

**SUMMARIZED MINUTES OF THE TOWN OF COLORADO CITY COUNCIL MEETING HELD MONDAY, MARCH 15, 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 February 16, 2021 special session and the February 22, 2021 regular meeting were presented, with minor corrections noted.

**Motion was made by Nathan Burnham to approve the corrected minutes of the February 16, 2021 special session and the February 22, 2021 regular meeting. There was a second from Joanne Shapley, and all voted in favor.**

**PUBLIC COMMENT/INFORMATIONAL SUMMARIES**

None

**MOTION FOR EXECUTIVE SESSION TO BE HELD MONDAY, APRIL 12, 2021 AT 5:30 P.M. FOR DISCUSSION AND CONSULTATION WITH LEGAL COUNSEL FOR LEGAL ADVICE IN ACCORDANCE WITH ARS 38-431.03.**

**Joanne Shapley made a motion to set an executive session in advance to discuss pending or contemplated litigation, claims and demands to be held Monday, April 12, 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 Alma Hammon and passed unanimously.**

**PENDING OR CONTEMPLATED LITIGATION, CLAIMS AND DEMANDS**

None

**DEPARTMENT REPORTS**

**Building Department**

Building Official Andrew Barlow reported that he has been very busy with a lot of new building going on noting that he has issued 11 permits in the last month. He reported that the Bee's Marketplace will be opening on March 15, 2021.

He said there will be a Public Participation meeting tomorrow for the CDBG grant, and he is hoping for some good ideas to be presented for possible projects.

### **Police Department, Dispatch**

Police Chief Robb Radley reported that the officers recently completed the yearly firearms training, which was done jointly with Fredonia Marshal's Office and Mohave County Sheriff's Office. He said they will be sharing more trainings with other agencies as it is an effective way to cut costs.

Chief Radley also reported that he has applied for several grants for funding necessary equipment, etc.

Best Friends animal rescue has offered to partner with the animal impound to build enclosed kennels. Our match will be about ¼ of the total cost. The question was asked why Mohave County does not use our animal impound, instead of taking any animals needing to be impounded clear to Kingman. Robb replied that we have offered, and that is where it is at.

### **Public Works**

Public Works Director John T. Barlow reported that due to the snowy weather they got to use the snowplows this season. He said they continue to use the crusher as needed, which always takes a lot of maintenance. He said the crew is still working on the roads in the trailer park, getting them ready for the chip season. SCUTA is almost finished putting in the conduit for their fiber system, and the flood plain map is ready to be submitted to FEMA.

John also reported on the Landfill operations, noting that they are looking into replacement options for the roll-off truck as it is requiring extensive maintenance and repairs to keep it going. He noted that roll-off demand has increased significantly in last few years.

### **Utilities**

Utility Operations Manager Weston Barlow reported that they have received their new propane delivery truck. He also gave an update on the wells 4 & 22 replacement and noted that without these two wells, we will be in short supply of water and may need to implement water restrictions in the early part of the summer before these wells are back into production.

### **Administration**

Town Manager Vance Barlow reported that during the past month he has attended multiple phone call meetings dealing with the current legislation, some of which would have been very detrimental to local municipalities had it been passed.

He noted that he spends a fair amount of time working on zoning and development issues.

He has also been working through some personnel issues and reviewing potential legal issues.

Vance also reported that he had met with Roger Carter and Jim Keith, for a quarterly injunctive order compliance meeting and the Town is in compliance with the injunctive order.

He reported that the Town has launched a new web site, but there is still quite a lot of refining to do before it is perfected.

### **RESOLUTION PROCLAIMING APRIL AS FAIR HOUSING MONTH TO ENCOURAGE EQUAL HOUSING ACCESS AS A FUNDAMENTAL HUMAN RIGHT FOR ALL AMERICANS**

Town Manager Vance Barlow said that April is National Fair Housing month and the Town would like to sponsor a proclamation declaring April fair housing month. He noted that this is an

affirmative step to further fair housing and that it is also a requirement to qualify for CDBG funding. Annual fair housing training is given to Town staff during the month of April.

**There was a motion from Alma Hammon with a second from Donald Richter to adopt Resolution 2021-07 proclaiming fair housing month. All voted in favor.**

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

Town Manager Vance Barlow noted that at the February 22, 2021 Town Council meeting, the Town Council discussed the regulation of recreational marijuana and considered an ordinance to prohibit marijuana dispensaries in the Town of Colorado City.

Ordinance 2021-03 Adopting a New Title IX General Regulations Chapter 93 Relating to the Regulation of Recreational Marijuana had a first reading, by title only, at the February 22, 2021 meeting and is now presented without change for a second reading by title only.

**Motion was made by Nathan Burnham with a second from Alma Hammon to read Ordinance 2021-03 Adopting a New Title IX General Regulations Chapter 93 Relating to the Regulation of Recreational Marijuana by title only. All voted in favor.**

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

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

Vance explained that now Ordinance 2021-03 Adopting a New Title IX General Regulations Chapter 93 Relating to the Regulation of Recreational Marijuana has had the second reading by title only, it is ready for Council adoption. He noted that the ordinance contained an emergency clause making this ordinance effective immediately upon approval of the Town Council.

**Motion from Nathan Burnham with a second from Alma Hammon to adopt Ordinance 2021-03 Adopting a New Title IX General Regulations Chapter 93 Relating to the Regulation of Recreational Marijuana. There was unanimous approval.**

**CONSIDERATION AND POSSIBLE ADOPTION OF ORDINANCE 2021-04 AMENDING THE TOWN OF COLORADO CITY ZONING MAP**

Vance presented an application from Straight Up Builders for a zoning map amendment for parcels 404-53-247 & 404-53-248 from RE-1A Residential-Estate/One-Acre to R1-8 Single Family Residential 8,000. These parcels are located between Academy Avenue and University Avenue east of Hildale Street.

He said the Planning Commission held a public hearing and considered the requested amendment at the March 1, 2021 Planning Commission meeting, and they have recommended approval of the rezone without conditions. Vance noted that if the Council approves the zoning map amendment, the developer will develop a preliminary plat that would come before the Council for approval before the development proceeds.

Isaiah Barlow and Josh Beazer representing Straight Up Builders both addressed the Council and

answered questions. It was noted that this is a subdivision and will be required to follow the guidelines for a subdivision as outlined in the Town codes. It also meshes well with the General Plan. There was some hesitation expressed by the Council, as they have been approached with several plans for similar high-density developments.

**Motion was made by Nathan Burnham with a second from Thomas Holm to adopt Ordinance 2021-04 amending the Town of Colorado City Zoning Map.**

**Roll Call Vote**

|                       |          |
|-----------------------|----------|
| <b>Alma Hammon</b>    | <b>Y</b> |
| <b>Joanne Shapley</b> | <b>Y</b> |
| <b>Nathan Burnham</b> | <b>Y</b> |
| <b>Joseph Allred</b>  | <b>N</b> |
| <b>Donald Richter</b> | <b>Y</b> |
| <b>Thomas Holm</b>    | <b>Y</b> |
| <b>Jeffery Jessop</b> | <b>N</b> |

**There was a majority of “yes” votes, and the motion passed.**

**FIRST READING OF ORDINANCE 2021- 05 ADOPTING AMENDMENTS TO THE TOWN CODE TITLE XV CHAPTER 152 ZONING CODE**

Town Manager Vance Barlow explained that as staff have been working with the Zoning Code, there are several issues that have been encountered that merit discussion on making some amendments to the code.

He presented the proposed text amendments dealing with required setbacks and prohibited uses along SR 389 and Airport Avenue.

He reported that the proposed amendments were discussed at a Citizen Review work session of the Planning Commission held February 18, 2021. The Planning Commission held a public hearing and considered the proposed amendments at the March 1, 2021 Planning Commission meeting and recommended the Town Council adopt the proposed text amendments.

**Donald Richter made a motion to read by title only Ordinance 2021-05 amending Town of Colorado City Zoning Code Title XV Chapter 152. The motion was seconded by Jeffery Jessop, and all voted approval.**

Town Clerk Rosie White then read by title only Ordinance 2021-05.

**FIRST READING OF ORDINANCE 2021- 06 ADOPTING AMENDMENT TO THE TOWN CODE TITLE XV CHAPTER 153 LAND DIVISION**

Town Manager Vance Barlow reported that the Planning Commission has been reviewing the Town’s land division code Title XV Chapter 153, and they have made some recommendations for amending the code. He noted that the proposed amendments deal with the number of printed copies that have to be submitted and making provisions for digital submissions.

He also reported that at the March 1, 2021 Planning Commission meeting, the Planning Commission had reviewed the proposed amendments and recommended that the Town Council adopt the proposed amendments.

Vance also noted that the Town will be adding a Land Use module to CityInspect and that all submissions will need to be done digitally.

**Alma Hammon made a motion to read by title only Ordinance 2021-06 amending Town of Colorado City Land Division Ordinance Title XV Chapter 153. There was a second from Jeffery Jessop, and there was unanimous approval.**

Town Clerk Rosie White then read Ordinance 2021-06 by title only.

**CONSIDER COLORADO CITY PLAT NO. 14C – 3<sup>RD</sup> AMENDED INDUSTRIAL PARK LEASE PARCEL MAP**

Town Manager Vance Barlow presented for Council consideration an amended plat map for the Town of Colorado City Industrial Park. The changes adjust the sizes of Lots 25, 26 (formerly lots 24,26 & 27) and lot 28. The reasons for these changes are to accommodate the developments that the lease holder Mr. Gary Tooke is planning to develop on those lots.

The changes also combine lots 18 &19 into a new lot 18. The purpose of this change is to accommodate a large building, that is crossing lot lines, that was put in many years ago by Modern Tech Construction. It was noted that Modern Tech Construction no longer holds the lease because it was repossessed by a finance company several years ago and that the lots are currently being leased by Long Valley Industrial. They have requested that the lots be combined so that the building, etc. will be in compliance with the current standards.

**There was a motion from Nathan Burnham with a second from Joanne Shapley to approve Colorado City Plat No. 14C – 3<sup>rd</sup> Amended Industrial Park Lease Parcel Map. All voted in favor.**

**CONSIDER APPOINTMENT TO THE AZ STRIP LANDFILL BOARD OF DIRECTORS**

Mayor Allred presented this item and reported that on October 1, 2020 Winford Barlow resigned from the Arizona Strip Landfill Board. This has created a vacancy that needs to be filled. Several of the applicants were there and expressed their willingness to serve. Landfill Director John Barlow stated that it has been very helpful to have someone from the Town Council on the Landfill Board.

After some discussion and noting that the applications had not been included in the Council packet the Council recommended that the appointment be postponed a month, and the applications be included in next month's packet so the councilmembers can review them.

Item was tabled until the April regular meeting.

**BUDGET REPORT AND ORDER TO PAY DUE CLAIMS**

The Council reviewed the budget report and a detailed report of the due claims.

**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 7:32 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 22<sup>nd</sup> day of February 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 15<sup>th</sup> day of March 2021.

  
Town Clerk

