1. CALL TO ORDER—Mayor Wood called the meeting to order at 6:00 pm.

2. ROLL CALL/THIS MEETING WILL BE HELD IN PERSON AND VIA ZOOM MEETING. Mayor Wood present, Vice-Mayor Stabile present via zoom, Council Members Reibslager, Finch and Claverie.

STAFF PRESENT: Town Manager Robinson, Town Engineer O’Brien, Assistant to the Manager Summer Smith.

PUBLIC PRESENT: Debbie Robinson, Denise Bowdon, Chris Gardner, Linda Shore, Chris Werkhoven, Via Zoom- Carolyn Shafer, Melanie Lawson, Jim Usevitch

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

4. CORRECTION AND OR APPROVAL OF MINUTES FROM:

A REGULAR COUNCIL MEETING HELD NOVEMBER 15, 2023, AT 6:00 P.M. IN PERSON AND VIA ZOOM.

**MOTION:** Council Member Claverie moved to approve the minutes from November 15, 2023, at 6:00 pm.

**SECOND:** Council Member Finch

**DISCUSSION:** Council Member Finch said on Item 9 the motion was wrong and needed correction to show the proper motion. The motion to approve with corrections (Adopt Ordinance 23-03) was made by Council Member Claverie and Seconded by 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

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. Mayor Wood and Council Member Finch reminded everyone about the recycling center opening at 8:30 am in the morning and will be open until 11:30 am. This will be operating every Thursday with these hours.

7. REPORTS FROM DEPARTMENTS AND COMMITTEES ON ONGOING ACTIVITIES. In the books. Town Engineer Bill O’Brien spoke to the Council thanking them for the last years contract. He discussed what was accomplished last year with more work to come. Bill thanked the Council for renewing his contract for the upcoming year.

**NEW BUSINESS**

8. JIM USEVITCH WILL PRESENT THE FISCAL YEAR 2023 FINANCIAL AUDIT VIA ZOOM. Jim presented an overview of the 2022-2023 financial audit and afterwards, Mayor Wood asked questions and Jim responded.

9. DISCUSSION AND POSSIBLE ACTION TO ADOPT ORDINANCE NUMBER 23-03, AN ORDINANCE OF THE TOWN OF PATAGONIA, ARIZONA MAYOR AND COUNCIL AMENDING TOWN CODE CHAPTER 3, ADMINISTRATION, ARTICLE 3-2-7 TOWN PROSECUTOR, TO AUTHORIZE COST OF PROSECUTION FEES IN DIVERSION OR DELAYED PROSECUTION AGREEMENTS.

**MOTION:** Council member Claverie moved to ADOPT ORDINANCE NUMBER 23-03, AN ORDINANCE OF THE TOWN OF PATAGONIA, ARIZONA MAYOR AND COUNCIL AMENDING TOWN CODE CHAPTER 3, ADMINISTRATION, ARTICLE 3-2-7 TOWN PROSECUTOR, TO AUTHORIZE COST OF PROSECUTION FEES IN DIVERSION OR DELAYED PROSECUTION AGREEMENTS.

**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 ALLOW THE CYCLING PAC GROUP TO USE THE DR. MOCK PARK GAZEBO ON MARCH 4, 2024, FROM 11:00 AM-1:00 PM, MARCH 11, 2024, FROM 8:00 AM-9:00 AM AND MARCH 18, 2024, FROM 8:00 AM-9:00 AM. THIS IS AN ANNUAL BIKING GROUP EVENT AND THEY ALWAYS LEAVE A DONATION WITH THE TOWN.

**MOTION:** Council Member Finch moved to ALLOW THE CYCLING PAC GROUP TO USE THE DR. MOCK PARK GAZEBO ON MARCH 4, 2024, FROM 11:00 AM-1:00 PM, MARCH 11, 2024, FROM 8:00 AM-9:00 AM AND MARCH 18, 2024, FROM 8:00 AM-9:00 AM. THIS IS AN ANNUAL BIKING GROUP EVENT AND THEY ALWAYS LEAVE A DONATION WITH THE TOWN.

**SECOND:** Council Member Claverie

**DISCUSSION:** Mayor Wood commented that they would not be using any area of Dr. Mock Park where there are trees.

**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 CONDUCT A STUDY SESSION OVER CHAPTER 7, BUILDING, AND REVIEW AFFORDABLE HOUSING GUIDELINES SUBMITTED BY THE PLANNING & DEVELOPMENT COMMITTEE ON JANUARY 17, 2024, AT 6:00 PM.

**MOTION:** Council Member Claverie moved to CONDUCT A STUDY SESSION OVER CHAPTER 7, BUILDING, AND REVIEW AFFORDABLE HOUSING GUIDELINES SUBMITTED BY THE PLANNING & DEVELOPMENT COMMITTEE ON JANUARY 17, 2024, AT 6:00 PM.

**SECOND:** Council Member Reibslager

**DISCUSSION:** Mayor Wood asked if this date worked for everyone and all said yes.

**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 ALLOW TOWN MANAGER ROBINSON TO SIGN A DESIGN AND MANAGEMENT AGREEMENT WITH CPE CONSULTANTS. THIS AGREEMENT IS FOR THE DESIGN, MANAGEMENT, AND INSPECTION OF THE MCKEOWN ROAD EXTENSION TO SR82. PROJECT TO BEGIN JULY 15, 2024.

**MOTION:** Council Member Finch moved to ALLOW TOWN MANAGER ROBINSON TO SIGN A DESIGN AND MANAGEMENT AGREEMENT WITH CPE CONSULTANTS. THIS AGREEMENT IS FOR THE DESIGN, MANAGEMENT, AND INSPECTION OF THE MCKEOWN ROAD EXTENSION TO SR82. PROJECT TO BEGIN JULY 15, 2024.

**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 Reibslager, Finch & Claverie.

**NAYS:** None

**ABSTAINERS:** None

**ABSENT:** None

13. DISCUSSION AND POSSIBLE ACTION TO ALLOW MAYOR WOOD TO SEND A LETTER TO PAT RISNER REQUESTING SOUTH32/HERMOSA PROVIDE FUNDS ANNUALLY TO THE TOWN TO SUPPORT VARIOUS EXPERTS AND PROJECTS IN THE TOWN OF PATAGONIA AND SURROUNDING AREA.

**MOTION:** Council Member Claverie moved to ALLOW MAYOR WOOD TO SEND A LETTER TO PAT RISNER REQUESTING SOUTH32/HERMOSA PROVIDE FUNDS ANNUALLY TO THE TOWN TO SUPPORT VARIOUS EXPERTS AND PROJECTS IN THE TOWN OF PATAGONIA AND SURROUNDING AREA.

**SECOND:** Council Member Reibslager

**DISCUSSION:** Various discussion took place among Council Members on whether South32 would accept or want to negotiate with the Town after receiving the letter.

**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 APPROVE A LAND EXCHANGE WITH SOUTH32/HERMOSA. THE TOWN WOULD EXCHANGE THE 3.77 ACRES IN THE COUNTY (THE LAST OF THE RAILROAD RIGHT-OF-WAY

PARCEL #106-25-001) ALONG SR82 FOR 5 ACRES THAT SOUTH32/HERMOSA OWNS ALONG HARSHAW AVENUE (PART OF PARCEL #106-41-003A).

**MOTION:** Council Member Finch moved to APPROVE A LAND EXCHANGE WITH SOUTH32/HERMOSA. THE TOWN WOULD EXCHANGE THE 3.77 ACRES IN THE COUNTY (THE LAST OF THE RAILROAD RIGHT-OF-WAY PARCEL #106-25-001) ALONG SR82 FOR 5 ACRES THAT SOUTH32/HERMOSA OWNS ALONG HARSHAW AVENUE (PART OF PARCEL #106-41-003A).

**SECOND:** Council Member Reibslager

**DISCUSSION:** Council Member Reibslager verified that the parcel of Town property was next to Rail X. The Town Manager said it borders Cross Creek and goes North to Rail X and is surrounded by AMI. The Town Manager said the idea was given to him by Community Specialist Melanie Lawson with South32.

**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 APPOINT CHRIS GARDNER TO THE FLOOD AND FLOW COMMITTEE. CHRIS IS AN EXPERIENCED HYDROGEOLOGIST AND WOULD LEND DEEPER EXPERTISE TO THE COMMITTEE.

**MOTION:** Council Member Claverie moved to APPOINT CHRIS GARDNER TO THE FLOOD AND FLOW COMMITTEE. CHRIS IS AN EXPERIENCED HYDROGEOLOGIST AND WOULD LEND DEEPER EXPERTISE TO THE COMMITTEE.

**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 Reibslager, Finch & Claverie.

**NAYS:** None

**ABSTAINERS:** None

**ABSENT:** None

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

**MOTION:** Council Member Reibslager move 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

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 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 items.

18. **ADJOURN**

**MOTION:** Mayor Wood 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 6:19 PM.

I hereby confirm the foregoing minutes are a true and accurate copy of the minutes from a Special Council Meeting held December 20, 2023, at 6:00 pm. I further certify that the meeting was duly called, held, and that a quorum was present.

Dated this \_\_\_\_\_\_\_\_ Day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2023.

APPROVED:

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

Andrea Wood, Mayor

ATTEST:

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

Ron Robinson, Town Clerk