT OF ACCOUNTS PAYABLE

 **MOTION:** Council Member Reibslager moved to approve payment of accounts payable

 **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 Member Reibslager, Council Member Finch via Zoom Meeting and Council Member Murrietta via teleconference

 **NAYS:** None

 **ABSTAINERS:** None

 **ABSENT:** None

 15. **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

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 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 asked Town Manager Robinson if there were any future agenda items. Town Manager Robinson said that the Auditor General is requiring City and Town Council's to pass a Resolution naming the Chief Fiscal Officer where in the past, minutes would suffice. Also, South32 would like to make a presentation on the road and sidewalk improvements they are proposing.

 16. **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 Member Reibslager, Council Member Finch via Zoom Meeting and Council Member Murrietta via teleconference

 **NAYS:** None

 **ABSTAINERS:** None

 **ABSENT:** None

 The meeting adjourned at 7:34 P.M.

 I hereby confirm the foregoing minutes are a true and accurate copy of the minutes of a Regular Council Meeting held June 10, 2020 in person, by teleconference and via zoom meeting at 7:00 P.M. I further certify that the meeting was duly called, held and that a quorum was present.

 Dated \_\_\_\_\_\_\_\_\_ Day \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2020

 APPROVED:

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

 Mayor

 ATTEST:

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

 Town Clerk/Manager