

SUMMARIZED MINUTES OF THE TOWN OF COLORADO CITY COUNCIL MEETING HELD MONDAY, OCTOBER 19, 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 and Council Members Alma Hammon, Ralph Johnson, Joanne Shapley, Anthus Barlow, Donald Richter, and Jeffery Jessop.

MINUTES

The minutes of the September 14, 2020 regular meeting and executive session were presented with minor corrections noted.

Motion was made by Alma Hammon to approve the corrected minutes of the September 14 executive session and regular meeting. There was a second from Joanne Shapley, and all voted in favor.

PUBLIC COMMENT/INFORMATIONAL SUMMARIES

Gwen Darger approached the Council and asked about the city's restaurant tax which is set at 12.85%, the highest in the state. This makes it hard for restaurants to keep their prices down, and there have been several local restaurants that have gone out of business in the last few years. She proposed that the Council reconsider the tax rate and make it more competitive. Staff will have this item added to the agenda for discussion at a future meeting.

MOTION FOR EXECUTIVE SESSION TO BE HELD MONDAY, NOVEMBER 16, 2020, AT 5:30 P.M. FOR DISCUSSION AND CONSULTATION WITH LEGAL COUNSEL FOR LEGAL ADVICE IN ACCORDANCE WITH ARS 38-431.03.

Donald Richter made a motion to set an executive session in advance to discuss pending or contemplated litigation, claims and demands to be held Monday, November 16, 2020, at 5:30 p.m. MST 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 Jeffery Jessop and passed unanimously.

PENDING OR CONTEMPLATED LITIGATION, CLAIMS AND DEMANDS

None

DEPARTMENT REPORTS

Dispatch

Dispatch Manager Warren Darger reported he is still struggling to implement the Text to 911 program, but it is coming slowly. Several of the dispatchers took a recertification test and submitted continuing education hours in order to renew their certification.

Police Department

Chief Marshal Robb Radley reported that the officers have been trained on the new tasers, and the tasers have been issued. The Department has several other trainings scheduled also. Deputies Wilkinson and Shear have passed the Arizona POST certification and have been waived in. Chief Radley traveled to Phoenix this past week and met with several agencies there to give an update on the Department and discuss the possibility of future grant procurement.

Public Works/Landfill

In the absence of Public Works Director John T. Barlow, Aaron LaCorti informed the Council that the Department has been very busy with the street projects. We have hired a new mechanic to replace Paul Black. Now the busy summer season is over and the crew is working on some much-needed sidewalk and sign repair. It was noted that these repair projects are being documented in Iworks.

Utilities

Utilities Manager Harrison Johnson reported that former Hildale City Manager John Barlow has transitioned to City Manager of Apple Valley, and Harrison is now the interim City Manager. The Department needs to do some major repair work on the water system as it is getting old and in need of maintenance. They are also working on a draft plan for the transfer of water rights from the UEP Trust to the City. They are considering lowering the sewer impact fee from \$6,000.00 to \$2500.00. There was some discussion on the effort to bring natural gas into the community, but we need the certification to bring it across the border. It was noted that Hildale City owns the pipelines.

Administration

Town Manager Vance Barlow reported that this month we have been implementing Timekeeper to replace TimeClock Plus. When the new system is fully integrated it should reduce the amount of work that it currently takes to do payroll.

Vance said he has attended several virtual trainings including the APA workshop on landscaping & zoning, several GFOAz trainings, and the Arizona Chapter of ARMA (records management). The in-person trainings are still being canceled and replaced with virtual due to COVID concerns. The newly elected officials training will be conducted virtually this year, and Vance asked if any of the existing Council members would like to attend to let staff know, and we will follow through with the registrations. To participate will require access to the internet which we can accommodate at the Town offices if needed.

He said he has spent a lot of time on zoning and land development issues and concepts. The Planning Commission and staff are continuing 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.

We have not yet received the utility IGA back from the AMRRP attorney and we will be working on the first draft of the Public Works IGA in the near future. The plan is to have all of the IGAs between Hildale & Colorado City reviewed and updated by early next year.

Vance also noted that the Dispatch Center would like to do another dispatch hire soon, as it takes about a year to get them trained in.

RE-CONSIDER ZONING MAP AMENDMENT PARCEL 404-53-433 FROM RE1A TO R-20

Town Manager Vance Barlow presented a second request from Shannon Lee to rezone parcel 404-53-433 from RE-1A (one acre residential) to R1-20 (single family residential 20000). The first request was considered and denied by the Town Council on a split three for three against vote. This property is located on the Southwest corner of Garden Avenue and Hildale Street.

Mrs. Lee has formally requested that the Town Council reconsider the denial as there was not a clearly defined reason based on zoning and land use that was articulated as the reason for denial. The property owner met the requirements to have the rezone considered by the Planning Commission and the necessary publications and notices were completed and a public hearing was held at the September 8, 2020 Planning Commission meeting. There were no members of the public who spoke at the hearing for or against the rezone and the Planning Commission after some discussion voted to recommend that the Town Council approve the proposed amendment to the Town of Colorado City zoning map.

It is important to remember that zoning requests need to be considered and approved or denied based on land use decisions and it is important to be able to articulate a clear reason to the applicant if a request is denied. Vance noted that the guidelines are listed and referred to the Town Code §152.090 Zoning Map Amendments for consideration on rezone applications:

(D) Issues for consideration. In determining whether to approve, approve with conditions, or deny proposed official zoning map amendments, issues for consideration shall include but not be limited to:

- (1) Consistency (or lack thereof) with the general plan, and other adopted plans;
 - (2) Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood;
 - (3) Suitability of the subject property for uses permitted by the proposed zoning district;
 - (4) Suitability of the subject property for uses permitted by the existing district;
- and
- (5) Availability of sewer and water facilities.

(E) *Revocation or modification.* If the Town Council approves an amendment to the official zoning map with a condition that is required to be completed within a specific time period and the condition is not satisfied within that time period, the following actions may be taken: (several options spelled out in the code)

The Council could do a conditional approval that the lot split with utilities, etc. be completed and recorded within a set time, such as 12 months, or the zoning reverts back to prior zoning.

At the September 14th Town Council meeting there was considerable discussion on utilities and lot layout options, and it appears that there was some misunderstanding with the Council on what

staff could or could not approve administratively. The Town codes have specific guidelines and standards that have to be met before a lot split could be approved by the staff, and if the proposed layout does not fall within those guidelines then staff would not be authorized to approve the proposed layout and the applicant would have to come before the Council to seek a variance from the standards.

Shannon Lee addressed the Council and explained that they would not be bringing the utilities across another lot, but they would come from the street to each lot and it would be a lot split down the middle. Rulon Hammon also addressed the Council and said that many people do not want a large lot, and to downsize the lot will be no cost to the city.

There was some discussion held, and it was pointed out that we will be setting a precedent for similar requests.

Ralph Johnson made a motion to adopt Ordinance 2020-04 amending the zoning map for the Town of Colorado City, with a guideline of a 12-month time frame. There was a second from Joanne Shapley. Donald Richter, Anthus Barlow, and Alma Hammon voted in favor. Mayor Allred and Jeffery Jessop voted no. The motion passed with five votes in favor, and two votes not in favor.

PLANNING CONCEPT FOR INDIAN HILLS TRAILER PARK

Vance explained that Thomas Holm has brought in a concept for developing the Indian Hills Trailer Park into a small lot subdivision. He has requested an opportunity to present the concept to the Town Council and get a feel if it was an idea that they could support before putting the effort into rezoning and the work of creating a development plat, etc.

The layout would stay basically the same as it is with the concept to rezone from an MHP (Manufactured Home Park) into either R1-8 (Single-Family Residential 8,000) or MHS (Manufactured Home Subdivision) zone. The proposed concept does not change the existing density significantly if at all and if the developer proceeds with the zoning change and develops the subdivision it would be required to meet the current subdivision standards as outlined in the Town Code.

Thomas Holm addressed the Council and explained that the lots are equally divided already and all utilities are existing. He would like to improve it and set a high standard and then sell the lots. There was considerable discussion with no real indication of approval or disapproval from the Council.

POLICY UPDATES

Town Clerk Rosie White presented and explained that the Personnel Policy is a continuously changing document, and we are working toward fine tuning each policy. We have visited the Attendance and Leaves policy already, updating our holidays. After reviewing Policy 6, Section 4. Bereavement Leave, we found there was a need for clarification on the time frame to request or use Bereavement Leave and also clarification as to how much time could be requested, specifying a two-week time frame.

There was a motion from Jeffery Jessop with a second from Donald Richter to approve the recommended updates to the Town of Colorado City Personnel Policy 6 Attendance and Leaves. 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. We are at 25% of the fiscal year.

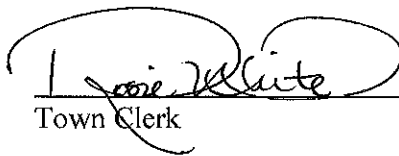
Motion was made by Joanne Shapley to pay the due claims as they become due and as funds become available. It was seconded by Alma Hammon, and all voted in favor.

Meeting adjourned at 7:38 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 19th Day of October, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 16th day of November, 2020.


Town Clerk

