1. CALL TO ORDER—Mayor Wood called the meeting to order at 7:01 P.M.

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

STAFF PRESENT: Town Manager Robinson, Marshal Patterson

PUBLIC PRESENT: Debbie Robinson, Melanie Lawson, Denise Bowdon, Pat Risner, Brent Musslewhite, Tempest Smith, Alison Jones, Carolyn Shafer, Robert Gay, Philip Brister, Paul Plato, Doug Bartlett, Kelly Jane, Alex Johnson, Jenny Fiore-Mayna, Robert Proctor, Mark Eres, Angie Donelson, Bob Ollerton, Marty Lawrence, David Schwartz

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

4. CORRECTION AND OR APPROVAL OF MINUTES FROM:

REGULAR COUNCIL MEETING HELD APRIL 28, 2021 @ 7:00 P.M. HELD VIA ZOOM MEETING WITH PARTIAL PUBLIC PARTICIPATION IN PERSON AND ZOOM MEETING.

**MOTION:** Council Member Finch moved to approve the minutes from a REGULAR COUNCIL MEETING HELD APRIL 28, 2021 @ 7:00 P.M. HELD VIA ZOOM MEETING WITH PARTIAL PUBLIC PARTICIPATION IN PERSON AND ZOOM MEETING

**SECOND:** Council Member Claverie

**VOTE:** The motion passed by a 5-0 margin, 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. Philp Brister shared his concern for the safety of

our citizens referring to the one vehicle accident on Harshaw Road the afternoon of May 1, 2021. He said the Border Patrol had chased some illegals in a vehicle at a high rate of speed and wanted to know if the Town had any agreement with Border Patrol on them pursuing vehicles through our Town. Mayor Wood said that Marshal Patterson would address that item when he gave the Police Report. Denise Bowdon addressed item #8 about the dumpster prices. Her questions were, does this affect all businesses or just the ones with dumpsters and they have had a few occasions where the dumpster was only picked up once in the week and will a credit be issued if this happens? Mayor Wood said that will be answered at the Public Hearing on item #8.

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. Council Member Finch reported that the County now has the Pfizer COVID vaccine for ages 12- 18. The County will administer vaccines on Friday, May 14. You can make an appointment or if you walk in, you need to arrive one hour before and come with an adult or have guardian approval.

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

1. POLICE REPORT—Marshal Patterson reported that the incident on Harshaw Road started at The Arizona Trail and Harshaw Road. Border Patrol does not pursue over 75 MPH (the vehicle being pursued was going 100 MPH) nor do they chase in our jurisdiction. Council Member Reibslager asked about the response time for our Marshal’s Department and was it fast enough or do we have the right amount of coverage. Marshal Patterson said that there was training going on and he was on call. Marshal Patterson is doing the accident report and Border Patrol is handling the criminal report and investigation. Marshal Patterson stated that if anyone has any questions come by his office.
2. PLANNING AND DEVELOPMENT COMMITTEE UPDATE—No update
3. PATAGONIA VOLUNTEER FIRE AND RESCUE DEPARTMENT MONTHLY UPDATE—Mayor Wood read the PVFRD Monthly report.

**NEW BUSINESS**

8. PUBLIC HEARING FOR COMMENTS ON INCREASES AND ESTABLISHMENT OF NEW FEES FOR BUSINESS LICENSES AND COMMERCIAL DUMPSTER PICKUP. THESE PROPOSED FEES HAVE BEEN PUBLICLY POSTED SINCE MARCH 3, 2021.

**MOTION:** Council Member Finch moved to leave the Regular session and go into Public Hearing at 7:14 P.M.

**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

Mayor Wood asked Town Manager Robinson to respond to Denise Bowdon’s questions. Town Manager Robinson said this new fee schedule will apply to businesses with dumpsters and allow other businesses to acquire them to simplify their garbage handling. If the Town does not pick up then call Town Hall and we will make sure it is. Town Manager Robinson said he had been on that route 3 times and doesn’t understand that happening. No other Public comments were made.

**MOTION:** Mayor Wood moved to adjourn the Public Hearing at 7:21 P.M. and move back into Regular Session.

**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

9. DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. 21-08, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, APPROVING AND ESTABLISHING NEW USER RATES FOR THE TOWNS COMMERCIAL GARBAGE AND REFUSE COLLECTION AND ESTABLISHING AND REVISING BUSINESS LICENSE FEES, APPLICATION FEES AND NEW FEES.

**MOTION:** Council Member Finch moved to ADOPT RESOLUTION NO. 21-08, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA, ARIZONA, APPROVING AND ESTABLISHING NEW USER RATES FOR THE TOWNS COMMERCIAL GARBAGE AND REFUSE COLLECTION AND ESTABLISHING AND REVISING BUSINESS LICENSE FEES, APPLICATION FEES AND NEW FEES.

**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

10. CLEAR CREEK & ASSOCIATES WILL PRESENT THE RESULTS OF THE THIRD-PARTY DATA REVIEW AND HYDROLOGIC EVALUATION OF POTENTIAL FLOW IMPACTS TO THE TOWN ASSOCIATED WITH PROPOSED DISCHARGE INTO HARSHAW CREEK.

Mayor Wood asked who would be presenting the data review and Alison Jones with Clear Creek and Associates said she would. Ms. Jones shared her screen and presented a power point with a summary of their findings. After Ms. Jones presentation South32 Hermosa President Pat Risner made assurances that South32 will work with the Town to fix any unforeseen issues that may occur and incorporate flood mitigation and if they are the cause, we commit to address the issue and fix it. Mayor Wood asked, could we have an agreement like an IGA with South32 to address any issues? Mr. Risner said we could look at something like that.

11. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE RECREATIONAL MARIJUANA DISPENSARY BUSINESS LICENSE APPLICATION.

**MOTION:** Council Member Finch moved to APPROVE THE RECREATIONAL MARIJUANA DISPENSARY BUSINESS LICENSE APPLICATION.

**SECOND:** Mayor Wood

**DISCUSSION:** Mayor Wood asked Aari Ruben if he would to address the Council at this time. Mr. Ruben introduced himself as a local raised in Sonoita. He wants to work with the Town and Law Enforcement and be an asset to the community. He brought educational material to give to Council Members as an example of what he hands out to medical customers and has another pamphlet being made for recreational users. We provide a lot of education in our business. We are looking at Geno’s site on Naugle Ave. There will not be major construction just moving some walls and reinforcing for security. Council Member Reibslager asked if he would be hiring locals and Mr. Ruben said yes, but management would work out of Tucson. Product will be provided from Tucson operation at this time. Mr. Ruben appreciates the favorable environment of Patagonia. Mayor Wood asked if he would hire micro growers locally. Mr. Ruben responded not at

this time. Council Member Reibslager asked if this would be a cash based business. Mr. Ruben said yes and a security company will pick up the cash and transport it to their bank in Tucson. Mr. Reibslager asked if he would consider installing an ATM. Mr. Ruben said yes if it will be an asset to the Town, we can do it.

**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. DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. 21-07, A RESOLUTION OF THE TOWN OF PATAGONIA, ARIZONA MAYOR AND COMMON COUNCIL, DESIGNATING THE CHIEF FINANCIAL OFFICER FOR OFFICIALLY SUBMITTING THE FISCAL YEAR 2021 EXPENDITURE LIMITATION REPORT TO THE ARIZONA AUDITOR GENERAL.

**MOTION:** Mayor Wood moved to ADOPT RESOLUTION NO. 21-07, A RESOLUTION OF THE TOWN OF PATAGONIA, ARIZONA MAYOR AND COMMON COUNCIL, DESIGNATING THE CHIEF FINANCIAL OFFICER FOR OFFICIALLY SUBMITTING THE FISCAL YEAR 2021 EXPENDITURE LIMITATION REPORT TO THE ARIZONA AUDITOR GENERAL.

**SECOND:** Council Member Finch, made sure the Resolution was for Manager Robinson.

**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

13. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE LIBRARY CLERK JOB DESCRIPTION.

**MOTION:** Council Member Claverie moved to APPROVE THE LIBRARY CLERK JOB DESCRIPTION.

**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

14. DISCUSSION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. 21-02. AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA SANTA CRUZ COUNTY ARIZONA, AMENDING THE PATAGONIA MUNICIPAL CODE ARTICLE 12-6 THAT CERTAIN PUBLIC RECORD ENTITLED, “TITLE 12, PUBLIC SERVICES, SEWER PRETREATMENT”; PROVIDING PENALTIES FOR THE VIOLATION THEREOF, DECLARING AN EMERGENCY AND ESTABLISHING AN EFFECTIVE DATE.

**MOTION:** Mayor Wood moved to ADOPT ORDINANCE NO. 21-02. AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PATAGONIA SANTA CRUZ COUNTY ARIZONA, AMENDING THE PATAGONIA MUNICIPAL CODE ARTICLE 12-6 THAT CERTAIN PUBLIC RECORD ENTITLED, “TITLE 12, PUBLIC SERVICES, SEWER PRETREATMENT”; PROVIDING PENALTIES FOR THE VIOLATION THEREOF, DECLARING AN EMERGENCY AND ESTABLISHING AN EFFECTIVE DATE.

**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

15. DISCUSSION AND POSSIBLE ACTION TO HAVE A STUDY SESSION ON MAY 19, 2021 AT 6:00 P.M. TO STUDY AND DISCUSS THE PROPOSED VOLUNTEER CODE OF CONDUCT FOR ALL APPOINTED COMMITTEES OF THE PATAGONIA TOWN COUNCIL.

**MOTION:** Mayor Wood moved to HAVE A STUDY SESSION ON MAY 19, 2021 AT 6:00 P.M. TO STUDY AND DISCUSS THE PROPOSED VOLUNTEER CODE OF CONDUCT FOR ALL APPOINTED COMMITTEES OF THE PATAGONIA TOWN COUNCIL.

**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

16. DISCUSSION AND POSSIBLE ACTION TO CONTINUE FINANCIAL SUPPORT FOR THE COMMUNITY POOL WITHOUT BEING INVOLVED IN AN IGA. THE FINANCIAL SUPPORT WOULD CONTINUE TO BE $531.25 AND ADD A WATER CREDIT OF $302.08. THESE TWO FIGURES ADD UP TO A MONTHLY CONTRIBUTION OF $833.33 AND IS AN ANNUAL

AMOUNT OF $9,999.60 WHICH WAS THE FORMER IGA AMOUNT. THE TOWN WANTS TO DO AS MUCH AS FINANCIALLY POSSIBLE TO HELP SUPPORT THE COMMUNITY POOL.

**MOTION:** Mayor Wood moved to CONTINUE FINANCIAL SUPPORT FOR THE COMMUNITY POOL WITHOUT BEING INVOLVED IN AN IGA. THE FINANCIAL SUPPORT WOULD CONTINUE TO BE $531.25 AND ADD A WATER CREDIT OF $302.08. THESE TWO FIGURES ADD UP TO A MONTHLY CONTRIBUTION OF $833.33 AND IS AN ANNUAL

AMOUNT OF $9,999.60 WHICH WAS THE FORMER IGA AMOUNT. THE TOWN WANTS TO DO AS MUCH AS FINANCIALLY POSSIBLE TO HELP SUPPORT THE COMMUNITY POOL

**SECOND:** Council Member Claverie

**DISCUSSION:** Mayor Wood clarified that we were no longer partners in the ownership of the Pool and we gave back the easement to the school. We are now just a contributor.

**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

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

**MOTION:** Council Member Reibslager moved to APPROVE PAYMENT OF ACCOUNTS PAYABLE.

**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

18. **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). None at this time.

19. **ADJOURN**

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

**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

THE MEETING ADJOURNED AT 8:01 P.M.

I hereby confirm the foregoing minutes are a true and accurate copy of the minutes of a Regular Council Meeting held May 12, 2021 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 \_\_\_\_\_\_\_\_\_\_\_\_, 2021

APPROVED:

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

Andrea Wood, Mayor

ATTEST:

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

Ron Robinson, Town Clerk