

SUMMARIZED MINUTES OF THE TOWN OF COLORADO CITY COUNCIL MEETING HELD MONDAY, FEBRUARY 22, 2021, 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 Councilmembers Alma Hammon, Joanne Shapley, Donald Richter, Nathan Burnham, Thomas Holm, and Jeffery Jessop.

MINUTES

The minutes of the January 11, 2021 regular meeting were presented, and several corrections were noted.

Motion was made by Nathan Burnham to approve the corrected minutes of the January 11, 2021 regular meeting. There was a second from Jeffery Jessop, and all voted in favor.

PUBLIC COMMENT/INFORMATIONAL SUMMARIES

None

MOTION FOR EXECUTIVE SESSION TO BE HELD MONDAY, MARCH 15, 2021 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, March 15, 2021, 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 Nathan Burnham and passed unanimously.

PENDING OR CONTEMPLATED LITIGATION, CLAIMS AND DEMANDS

None

SWEARING IN OF POLICE OFFICERS

Chief Robb Radley said that with the Arizona certification of Officer Kevin Erb, all the officers of our Department are now dual certified. He noted that the swearing in of several of our other officers had not been performed, and we would do them all tonight.

Mayor Joseph Allred performed the swearing in of Officers Max Horsley, Shaun Cox, Shane Barnard, and Ben Barlow. The swearing in of Officer Kevin Erb was performed later in the meeting upon his arrival. Mayor Allred expressed his appreciation for the Officers and the job they are doing.

DEPARTMENT REPORTS

Building Department

Building Official Andrew Barlow reported that he has been very busy. We have a record number of homes being built right now. He said he had completed most of the inspections for Bee's Market in preparation for their opening in March. Andrew said that the CDBG audit for the Mohave East and West projects is the final step in closing out these completed projects, and he anticipates that he will have final numbers to present to the Council in March.

Airport

Ladell Bistline Jr. addressed the Council and said they will have the bid opening on the 25th of February for construction on the fencing project. He said they are still waiting for the patent on the land acquisition.

Police Department

Police Chief Robb Radley reported that the Dispatch job interviews have been completed. He said there were many great applications brought in, and that three of the applicants would be starting on March 1. Two more will be starting in late spring. Robb said he has started the accreditation process for our police department with Arizona. There was some discussion on this matter, and Robb explained that it will be an ongoing process that will take 1-2 years to complete. He said we have gotten by in the past without reporting statistical data in either state, but beginning 2021 we will be required to submit it electronically. He said he has received a letter from AZ POST stating that all of our current deputies are sufficiently certified.

Public Works

Public Works Director John T. Barlow reported that crews have been prepping for various chip seal projects in Hildale and Colorado City, which will begin when the weather permits. He reported that David Lane has been running the crusher plant making road base for the projects. He reported that South Central Communications has been in town installing fiber lines. The first phase is the area from Short Creek south to Johnson Avenue. They anticipate this part will take 2 to 3 months. They have hit three water lines so far in boring under the streets. The question was asked if they are being monitored and held accountable for it. There was considerable discussion on this and the fact that it makes murky water come into the homes. It was explained that high flows in the water system stirs up the sediment in the pipes, and it will take a week or so for it to settle again. It was reported that Harrison had talked with South Central and told them he would withdraw their Right of Way (ROW) permit if they hit any more.

Reporting on the Landfill, John stated that they have had a lot of mechanical issues with the roll off garbage truck, and that staff is currently researching options to replace it with a new truck.

Utilities

In the absence of Utilities Manager Harrison Johnson, Utility Operations Manager Weston Barlow reported that they are going forward with the well project, with drilling beginning in May. He said it is possible we will have some water restrictions in place in May until these two new wells are functioning. He said they are still working on getting approval to bring natural gas into Arizona.

Administration

Town Manager Vance Barlow reported that he had attended both the ACMA and GFOAZ winter conferences in person this year. He stated that the 457(B) Plan went into effect on February 15, 2021. He said it has been a lot of work to get it set up. The Town has been setting aside an employer contribution of 3% for about a year and a half, and we will be doing a summary of those and uploading the amounts into the employee accounts.

Vance reported that our entry to the AMRRP has been delayed another year, so we have moved forward with Lockton Companies in renewing our General Liability, Premises, Auto liability, EDP, Crime, and Pollution policies. We will continue to work toward reentry into AMRRP, and we are also working with Lockton on some other markets that may provide better rates and coverage in the future as the claims of the past get further behind us.

Vance said we are beginning to receive revenue estimates from the state for the upcoming year and will be working with the Department Heads on the budgeting needs for the upcoming fiscal year.

Vance reported that he has spent a lot of time on zoning and land development issues and concepts. We currently have two zoning map amendments that will be coming before the Council soon. The Planning Commission and staff are continuing a detailed review of the Land Division Ordinance, and we expect to have some proposed changes ready for a review and possible first reading at the March Town Council meeting. There are also some proposed text amendments to the zoning code that will be presented to the Council in the near future.

PUBLIC HEARING FOR BEE'S MARKETPLACE LIQUOR LICENSE APPLICATION

The public hearing opened at 6:50 pm.

Town Manager Vance Barlow explained that the Town received a notice from the Arizona Department of Liquor Licenses and Control that an application for a Series 7 Beer and Wine license had been filed on December 24, 2020 by Bee's Marketplace. The business is a new retail store located at 1045 S. Central Street, Colorado City, AZ, on the North side of the intersection of Central Street and Highway 389. This location is well outside of the minimum required distances from any schools or churches.

The required notice of hearing was posted on the premises as required by law. The Town has not received any written objections to the proposed liquor license. The Town Council is required to hold a hearing on the application after the 20 days of posting and within 60 days of the filing of the application at which time any member of the public may voice their support or objection to the proposed liquor license. This hearing is being held today in conjunction with the regular Town Council meeting.

There was some discussion, and a representative of Bee's Marketplace explained that the Series 7 license is for the sale of alcohol and wine to be used on-premises, and the Series 9 license which was considered at the January Town Council meeting is for the sale of beverages to be used off-premise. It was clarified that Arizona does not require food to be sold along with an alcoholic beverage.

There was no other comment, and the public hearing was closed at 7:00 p.m.

CONSIDERATION AND ACTION ON BEE’S MARKETPLACE LIQUOR LICENSE APPLICATION

Town Manager Vance Barlow explained that the Council is required to make a recommendation on the application. However, the Liquor Board will make the final decision on issuing the license. It was expressed that the consumption of alcohol is well known to have a negative impact on people’s lives and on society. Others commented that people will buy it anyway. It was pointed out that personal preference has no bearing on whether a license should be issued. There must be a more specific reason.

A motion was made by Nathan Burnham with a second from Thomas Holm to recommend approval of the liquor license for Bee’s Marketplace.

Roll Call Vote

Alma Hammon	N
Joanne Shapley	Y
Nathan Burnham	Y
Joseph Allred	N
Thomas Holm	Y
Donald Richter	N
Jeffery Jessop	N

There were four “no” votes, three “yes” votes, and the motion did not pass. The Town Council took no further action on this item.

UPDATE WELLS FARGO BANK AND US BANK CHARGE CARD USERS

Town Manager Vance Barlow presented resolutions updating the charge card holders for the Town. He noted that they are adding Kendrick Johnson and Stacie Knudson as card holders for Wells Fargo Mastercard and removing Dean Cooke and Warren Darger.

He noted that we are also adding Public Works Director John T. Barlow for a US Bank Visa card.

There was a motion from Nathan Burnham with a second from Donald Richter to adopt Resolution 2021-06 updating US Bank Visa charge card holders. Approval was unanimous.

Motion was made by Nathan Burnham with a second from Jeffery Jessop to adopt Resolution 2021-05 updating Wells Fargo Mastercard charge card holders. All voted in favor.

RATIFY INSURANCE RENEWALS FOR PROPERTY, AUTO, CRIME, POLLUTION, AND GENERAL LIABILITY

Town Manager Vance Barlow explained that the various insurance policies had to be renewed by February 19, and as usual the renewal options were not received by the Town until the deadline to renew. The options were reviewed, and the Town Manager authorized the renewals.

As noted in the renewal proposal, the overall cost of the policies increased by 11% or \$17,011. The largest increase was in the general liability, as the underwriters raised the minimum premium from \$30,000 to \$50,000. The insurance brokers noted that this increase was across the board in all markets, probably due to the COVID 19 outbreak last summer.

The total cost for these policies for the 2021-2022 coverage period is \$170,558, and we will incur approximately \$60,000 when the D&O and the police liability insurance renew later in the year, for a total cost of insurance of approximately \$230,558.

AMRRP has notified us that we will not be able to reenter the pool this year as they are also experiencing wild swings and outrageously high quotes in the reinsurance market and have not been able to get solid meaningful quotes. We are looking to the 2022 year at the soonest.

There was a motion from Jeffery Jessop with a second from Thomas Holm ratify the insurance renewals for Property, Auto, Crime, Pollution, and General Liability Insurance. The motion was sustained by all.

FIRST READING OF ORDINANCE 2021-03 ADOPTING A NEW TITLE IX GENERAL REGULATIONS CHAPTER 93 RELATING TO THE REGULATION OF RECREATIONAL MARIJUANA

Town Manager Vance Barlow reported that Proposition 207, known as the “Smart and Safe Arizona Act,” was approved by a majority of the votes cast at the November 3, 2020 general election. This effectively legalized the use of recreational marijuana in the State of Arizona with certain conditions and restrictions. The use of marijuana is still illegal on the federal level. Cities, towns, and counties may still prohibit the establishment of marijuana facilities within their jurisdictions, or they may permit them subject to the regulations that are established by the State.

Vance explained that after discussing this issue with the Mayor and the Marshal, the recommendation at this point is to prohibit the establishment of marijuana facilities and to prohibit the use of marijuana to the extent allowed by law. The Council has the option to allow recreational marijuana to be sold in the Town, and if they choose to do so, the staff will go back and insert the language from the League model ordinance on regulations dealing with marijuana uses. Vance said if the Council chooses to prohibit the establishment of marijuana facilities and prohibit the use to the extent allowed by law, then Ordinance 2021-03 is prepared for a first reading in the adoption process.

There was some discussion on this, and the Council asked Chief Radley for his opinion on the issue. The Chief stated that he preferred to not express an opinion, but he felt it was wise to go with the most restrictive policy until we understand it a little more. He said the drinking of alcohol has been studied for years, and we are all aware of the risks and the signs of impairment, but the effects of THC in the system have not been studied as much. He reported that in the states where marijuana has been legalized, there has been a significant rise in traffic accidents. He recommended that we limit it as much as we can until we understand it a little better.

Motion was made by Alma Hammon with a second from Nathan Burnham to read Ordinance 2021-03 adopting a new Title IX General Regulations Chapter 93 relating to the regulation of recreational marijuana by title only. Approval was unanimous.

Town Clerk Rosie White then read Ordinance 2021-03 by title only.

CONSIDERATION AND POSSIBLE ACTION ON MERIT PAY SCALE FOR EMERGENCY DISPATCHERS

Chief Radley presented and reported that some of the dispatchers have asked that the Town establish a merit pay scale. The Town adopted a merit pay scale for the police officers a few years ago, and this would be a continuation of the process of establishing defined pay scales for the various departments and positions.

If the Council approves the merit pay scale for emergency dispatchers, it would be incorporated into the Town's Personnel Policy to be used as we do the budgeting for next fiscal year.

There was some discussion on this, and Robb explained that the Department will pay for the classes and ongoing training for any dispatcher who is motivated and wants to get additional training and certifications. He noted that as this scale is applied to the current dispatchers, there is not a significant change in pay, but it will provide a guide going forward.

There was a motion made by Donald Richter with a second from Alma Hammon to approve the proposed merit pay scale for emergency dispatchers. There was unanimous approval.

CONSIDER PROPOSED CONTRACT WITH MOTOROLA SOLUTIONS FOR COMPUTER AIDED DISPATCH (CAD) AND RECORDS SYSTEM AND SERVICES AGREEMENT

Chief Radley presented this item and stated that in reviewing the CAD system and how it is working, it has become apparent that the system needs to be upgraded to a system that will interface with surrounding agencies and courts.

Most of the agencies in Arizona and Utah are using a software system called Spillman Flex. This software is sold and supported by Motorola. We have received a quote from Motorola for the system in the amount of \$346,802. As explained in the proposal, this price may vary slightly depending on exact modules required. We do not anticipate any significant changes from the detailed price quote.

Based on the price quote, the annual maintenance will be \$26,228 which is slightly more than the \$20,000 we are currently paying for annual maintenance from our present CAD system. The current system was purchased in April 2014 at a cost of \$238,747 which was financed over a five-year period. The current system is seven years old and the needed connections to the State agencies and several other components have never been fully implemented.

With the changing times and requirements for real time online reporting, the advantages of direct interface with the courts and other agencies are vital. There is also a very real possibility of providing emergency dispatch services for other agencies in northern Arizona in the near future. The time is right to upgrade the system.

There was a significant discussion, and Chief Radley explained that electronic reporting is now mandatory and future funding will be based on compliance with reporting. Starting this year, the submission requirements require that it be done digitally, directly downloaded from the report writing software, and submitted monthly to each state. This our current system cannot do. He explained that there is a very real possibility that the State of Arizona will provide funding that will cover the cost of some or all of this CAD system upgrade, but we do not have a guarantee of that at this time.

Robb said regardless of whether we receive funding to help defray the costs or the Town ends up paying for it, he would like to move forward with this proposal as it is a necessary step for us to be compliant, and it will take up to fourteen months to implement. He also noted that the additional funding we will receive for being compliant will recoup our cost over time.

Town Manager Vance Barlow recommended that the Town approve the contract and change to the new CAD system. The Town needs to get the process started as it will take several months to implement. He recommended that the Council approve the proposed contract with Motorola Solutions for Computer Aided Dispatch (CAD) and Records System and Services Agreement with the understanding that if state funding becomes available, it will be used to pay for the upgrade, and if it does not the Town will have to budget the debt service from the general fund to make the payments. He noted that amortizing the full amount, assuming no state help, the estimated annual cost would be approximately \$73,600.00 per year on a 5-year amortization.

There was a motion from Jeffery Jessop with a second from Nathan Burnham to approve the proposed contract with Motorola Solutions for Computer Aided Dispatch (CAD) and Records System and Services Agreement. All voted in favor.

CONSIDER AMENDED CDBG PUBLIC PARTICIPATION PLAN FOR 2021 SSP APPLICATION

Building Official Andrew Barlow reported that as part of the process to apply for CDBG funding, the Town conducts public participation hearings. This brings out ideas for projects that can be prioritized and selected for application. The applications must meet the eligibility and priority guidelines of the grant program. SSP projects must be essentially shelf ready, with all environmental clearances and studies already completed. The next application for an SSP project is due in early May.

The Town is not required to adopt a public participation plan, but we would like to adopt one to help educate and define the process. The Public Participation Plan spells out the dates for public meetings. Meeting #1, which cannot be in conjunction with a Council meeting, is proposed to be Tuesday, March 16th, 2021. Meeting #2 is proposed to be held in conjunction with the regularly scheduled Council meeting on Monday, April 12th, 2021.

The 2021 public participation process will be for the Statewide Special Projects (SSP) application only, as the Town is not eligible for Regional Account (RA) funding this grant cycle.

Motion was made by Nathan Burnham with a second from Jeffery Jessop to adopt the Public Participation Plan as presented. All voted in favor.

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 59% of the fiscal year.

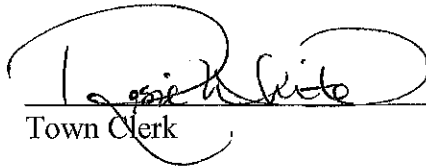
Motion was made by Nathan Burnham to pay the due claims as they become due and as funds become available. It was seconded by Joanne Shapley, and all voted in favor.

Meeting adjourned at 8:29 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 22nd day of February 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 15th day of March 2021.


Town Clerk

