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

2. ROLL CALL/THIS MEETING WILL BE REMOTE VIA ZOOM MEETING, WITH PUBLIC PARTICIPATION IN THE MEETING ALSO VIA ZOOM MEETING. Mayor Wood present, Vice-Mayor Stabile present, Council Members Reibslager, Finch & Claverie present.

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

PUBLIC PRESENT: Robert Gay, Philip Brister, Elizabeth, Linda Shore, Chuck Klingenstein, David Budd

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

4. CORRECTION AND OR APPROVAL OF MINUTES FROM:

REGULAR COUNCIL MEETING JANUARY 13, 2021 @ 7:00 P.M. HELD VIA ZOOM MEETING SPECIAL COUNCIL STUDY SESSION JANUARY 19, 2021 @ 6:00 P.M. HELD VIA ZOOM MEETING BOTH MEETINGS HAD PUBLIC PARTICIPATION VIA ZOOM MEETING

**MOTION:** Council Member Finch moved to approve the minutes of a REGULAR COUNCIL MEETING JANUARY 13, 2021 @ 7:00 P.M. HELD VIA ZOOM MEETING SPECIAL COUNCIL STUDY SESSION JANUARY 19, 2021 @ 6:00 P.M. HELD VIA ZOOM MEETING BOTH MEETINGS HAD PUBLIC PARTICIPATION VIA ZOOM MEETING

**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 Reibslager, Finch & Claverie

**NAYS:** None

**ABSTAINERS:** None

**ABSENT:** None

5. CALL TO THE PUBLIC A. R. S. §38-431-01(H): AT THIS TIME, THE PUBLIC WILL ONLY BE RECOGNIZED TO SPEAK ON AGENDA ITEMS LISTED FOR PUBLIC INPUT PURSUANT TO TOWN CODE SECTION 2-5-6. ANY MEMBER OF THE PUBLIC IS ALLOWED TO ADDRESS THE TOWN COUNCIL, SUBJECT TO A REASONABLE TIME SET BY THE COUNCIL 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. No one spoke.

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.

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

1. FINANCIAL REPORT: In books
2. POLICE REPORT—Marshal Patterson commented about a few dog issues over the last 1 ½ months, ACO Hilliard has been working on feral cat issues and working on High School issues which the Town Manager is aware of and had several meetings.
3. PLANNING AND DEVELOPMENT REPORT—David Budd commented about addressing use permits of various kinds, various events to stimulated the economy and working on a greater base of knowledge concerning Nature Based Economy. We are remaining active.

**NEW BUSINESS**

8. DISCUSSION AND POSSIBLE ACTION TO APPROVE A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE SANTA CRUZ COUNTY ECONOMIC STUDY WITH A FOCUS ON THE NATURE BASED RESTORATIVE ECONOMY MANAGEMENT GROUP. THE PURPOSE OF THIS CITIZENS GROUP IS TO CREATE A COMPREHENSIVE ECONOMIC IMPACT STUDY TO ESTABLISH BASELINE NUMBERS TO PLAN AND TRACK FOR THE ECONOMIC FUTURE OF OUR AREA.

**MOTION:** Mayor Wood moved to APPROVE A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE SANTA CRUZ COUNTY ECONOMIC STUDY WITH A FOCUS ON THE NATURE BASED RESTORATIVE ECONOMY MANAGEMENT GROUP. THE PURPOSE OF THIS CITIZENS GROUP IS TO CREATE A COMPREHENSIVE ECONOMIC IMPACT STUDY TO ESTABLISH BASELINE NUMBERS TO PLAN AND TRACK FOR THE ECONOMIC FUTURE OF OUR AREA.

**SECOND:** Council Member Claverie

**DISCUSSION:** Linda Shore spoke about the importance of this Economic study outside of the impact of mining. She said they need an administrative office for the study because they are a citizens group. They would like the Town of Patagonia (Mr. Robinson) to be that administrator who would send out RFQ’s, receive responses, receive support funds and disperse to consultant and a lot of this communication could be done electronically. The Town would receive $1000.00 guaranteed upfront and then two more payments of $750.00 through the end of the study for a total of $2500.00. They hope to bring more awareness of our Nature Based and Restorative Economy to the County Supervisors through this study. Linda described the composition of their group inclusive of Tucson Audubon Society, Borderlands Restoration, The Nature Conservancy and various

interested citizens with depth of experience in this area, and added they have asked South32 to be a sponsor of the study and they have accepted. Chuck Kliengenstein spoke about the important components of this study being 10-30 years into the future and essential plans to emerge with a prosperous economy from the effects of the COVID pandemic.

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

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

**NAYS:** None

**ABSTAINERS:** None

**ABSENT:** None

9. DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 21-01, **A** **RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, ADOPTING AND APPROVING THE MEMORANDUM OF UNDERSTANDING (“MOU”) BETWEEN SANTA CRUZ COUNTY ECONOMIC STUDY WITH A FOCUS ON THE NATURE BASED RESTORATIVE ECONOMY MANAGEMENT GROUP (“MANAGEMENT GROUP”) AND THE TOWN OF PATAGONIA (“TOWN”)**

**MOTION:** Mayor Wood moved to approve RESOLUTION NO. 21-01, **A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, ADOPTING AND APPROVING THE MEMORANDUM OF UNDERSTANDING (“MOU”) BETWEEN SANTA CRUZ COUNTY ECONOMIC STUDY WITH A FOCUS ON THE NATURE BASED RESTORATIVE ECONOMY MANAGEMENT GROUP (“MANAGEMENT GROUP”) AND THE TOWN OF PATAGONIA (“TOWN”)**

**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 Reibslager, Finch & Claverie

**NAYS:** None

**ABSTAINERS:** None

**ABSENT:** None

10. DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 21-01, **AN**  **ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, AMENDING THE CODE OF PATAGONIA, ARIZONA BY ADOPTING A NEW ARTICLE 16 RELATING TO THE REGULATION OF RECREATIONAL MARIJUANA; ESTABLISHING A PURPOSE; SETTING FORTH DEFINITIONS; PROHIBITING MARIJUANA ON PUBLIC PROPERTY; REGULATING MARIJUANA ESTABLISHMENTS AND/OR MARIJUANA TESTING FACILITIES; ESTABLISHING REGULATIONS FOR PERSONAL USE AT AN INDIVIDUALS PRIMARY RESIDENCE; AUTHORIZING RETAIL SALES FROM MARIJUANA AND MARIJUANA PRODUCTS; IMPOSING FEES; SETTING FORTH VIOLATIONS; AND PROVIDING FOR ENFORCEMENT AND PENALTIES.**

**MOTION:** Vice-Mayor Stabile moved to approve ORDINANCE NO. 21-01, **AN**  **ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, AMENDING THE CODE OF PATAGONIA, ARIZONA BY ADOPTING A NEW ARTICLE 16 RELATING TO THE REGULATION OF RECREATIONAL MARIJUANA; ESTABLISHING A PURPOSE; SETTING FORTH DEFINITIONS; PROHIBITING MARIJUANA ON PUBLIC PROPERTY; REGULATING MARIJUANA ESTABLISHMENTS AND/OR MARIJUANA TESTING FACILITIES; ESTABLISHING REGULATIONS FOR PERSONAL USE AT AN INDIVIDUALS PRIMARY RESIDENCE; AUTHORIZING RETAIL SALES FROM MARIJUANA AND MARIJUANA PRODUCTS; IMPOSING FEES; SETTING FORTH VIOLATIONS; AND PROVIDING FOR ENFORCEMENT AND PENALTIES.**

**SECOND:** Mayor Wood

**DISCUSSION:** Council Member Reibslager had a concern about smoking marijuana outside on your property and asked if we could put something in the ordinance keeping the neighbors from smelling the smoke and addressing complaints that will come. Town Attorney Yu said that we have no jurisdiction on private property but can restrict smoking marijuana on public property. Marshal Patterson asked how we were going to handle the groups in Richardson Park possibly using marijuana. Mayor Wood responded similar to how we handle alcohol. Council Member Finch stated that other Towns and cities ordinances set hours of operation. Is that something we can do? Town Attorney Yu said we could set operating hours for the Dispensaries. There was continued discussion on clarification over items on pages 6, 8 and 10 on marijuana disposal, safety of processing, how many plants are you allowed to grow and civil penalties for violations of the ordinance. Council Member Reibslager asked if we had to wait to pass the ordinance because of possible changes we want to make. Town Attorney Yu said that we can pass it amended then post it and use the emergency clause to put into effect. Council Member Claverie said since our Town Plan prohibits franchises, and the cost of the license is $25,000.00 with $500,000.00 worth of assets, she was concerned that

local people would not have the means to open a dispensary. Council Member Finch asked Town Attorney Yu how many Licenses would be issued per County. Town Attorney Yu said two per County with ADHS having the option to add twenty six more licenses. Robert Gay talked about the need for fire protection to be in place because of the chemicals used in processing the oils. Town Manager Robinson concluded the discussion by outlining how to incorporate the hours of operation and safety within the new application process and add a list of civil penalties in Town Code Section 10.

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

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

**NAYS:** None

**ABSTAINERS:** None

**ABSENT:** None

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

**MOTION:** Council Member Reibslager moved to approve accounts payable.

**SECOND:** Council Member Claverie

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

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

**NAYS:** None

**ABSTAINERS:** None

**ABSENT:** None

12. **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). No future agenda items.

13. **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 Reibslager, Finch & Claverie

**NAYS:** None

**ABSTAINERS:** None

**ABSENT:** None

The Regular Council Meeting adjourned at 8:03 P.M.

I hereby confirm the foregoing minutes are a true and accurate copy of the minutes of a Regular Council Meeting held January 27, 2021 at 7:00 P.M. via zoom meeting with public participation. I further certify that the meeting was duly called, held and that a quorum was present.

Dated \_\_\_\_\_\_\_ Day \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2021

APPROVED:

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

Mayor Andrea Wood

ATTEST:

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

Ron Robinson Town Clerk/Manager