

SUMMARIZED MINUTES OF THE TOWN OF COLORADO CITY COUNCIL MEETING HELD MONDAY, JUNE 15, 2020, AT 25 SOUTH CENTRAL STREET, COLORADO CITY, ARIZONA

Meeting was called to order at 6:00 p.m. by Mayor Joseph Allred.

Roll call showed present: Mayor Joseph Allred, Vice-Mayor Anthus Barlow, and Council Members Alma Hammon, Ralph Johnson, Donald Richter, Joanne Shapley, and Jeffery Jessop.

MINUTES

The minutes of the May 11, 2020 regular meeting were presented with no corrections noted.

Motion was made by Joseph Allred to approve the minutes of the May 11, 2020 regular meeting. There was a second from Anthus Barlow, and all voted in favor.

PUBLIC COMMENT/INFORMATIONAL SUMMARIES

Charles Hammon approached the Council and explained that he had an item that he wanted to discuss but it was not on the agenda. He explained that he had brought before the Council a couple months ago a plan for the development of an RV park, Gary Tooke being the developer. The plan had changed from just one industrial lot to include three industrial lots, numbers 24, 26, and 27. They plan to add a convenience store and a burger shack. Charles noted that this plan had been presented to the Planning Commission at the June 1, 2020 Planning Commission meeting and they were favorable. As the Council could not really discuss it, Charles requested they consider holding a special session as the developer did not want to wait until the July meeting to begin the project. Mayor Allred told him they would consider it and to stay in contact.

MOTION FOR EXECUTIVE SESSION TO BE HELD MONDAY, JULY 13, 2020, AT 5:30 P.M. FOR DISCUSSION AND CONSULTATION WITH LEGAL COUNSEL FOR LEGAL ADVICE IN ACCORDANCE WITH ARS 38-431.03.

Alma Hammon made a motion to set an executive session in advance to discuss pending or contemplated litigation, claims and demands to be held Monday, July 13, 2020, at 5:30 p.m. MDT in Accordance with ARS 38-431.03(A)(3)(4) for discussion and consultation with legal counsel for legal advice and/or for negotiations. The motion was seconded by Joanne Shapley and passed unanimously.

PENDING OR CONTEMPLATED LITIGATION, CLAIMS AND DEMANDS

None

DEPARTMENT REPORTS

Administration

Town Manager Vance Barlow reported he has spent considerable time on the tentative budget. Arizona Governor Doug Ducey has allocated a portion of the CARES Act funding that was given to the state to the municipalities to help offset the cost of dealing with COVID-19 and the projected

lost revenue due to the COVID shut-down. This funding will help us to be able maintain the level of services that are expected for the coming fiscal year as well as meet the matching requirements on the Airport projects that have already been committed. The funding will also make it possible to do some necessary upgrades of some of the vehicles and equipment.

Vance reported that Public Works Director Dean Cooke has given his resignation and John T. Barlow has been working closely with the Manager in keeping the department running and the projects moving along on schedule.

Most of the normal training options through the summer have been canceled due to COVID-19, including the Arizona League of Cities & Towns Annual Conference.

Vance reported that there is currently a lot of negative press nationwide on policing with a push to defund or limit the ability of police departments to function properly. He said this is a great concern to him and Chief Radley as we contemplate public safety, and they have been monitoring the events. The League has sent out a notice by some of the state legislators to push for a special session to address these issues. Some of the proposals are very concerning when you study the long-term ramifications.

The Planning Commission and staff have begun a detailed review of the Land Division Ordinance and will be working on some clarifications and updates as well as looking for potential conflicts with the Zoning Ordinance. A fair amount of time is used in land use discussions and we expect an increase in zoning change requests, mostly dealing with density as people try to make use of the large lots, etc.

Vance reported that he and Hildale City Manager John Barlow have begun a process of updating the IGA's with Hildale. Most of the IGA's need to be updated to address changing expectations, legal requirements and to clarify the liabilities of each entity in order to meet the requirements of the Arizona Municipal Risk Retention Pool. We are trying to qualify for reentry into the pool for next year.

We are working very well with Hildale on most issues and appreciate the ability to work together to provide the various services to the communities. There is a push to expand some of the options of fiber, etc.

Vance said he would like to express his gratitude for the Department Heads who are taking an active role in overseeing and managing their departments and budgets as well as all the Staff and Employees that are making the Town work and providing municipal services to the citizens of the area.

Marshal's Office

Chief Marshal Robbins Radley reported that the new office space for the Marshal's office is nearing completion after 9 months of remodeling. At this time the exterior paint is being completed along with having the sprinklers repaired so the grounds can be watered. All things considered, the building is wrapping up, and much appreciation is extended to both town councils for their support in building the new space which will serve the department through future years.

The new space at the Marshal's Office has a training room which has space for over 100 attendees. The space has allowed for the Fire Department to train in a space adequate for their needs as well as community use for meetings.

Chief Radley said that Deputies Shear, Wilkinson, and Erb are now ready to begin the waiver process to become certified in the State of Arizona, as all three came from the State of Utah.

Chief Radley reported that two of the deputies were bitten by a dog after the dog owner gave the dog direction to attack. They were able to stop the attack after firing one round from a service weapon putting the dog down. Both Deputies were wounded in the incident, both being bitten on their legs.

There was a question from the Council on dirt bikes and animal calls, and Chief Radley explained that he is working on a proposal for dirt bikes that is currently being reviewed by the city attorney that he is planning to present to the Council.

Public Works & Landfill

Interim Public Works Director John T. Barlow reported that they have been running the crusher plant heavily to keep up with the projects at hand. He said they have finished up the chip seal on Pioneer St. and Garden Ave. They did the red cinder chip on the Maxwell Canyon Road. John said they are beginning two projects where citizens have offered to help, one on Uzona Ave. and the other at the Pioneer Trailer Park. They have hired one new part-time employee to work in Parks for the summer.

John reported that the Landfill had received their new garbage truck, but that it has been having issues and was down to Peterbilt getting repaired.

CONSIDER MODIFICATION OF PREMISES FOR EDGE OF THE WORLD BREWERY

Town Manager Vance Barlow reported that The Edge of the World Brewery, located at 70 N. Central Street, is seeking a permanent change of area of service, to include a contiguous Patio Space and the Arizona Department of Liquor License and Control (DLLC) form for modifying the premises requires a non-binding recommendation of the Town Council or designee. This modification of premises will not change the operating privileges that Edge of the World Brewery currently has.

There have been no complaints filed with the DLLC or locally with the police department dealing with the operation of the Edge of the World Brewery.

There was some discussion, with the Council expressing a negative view on making liquor available in our community, and the destructive effects of alcohol in people's lives. It was explained that the Council can recommend approval or disapproval of the changes, which will be forwarded to the DLLC, but it may not affect the decision of the DLLC to allow or not allow the changes.

Motion was made by Mayor Joseph Allred with a second from Donald Richter to recommend disapproval of the modification of premises for Edge of the World Brewery located at 70 N. Central St., Colorado City, AZ, for the stated reason that the consumption of alcohol has a negative effect on society as a whole. There was unanimous approval.

RATIFY AUDIT ENGAGEMENT WITH HINTONBURDICK FOR FY2020 AUDIT

Town Manager Vance Barlow reported that it is time to start the annual financial audit for FY20, and the audit engagement letter with HintonBurdick CPAs and Advisors has been signed by the Town Manager and the Mayor.

There was a motion from Anthus Barlow with a second from Jeffery Jessop to ratify the audit engagement with HintonBurdick for FY 20 Financial Audit. All voted in favor.

RATIFY THE RENEWAL OF D&O INSURANCE

Town Manager Vance Barlow reported that the Directors & Officers liability insurance for the Town of Colorado City was due for renewal by June 2, 2020, and as is usually the case, we did not receive the final documents until just prior to the renewal date.

In order to maintain continuity of coverage, He authorized the renewal for the coverage with RSUI Indemnity Company with an annual premium of \$23,560. The renewal premium is about \$1,500 less than the expiring policy. He is asking the Council to ratify the renewal.

Motion made by Donald Richter with a second from Jeffery Jessop to ratify the renewal of the D&O Liability Insurance with RSUI Indemnity Company. All voted in favor.

RATIFY APPOINTMENT OF PLANNING COMMISSION MEMBER

Mayor Joseph Allred presented and explained that since the resignation of Planning Commission Member Stanley Jessop, there has been a vacancy in the Planning Commission that needs to be filled. Mayor Allred said he has posted notices in the post office for several months and has received one application.

The Town Code specifies that the Mayor is to make the appointments to fill vacancies with the consent of the Council. The Mayor is asking that Shem Barlow fill the seat vacated by Stanley Jessop, which term expires on May 11, 2023.

With this appointment the Planning Commission would consist of the following:

Shem Barlow	5/11/2023
Charles Hammon	5/11/2021
Aaron LaCorti	5/11/2025
Charles Bradshaw	5/11/2023
Johnathan Barlow	5/11/2025

There was a motion from Anthus Barlow with a second from Ralph Johnson to approve the appointment of Shem Barlow to the Town of Colorado City Planning Commission to fill the seat vacated by P. Stanley Jessop with term ending May 11, 2023.

RATIFY APPLICATION & ACCEPTANCE FOR AZCARES FUNDING GRANT

Town Manager Vance Barlow reported that Governor Doug Ducey has announced a plan for passing through some of the CARES Act funding that the state received from the federal government to the cities and towns in Arizona.

Based on the formula from the Governor's Office the Town will be eligible for approximately \$550,000 in CARES funding. This allocation will have a profound impact on the Towns finances as we were looking at an estimated \$250,000 loss of revenue for FY21 due primarily to the COVID shut down of businesses ordered by the Governor.

He reported that he had submitted the applications and has been working through the process to receive the funding. There are quite a few hoops, and we have to register with and submit any FEMA costs, etc. (done through ADEMA)

Motion from Anthus Barlow with a second from Donald Richter to ratify the application and acceptance of AZCARES Funding Grant. The motion passed unanimously.

CONSIDER AMENDMENTS TO PERSONNEL POLICY 9 INSURANCE BENEFITS

Town Clerk Rosie White reported that staff have been reviewing the Personnel Policy Manual and have some recommendations for updates.

She then presented the proposed changes in Policy 9. Health Benefits. She explained that the policy was quite restrictive and needed to be updated to reduce ambiguity, bring the policy into line with requirements of our Health Insurance provider, and to provide uniformity for the employees.

It was noted that the Personnel Policies of the Town is a living document and needs to be constantly reviewed and updated to ensure compliance with ever changing laws, regulations and workplace expectations and that there will be other recommended changes coming in the future as other sections of the policy are reviewed. The Council members were encouraged to study the Town's Personnel Policies Manual and bring forth concerns and recommendations for changes, etc.

Motion from Alma Hammon with a second from Ralph Johnson to approve the recommended updates to the Town of Colorado City Personnel Policy 9 Insurance Benefits. All voted in favor.

CONSIDER APPOINTMENT OF INTERIM PUBLIC WORKS DIRECTOR

Town Manager Vance Barlow reported that Public Works Director Dean Cooke has formally announced his retirement effective June 19, 2020. He reported that Mayor Allred has requested that the Town Council consider appointing John T. Barlow as the Interim Public Works Director with a performance review in 60 to 90 days and a report back to the Council with a recommendation for future actions.

John has been the Landfill Operations Manager and worked with Dean at Public Works for many years. He is up to speed on the needs of the Department and the requirements for interacting with County and State agencies in both Arizona and Utah. He has completed the training and received certification as a Flood Plain Manager. Concern was expressed about who would cover the landfill duties John had been doing, and it was explained that many duties of the Landfill Director will be shifted to Jon Fischer. John Barlow addressed the Council and expressed his willingness to take on the responsibilities of the position and expressed his gratitude for the good crew we have.

There was a motion from Anthus Barlow with a second from Ralph Johnson to appoint John T. Barlow interim Public Works Director at a salary of \$4700.00/month with report and recommendation from the Town Manager to the Town Council at the September 2020 regular Town Council meeting. All voted approval.

CONSIDER APPOINTMENT OF APPLICANT AGENT WITH AZ DEMA

Town Manager Vance Barlow reported that part of the requirements for AZ CARES funding is a requirement that the Town register with Arizona Department of Emergency and Military Affairs and apply for any applicable FEMA funds.

AZ DEMA requires that the governing body appoint an applicant agent for the agency and he recommended that the Council appoint himself, as the Town Manager, as the applicant agent for the Town of Colorado City.

There was a motion from Jeffery Jessop with a second from Joseph Allred to adopt Resolution 2020-10 appointing Vance Barlow as Applicant Agent for Arizona Department of Emergency and Military Affairs.

CONSIDER RESOLUTION ADOPTING TENTATIVE BUDGET AND SALARY ADJUSTMENTS FOR FISCAL YEAR 2020-21 AND SETTING A BUDGET HEARING AND ADOPTION FOR JULY 13, 2020 AT 6:05 P.M. MDT

Town Manager Vance Barlow presented the tentative budget for fiscal year 2020-2021. It was noted that when the tentative budget is adopted, the total amount cannot be raised, but line items can be adjusted, and the total amount can be lowered.

It was noted that one of the requirements for final budget adoption is a public hearing and it was recommended that the hearing be scheduled for July 13, 2020 at 6:05 p.m., in order to meet the publishing and posting requirements. There was discussion on various parts of the budget, and Vance explained that they had added a vehicle to the Building Department budget, and also a proposed raise of \$1.00/hour for Andrew Barlow, Building Official. They had also budgeted in a small raise for the dispatchers.

Motion was made by Anthus Barlow with a second from Joanne Shapley to adopt Resolution 2020-08 setting a budget hearing date of July 13, 2020 at 6:05 p.m. MDT and adopting the 2020-2021 Tentative Budget. There was unanimous approval.

BUDGET REPORT AND ORDER TO PAY DUE CLAIMS

The Council reviewed the budget report and a detailed report of the due claims. 92% of the fiscal year has elapsed.


Motion was made by Joanne Shapley to pay the due claims as they become due and as funds become available. It was seconded by Alma Hammon, and all voted in favor.

Meeting adjourned at 8:00 p.m.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Town Council of Colorado City held on the 15th Day of June 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 18th day of June 2020.


Town Clerk

