

## **SUMMARIZED MINUTES OF THE TOWN OF COLORADO CITY COUNCIL MEETING HELD MONDAY, DECEMBER 12, 2022, AT 25 SOUTH CENTRAL STREET, COLORADO CITY, ARIZONA**

At 5:59 p.m. the Town Manager welcomed the public and council members and invited the Town Magistrate to administer the oath of office to the newly elected council members.

Town Magistrate Barbara Brown then administered the Oath of Office to Alma Hammon, Howard Ream, Dalton Barlow, and John Chatwin.

After the oaths of office were administered, the meeting was called to order at 6:02 p.m. by Town Clerk Rosie White as there was neither a Mayor or Vice-Mayor to make the call. The Council then selected Councilmember Alma Hammon to chair the meeting until the mayor was appointed.

Roll call showed present: Council members Thomas Holm, Alma Hammon, Howard Ream, Dalton Barlow, John Chatwin and Nathan Burnham.

### **CONSIDER APPOINTMENT OF VACANCY ON COUNCIL**

There were seven applicants who had turned in applications along with a resume and letter of intent. Each applicant was given five minutes to introduce themselves to the Council and explain why they would be a good choice for the position. The Council members then asked questions. The applicants were: Renee Pavalonis; Jerusha Darger; Paul Holm; Shem Barlow; Dan Timpson; Theil Cooke Jr.; Emilee Knudson, who was absent.

After the applicants who were present had the opportunity to speak to the Council and answer questions the Council Members then voted by secret ballot. The Town Clerk tallied the votes, and it was announced that the vote was in favor of Jerusha Darger. Town Magistrate Judge Barbara Brown then administered the Oath of Office to Jerusha Darger, and she took her seat on the Council.

### **MINUTES OF PRIOR MEETINGS**

The minutes of the November 14, 2022, meeting were presented and there were no corrections noted.

**Motion was made by Nathan Burnham to approve the minutes of the November 14, 2022, regular meeting as they were presented. There was a second from Dalton Barlow, and all voted in favor.**

### **PUBLIC COMMENT/INFORMATIONAL SUMMARIES**

Dan Timpson came to the mic and expressed his desire to have STOP painted on some of the roads where there are stop signs. He expressed that his concern was due to an accident that had taken place involving his family several years ago.

Tami Ursenbach with Mohave County expressed her willingness to work with the Town Council and told them to let her know of things that are needed.

Carl Pavalonis came to the mic to express the excitement in the community for the new Town Council Board.

## **COUNCIL REORGANIZATION/APPOINTMENT OF DEPARTMENT HEADS**

The members of the Council who expressed a desire to serve as the Mayor of the Town were given an opportunity to speak to the Council and express their vision. Dalton Barlow, Nathan Burnham, and Howard Ream all expressed their desire and willingness to serve as Mayor. The Council Members voted by secret ballot for the position of Mayor which was in favor of Howard Ream with Dalton Barlow as a close second.

**A motion was made by Nathan Burnham to appoint Howard Ream Mayor and Dalton Barlow as Vice Mayor of the Town of Colorado City. There was a second from John Chatwin. All voted in favor. Motion passed.**

Town Magistrate Barbara Brown then administered the Oath of Office to Howard Ream for Mayor and Dalton Barlow Vice-mayor.

Howard Ream took his position as Mayor and chaired the remainder of the meeting.

The Department Heads were then presented for reappointment, and it was explained that all department heads serve at the will of the Council except for the Town Magistrate who needs to be appointed for a two-year term and can only be removed for cause.

**A motion was made by Thomas Holm, to retain the following:**

- **Town Manager – Vance Barlow**
- **Town Clerk Rosie White**
- **Public Works Director – John T. Barlow**
- **Building Official – Andrew J. Barlow**
- **Town Marshall – Robbins Radley**

**Including appointment of Barbara Brown Town Magistrate for a two-year term ending December 31, 2024.**

**There was a second from John Chatwin. All voted in favor and the motion was passed.**

## **DEPARTMENT REPORTS**

### **Airport**

Airport manager Ladell Bistline Sr. reported that the total recorded operations for the Month of November 2022, were 376. He noted that the fencing project was moving along and expected to be completed on time. LaDell also noted that we are still waiting on the environmental CATEX from the FAA and that is delaying the development of some private hangers.

He reported that the taxiway construction for Runway 29 was expected to be going out to bid in February or March of 2023. He also noted that we were preparing to post RFQs for engineering services as the five-year contract with Jviation will be expired in April of 2023.

## **Building**

Building Official Andy Barlow reported that there are 18 permits that are approved and are pending payments. There are 33 applications that have been started but not yet submitted. 10 permits have been issued within the last month. Final inspections have been approved for 12 permits in the last month. Ten of the final inspections were for new single-family homes.

He also gave a brief update on some of the larger projects that are underway including the sitework being started for the Plus One building in Hildale. He also noted that some of the pads for the Cottonwood Village Apartment project are ready to start the concrete work for the foundations.

He reported that we have not received the contract from ADOH for the RA grant that was submitted a couple months ago but expects the project, South Hildale Street Improvement Project, will be a spring or early summer project.

## **Marshall**

Chief Marshal Robb Radley reported that deputies have responded to 184 cases in Colorado City this last month and 140 in Hildale City. The animal service calls for Colorado City this last month were 20 and 9 for Hildale City.

Work continues the new digital dispatching call taker cards, and we are working on the radio project that was funded by the State of Arizona. He also noted that a new Intoxilyzer 9000 has been installed at the police department.

## **Public Works**

Public Works Director John Barlow reported that the crews have hauled in binder for several days and ran the crusher plant for a few days making road base. He noted that the crew has been filling potholes, and finished removing broken sidewalk, and trees on Johnson Ave and there is much ongoing maintenance in the Street & Roads.

## **Utilities**

Utilities Field Operations Manager Weston Barlow reported that several development projects are underway. Water impact fee is still under review. Our headworks project has been submitted to Utah Division of Water Quality. We have been informed that the screen has been further delayed until February. He also reported that he and Nathan Fischer had met with Arizona Pipeline Safety Auditor for the annual audit of the Colorado City gas distribution system.

## **Administration**

Town Manager Vance Barlow reported that they have begun a significant remodel of the Town offices and expect that it will take several months to complete.

He also noted that the Town had a site visit from the DOJ on the fair housing portion of the injunctive order and completed the annual fair housing and injunction policy training as required by the injunctive order.

He noted that the staff is working on a proposed ordinance for dealing with short-term rentals as well as some zoning text amendments to permit flag lots.

He also reported that it was time to begin working on next fiscal year's budget and he would be meeting with the Department Heads to work on five-year planning and budget needs for the following year. He reported that a lot of time is spent with planning & zoning questions and meeting with developers, etc.



## **Court**

Judge Barbara Brown thanked the Council Members for her reappointment as Town Magistrate and stated that she had been at the Court since 1989. She talked about youth programs that she had offered at the local schools and wanted to let it be known that she is willing to continue to coordinate these programs.

**The regular Council meeting was recessed and the CDBG public hearing number 2 opened at 6:58pm**

## **CDBG PUBLIC HEARING NO.2—INPUT ON COMMUNITY DEVELOPMENT & PROPOSED PROJECTS SELECTION**

Andrew Barlow explained the process and noted that per the public participation plan that was approved by the Town Council at the October 17, 2022, meeting public hearing #1 was held on November 9, 2022, to receive public input on community development and housing needs. From the public participation, a list of potential projects has been assembled. A final selection will need to be made at this meeting.

He then presented the list of projects from PH #1 that were CDBG eligible, and that the Town could do if selected. The projects were presented as follows:

- Street Improvement Project on South end of Central Street connection to SR 389. This project would include the completion of the East side of Central, from the Plum Wash to SR 389, and the sidewalk tie in on the west side of Central Street from Warren Avenue to the Bees Market.
- Street and Improvements on Hildale Street from Mohave Avenue to the Creek Crossing
- This project is 6+ blocks long and will need to be done 1 or 2 blocks at a time. An environmental review is currently pending, and the first section is expected to be funded by the 2022 RA grant.
- Street Improvements on Airport Avenue from SR 389 to Central Street. This project would be about 2 blocks long and would include storm water mitigation. An environmental review would need to be done before we could apply for the SSP grant.
- Fire Hydrants at various locations. The Colorado City Water Masterplan has identified multiple locations where additional fire hydrants are needed for fire safety on existing conditions. An environmental review will need to be done.

After Andrews' presentation the mayor made a call for any public comments on the proposed projects.

LaDell Bistline spoke of some projects he had in mind for the airport and asked about the selection process for the next grant as he assumed he was too late on this grant process.

**CDBG public hearing #2 was closed, and the Town Council regular meeting was reconvened at 7:07 p.m.**

## **CONSIDER RESOLUTION SELECTING CDBG PROJECT AND AUTHORIZING SUBMISSION OF CDBG SSP APPLICATION**

The application for the SSP potential projects as presented in the public hearing were then discussed by the Council. There was some discussion on the safety aspects of the fire hydrants as well as the concern with pedestrian traffic along Central Street to Bee's Market Place and the need to complete the section from 389 to Plum Avenue Wash.

**A motion was made by Dalton Barlow to select CDBG Project and authorize submission of CDBG SSP Application for street improvement on South end of Central Street connection to SR 389. There was a second made by Alma Hammon. All voted in favor. Motion passed.**

## **CONSIDER NOTICE OF INTENT TO RAISE OR ESTABLISH FEES**

As part of the process of adopting a Short-Term Rental Ordinance, the Town needs to formally adopt the fee for processing the STR permit. The staff has analyzed the costs of processing the permit and is recommending that a fee of \$48.00 be established for processing the STR permit. It was noted that a notice of intent to establish the fee must be posted for 60 days prior to action to adopt the fee.

**Motion to approve posting the Notice of Intent to establish fees for Short-Term Rental permits was made by Alma Hammon and followed with a second from Nathan Burnham. All voted in favor. Motion passed.**

**At 7:17pm the Town Council meeting was recessed, and the Board of Adjustment meeting was convened.**

**The Town Council sitting as the Board of Adjustment then conducted the following items.**

## **PUBLIC HEARING VARIANCE REQUEST FOR BLOCK 45 PROPERTIES, LLC.**

Town Manager Vance Barlow presented a variance request from Block 45 Properties, LLC for the area known as Block 45, a block located between Central Street and Colvin Street and Township Avenue and University Avenue, as they are trying to divide the block into multiple parcels so that the businesses located on the property can purchase the underlying property and be able to develop their businesses more effectively. It was noted that due to the historic nature of the development of Block 45 it will require some variance from the normal subdivision requirements.

The Chairman of the meeting then called for any public comment regarding this proposal and none were forthcoming. It was also noted that the Town had not received any comments regarding the proposal prior to the meeting.

**Public Hearing was closed, and the regular Board of Adjustment meeting was reconvened.**

## **CONSIDER VARIANCE REQUEST FOR BLOCK 45 PROPERTIES, LLC.**

The Town Council sitting as the Board of Adjustment discussed the request by Block 45 Properties, LLC. Charles Hammon, of Excel Design answered questions and explained the variances requested, location of utility lines, parking requirements and setbacks for certain



buildings. It was noted that granting the variances requested for the historically developed buildings would not grant a variance for future buildings that may be developed on any of the parcels created.

**A motion to grant the variance request for Block 45 Properties as requested was made by Nathan Burnham. This was followed by a second from John Chatwin. All voted in favor. Motion passes.**

**The Board of Adjustment meeting adjourned at 7:29 p.m. and the Town Council meeting reconvened.**

## **SECOND READING OF ORDINANCE 2022-22 AMENDING TOWN CODE TITLE XV CHAPTER 156 DEVELOPMENT STANDARDS**

Ordinance 2022-22 which was declared a public record and had a first reading by title only at the November 14, 2022, Town Council meeting was presented for a second reading by title only prior to possible adoption by the Town Council.

**A motion was made by Nathan Burnham to read by title only Ordinance 2022-22 Amending Town Code Title XV, Chapter 156 Development Standards, as a second reading in the adoption process. This was seconded by John Chatwin. All voted in favor. Motion passes.**

**Town Clerk Rosie White then read Ordinance 2022-22 by title only into the record.**

## **CONSIDER ADOPTION OF ORDINANCE 2022-22 AMENDING TOWN CODE TITLE XV CHAPTER 156 DEVELOPMENT STANDARDS**

After the second reading, by title only, of Ordinance 2022-22 Amending Town Code Title XV, Chapter 156 Development Standards, the ordinance was presented for possible adoption by the Town Council. It was noted that the effective date for the Ordinance will be thirty days after adoption which will be January 12, 2023.

**Motion to adopt Ordinance No. 2022-22 Amending Town Code Title XV, Chapter 156 Development Standards was made by Nathan Burnham, followed by a second from Alma Hammon. All voted in favor. Motion was passed.**

## **CONSIDER UPDATE TO PERSONNEL POLICY 6 ATTENDANCE & LEAVE**

Three amendments to the Policy 6 Attendance and leave time were presented for Council consideration.

The amendments were:

- Added the Friday after Thanksgiving and a floating holiday as paid holidays for the Town.
- A payout option for 65 percent of the combined leave time that exceeded the carryover limits to be paid into the 457(b) plan for the employee. For employees that met the tenure and use limits proposed in the amendment.

- An option for certain tenured employees with a minimum of 200 combined leave hours to take a cash buy out rather than accrual for a maximum of 40 hours in each six-month period of the calendar year.

The amendments were considered and discussed by the Council.

**A motion to approve updates to Personnel Policy 6 Attendance & Leaves was made by Alma Hammon and seconded by John Chatwin. All voted in favor. Motion passes.**

#### **UPDATE ON NOTICE OF CLAIM**

It was noted that an executive session would not be held as the Town attorney was unavailable. The Town Manager noted that the filings had be made by the deadlines.

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

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

**A motion was made by Nathan Burnham to accept the budget and order to pay due claims. There was a second by Alma Hammon. All voted in favor. Motion passed.**

#### **COUNCIL COMMENTS**

There was some discussion of the Council Members about Newly Elected Officials Training. Arrangements were discussed for each one to attend.

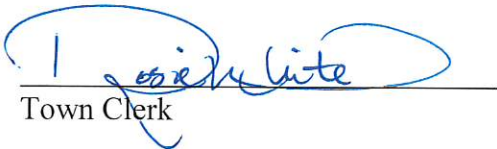
There was also discussion on the need for a work session to allow the newly elected council members to become familiar with the Town operations and facilities. It will be scheduled for the week of January 9<sup>th</sup>.

#### **ADJOURNMENT 8:53 pm**

#### **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 12<sup>th</sup> day of December, 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 17<sup>th</sup> day of January, 2023

  
Town Clerk

