

**MINUTES OF MEETING AND PUBLIC HEARING OF THE
THATCHER TOWN COUNCIL
August 13, 2013**

Present: Mayor Bob Rivera, Vice Mayor Mulleneaux, Councilmembers, Joy Martin, Ken Larson, Wayne Griffin, Don Innes, Aaron Allen.

Staff: Terry Hinton Manager, Heath Brown Engineer, Matt Clifford Attorney, Chief Shaffen Woods Police, Chief Mike Payne Fire Department, Lona Duncan Town Clerk

Visitors: Bill Harmon, Steve Wilson, Judy and Jim Reed, Don Smith, Mayor Chris Gibbs, Jason Underwood, Chad Christensen, Lori Rhinehart , Becky McArthur , Kenny Angle, Erin Motes, Rachel Peck

AGENDA

Welcome and Call Meeting to Order. Mayor Rivera brought the meeting to order welcomed everyone at 7:00pm God Bless troops, God Bless their families, God Bless Town of Thatcher, God Bless the United States of America amen.

Pledge of Allegiance lead by Chief Woods

Roll Call.

PUBLIC HEARING:

- A. 2013/2014 Planning & Zoning Code Revisions

OPEN CALL TO THE PUBLIC:

Chad Christensen said I am here about the proposal of the roundabouts on Church Street and my concerns. You are asking teenagers to instead of stopping at a stop sign to just hopefully slow down. I live on the corner of Church Street and 3rd Ave and there is a lot of activity in the early morning with kids late for school that roll the corner instead of stopping. There are a lot of kids that use 3rd Ave to get to school that walk and ride their bikes it is a big concern. There was an accident on Church and 3rd the car caught on fire and ended up in our bedroom. I know you are trying to make improvement but I don't see the roundabouts as being the best solution. I would like to see bids on the underground power poles it would make Church Street look really nice. As a business person I say lets do it right the first time. Terry said we asked the engineers for a design that would slow traffic. They gave us the idea of the roundabouts they say it is safer, slows traffic, less accidents and if there is an accident it is less severe. Mr. Christensen said when the kids get out at lunch they are racing to get somewhere to eat I can see them going fast and rolling right through. Maybe put a Police Officer out there during heavy peak hours. Mayor Rivera thanked Mr. Christensen for addressing his concerns we will take that back to the engineers.

Erin Motes stood and expressed his concerns about the C2 zoning change I want to make sure I understand correctly. Terry said the commercial zones will no longer have residential in them they will only be commercial. Mr. Motes said in April I came to you and Heath Brown asking about my two commercial area one being by the Gila River Apartments and the other down Allred Lane. I told you that I had a person interested in putting in apartments and I was told it would be grandfathered in and any purpose I used it for commercial, multi purpose because it was a lesser zoning it would be grandfathered in. One of the reasons I brought it up was because the property on Allred Lane was an inheritance and that zoning would limit the value of that property and that you would be liable for changing that and reducing the value of that property because of the inheritance. Heath said he remember the grandfather part and what may happen but not the inheritance. The lawyers have reviewed all of the issues we have referred to them through out the process. Heath said we also discussed that you could rezone that property. Erin said for a fee answer was yes \$150.00. So it is going to cost me to zone when it should not have changed. Erin

Motes suggested the issue be tabled until we find some answers. I think there is a liability issue because I was told the town would take care of this.

Rachel Peck stood and said she moved here about 6 months ago from Safford. The way I have to pay my utility bills here is stupid when in Safford I could go online and pay it or have it automatic done. I have 3 separate bills Safford, Graham County Elect and Thatcher. The other two I can go online and make my payment. I have been told I can do bill pay through my checking account. I don't want to do that I want the chance to pay when I want to pay and how I want to pay. Right now I can't pay with my card really who writes checks now. I would like you to do some research and find some different ways.

Becky McAurthur stood and said I would like to address what Mr. Christensen was talking about the roundabouts. I have a question you keep saying the statistics says it is safer, where are you getting the statistics and do they have the variable of having a High School in the area and a College. Can you provide statistics with those variables?

Kenny Angle said I provided Heath with written statement and I hope the Council will read it. I think there are a lot of people that own commercial property that will have the R2 and R3 taken way and I don't think they were given proper notice that their property will be in another type of zone. I found that with my piece of property it is zoned commercial so I can't do anything because there are deed restriction saying I can only put in a residential and you are taking that residential our of the commercial zoning. So after tonight it will be no good. It is a property right that we have had for 40 years that is now being taken away. I don't know if people know that those rights are being taken away. I would ask that you exercise caution before the change or rights are taken away. Councilman Allen asked does the deed restriction supersede Town authority. Kenny said I have to ask for rezoning which is a step I will not have to do if you do not change the zoning. I understand what the Town is trying to do I appreciate that I'm just asking that you look at this further.

Mayor Rivera read a Proclamation on the National Guard which will take place September 22nd thr 28th.

PUBLIC APPEARANCES:

A. Graham/ Greenlee Foundation – Don Smith

Mr. Don Smith from the Graham/Greenlee County Foundation stood and said he would like to report on the money give by Town of Thatcher. He began by thanking Councilman Larson for the 10 years he was on the board and welcomed everyone to consider taking Councilman Larson place. Our Community Chest is almost 700 thousand it is growing the amount that is Thatcher funds is 69,000.00. This year no one from Thatcher applied for grant money. We have completed a study showing that most donations are from individuals at 80% ,Corporations and Government funds 10% each. In this valley the nonprofits get 80% from Government and Corporation and less than 10% from private individual. We need to turn that around and get people involved. Each year we do wrap around the courier which is an advertisement. It tells what we did with the money and who received the money. It also gives you a place to donate and where you want your money to go. I would like to thank the Town of Thatcher for your donation you have been a part of this from almost of the beginning in 1998. I am looking for a replacement on the board or and advisor plus asking again for your donate this year.

B. Annual Thatcher Neighborhood Night Out Proclamation

Lori Rhinehart stood and said it is that time of year we are asking to have it on September 10th which would mean our Council Meeting would have to be changed. We would like to keep it around Sept 11th. Council agreed to move the Council Meeting to September 17th next month. Terry said in conjunction with that staff would like Council to look at moving

their regular meeting to the third Monday of each month. It was agreed to talk about it in the work session. Laurie invited all to come to the Neighborhood Night Out starting at 6:00 until 9:30 pm at Daley Estates. Mayor Rivera then read the proclamation.

CONSENT AGENDA:

Action Item

- A. Approve minutes of the July 9, 2013 Regular Council Meeting.
- B. Planning and Zoning Monthly Report.
- C. Police Monthly Report.
- D. Approval of Invoices.
- E. Financial Reports.

Councilman Griffin made motion to approve minutes and reports. Councilman Innes seconded the motion. The vote was unanimous Motion passed

OLD BUSINESS:

Discussion, consideration and possible action.

NEW BUSINESS:

Discussion, consideration and possible action

- A. Youth Football League Support – Jason Underwood

Jason Underwood stood gave handout the local football league which is called American Football League and I have been associated with the league for five years. In the past all Gila Valley kids play as one group broken up into different team per age and they play teams from Morenci & Duncan. A couple of months ago we were asked why can't we have a Thatcher team and Safford have a team having four groups. I met with the board and they agreed we could, so we have 116 kids and Safford has 140 kids. With this change come obstacles, one being there are no eagle jerseys and a lack of equipment for the coaches to use. My vision is to accumulate enough equipment, blocking pads, blocking dummies cones etc. and keep it in Thatcher and not return to them to AYF League. I would like to have our own entity in the league and be self sufficient. With this goal we will need help so I am asking the Town of Thatcher to help kick start this Thatcher group by donating 2000.00. Mayor Rivera said you have Mr. Smith right behind you to get community money from. Mr. Underwood said if he had known he would have asked that will be done next year. Terry said also next year the sign up fees from the kids will go into this group. Councilwoman Martin asked if he had approached any others his answer was yes. Councilman Griffin asked how do you ear mark the money as Thatcher. Jason said their is an account set up as Thatcher AYF/Jason Underwood and next year when the kids sign up they will know they belong to the Thatcher League so that money will go towards uniforms.

Councilman Innes made motion to give the amount of \$3000.00 to the Youth Football League with an accounting of where the money was used. Vice Mayor Mulleneaux seconded the motion. The vote was six aye votes Rivera, Mulleneaux, Innes, Griffin, Allen, Larson and one nay Councilwomen Martin.

- B. **ORDINANCE NO. 169-2013: AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL**

OF THE TOWN OF THATCHER, ARIZONA; REPEALING THE EXISTING TITLE XV, CHAPTER 152 SUBDIVISIONS, OF THE THATCHER TOWN CODE IN ITS ENTIRETY AND ADOPTING BY REFERENCE, PURSUANT TO A.R.S. 9-802, THE JUNE 2013 DRAFT OF CHAPTER 152 – ENTITLED “TOWN OF THATCHER SUBDIVISION ORDINANCE”.

Mayor Rivera said this Ordinance will be tabled until next Council Meeting.

Mayor Rivera made the motion to table. Vice Mayor Mulleneaux seconded the motion. The vote was unanimous Motion passed.

- C. **ORDINANCE NO. 170-2013:** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF THATCHER, ARIZONA; REPEALING THE EXISTING TITLE XV, CHAPTER 153 ZONING, OF THE THATCHER TOWN CODE IN ITS ENTIRETY AND ADOPTING BY REFERENCE, PURSUANT TO A.R.S. 9-802, THE JUNE 2013 DRAFT OF CHAPTER 153 – ENTITLED “TOWN OF THATCHER ZONING ORDINANCE”.

Mayor Rivera made motion to table until next Council Meeting. Vice Mayor Mulleneaux seconded the motion. The vote was unanimous. Motion passed

- D. Arizona Power Consumers Coalition.

Terry said in packet information some of other organization that the Town of Thatcher is a member of because of electric utility. Back in the 1990 they tried to have deregulation and it didn't work except for a couple of big utilities it was passed. Now there are some organization coming back trying to deregulate again. They are out of state and some of them even out of the country. What would happen is say the Wal Mart or Home Depot would get pick off by some utility then Safford and Thatcher would loose those customers but still have to pay for the wire and others things to get power to them. It is unanimous in the Electric Community to oppose this. Signing the document is just giving our support.

Vice Mayor Mulleneaux made motion to support the Arizona Power Consumer Coalition. Councilman Allen seconded the motion. The vote was unanimous Motion passed

- E. ADOT presentation – Bill Harmon.

Bill Harmon stood along with introduced himself as the District Engineer of Safford ADOT and Steve Wilson as the Project Manager. I have come to talk to you about the Reay Lane Pathway Project and the Federal Aid process. ADOT has experience a number of problem and we are working on them. Some of those are timeliness, getting answers, costs of project. Reasons this happen was the state and local resources dried up, HURF swap is one and everybody is on federal aid now. The FHWA transportation program are more strick than CDBG requirements. If dollar of federal money is used we have to use their requirements because of this the planning period is longer and then NEPA regulation take effect which most of their requirement can't be done in house. You should never begin work without a Notice to Proceed and that will not be given until everything is in compliance. A simple project now should take 3 years, a complex project 5 years these are minimum years. Ideas for local agencies to save time and money is select consultants with the FHWA/ADOT, get training, and confer with project manager frequently. Councilman Allen said he appreciated the presentation but my question is at what point can we get answers or resolutions to the Walking Path. Bill said the report he received today was you are at

95% design, environmental the month, utility and right a way clearance next month get ready November advertise in December. Councilman Griffin commented this was warded six years ago, answered was yes this is what we call a transportation enhancement grant which under their rules it could take seven years it was easy to put those types of grants on the back burner and work on others projects first. Mayor Rivera said I would like to thank you for coming tonight. Two years ago we had a director come down and tell us he would help and nothing happen can you see our concern. Bill said yes I am not here to excuses but there has been some real issues. Terry said it is not so much the local process it is just when it leaves here it disappears. Bill said I appreciate your openness I will report back and let them know of your concerns. Our next meeting in this part of the state will be in Bisbee in September if any of the elected officials can come. Mayor thanked Mr. Harmon.

INFORMATIONAL ITEMS:

A. Town Manager's Report:

Terry said we lost four poles due to the storm on Saturday ,causing electrical outage on 1st Ave and 1st Street. We asked Graham County Electric to come help us and they saved us, with them working we were about to get everyone up and going by 6:00 am on Sunday. I sent a letter to the co-op thanking them for their help. The splash park concrete will be poured in preparation of per bid for pavement bidding project. We had a pre bid meeting with six contractors for the restroom. Next Council we will have bid awards for bathroom and paving. Heath got some figures together and I gave it to our Engineer's working on Church Street for the cost of underground power. Councilman Innes asked would the electric line from the property owners right a way be there responsibility to pay. Terry said I believe it would. Councilman Allen asked if this could be another improvement district, answer was yes. Terry said Brent received a quote on just conduit to be 1.25 per foot for one mile that would be 660 thousand dollars so it might be a little pricy. Terry said after tonight I will get with the engineer and get more statistics on roundabouts. Vice Mayor Mulleneaux said there are three in Payson they have traffic than we do and work every well. Terry asked Bill Harmon what he thought about roundabouts. He said the purpose is to let traffic negotiate the intersection not stopping but slowing down. In that sense it saves fuel, and accidents are less severe. You have to be careful with unbalanced traffic but they normally are pretty balanced. Another thing is pedestrian motorized vehicle are looking for cars so illumination at night time and a clear visible approach is important. So have sidewalks and the landscaping should be low on the ground. There is one in Bisbee that has been there for a long time people love it. ADOT has a link on their web site for public information on roundabouts. I believe it will work fine on Church Street. Councilman Innes said I think we need to put some signage where the path crosses the ball park. If you come down Reay Lane and you are walking or riding a bike there is a blind spot it needs to say something about yielding to vehicles.

B. Fire Department Report.

Chief Payne said there was a fire in Central on Saturday no one was hurt it looked like electrical problem. The first week of September we have 15 guys that will be attending the Annual Fire School. There are a lot of good classes. We have another house to burn which provides good training exercise it is on 4th street and 4 Ave on the 24th of August. We are in the process of making sure we do everything right. We have invited Safford and will invite Pima. We are getting prices on our air bottles and the cost of air packs because some of them have reached the expiration date. They are still safe however we just need to stay in

compliance. Chief Payne said the report of the house accident has the typo fixed and it is done. Mayor Rivera said as of tonight we can call it finalized.

C. Police Department Report.

Chief Woods thanked Council for the football program donation I have been apart of their program going on four years and I am glad to see there will be a Thatcher League. Chief Woods said I felt like I should say something about the roundabouts. I think we need to focus on what problem we are trying to fix. I have work for Thatcher Police Dept for 15 years and I can not remember an accident at 3rd and Church Street. There are potential problems but only for twenty minutes twice a day. The department has some training going on Officer Mulleneaux is at taser training getting recertified to order to teach, next month we will host a motorcycle gang training seminar for all local agency in the area. I will attend the Chiefs Conference in Laughlin NV the second week in September. Safford will be hosting a DUI taskforce Labor Day week end we will be helping with that. The centennial celebration for EAC will be coming up this month the day we will help is Aug 14th. The first day of school will be tomorrow so we will have more officers out there. The cars we ordered arrived yesterday. Chief said he received letter of intent from Governor Highway Safety on a grant in 2014 for twenty thousand dollars. I would like to express my appreciation to Officer Norton he worked burglary which a gun and 1900 dollars in cash was taken and in 2 to 3 hours he had recovered all the items.

COMMITTEE REPORTS:

- A. Safe House- None
- B. Chamber of Commerce- None
- C. SEAGO- Mayor Rivera said there is a meeting in Clifton this Friday.

ADJOURNMENT

Councilwomen Martin made the motion to adjourn meeting with a second from Councilman Allen the vote was unanimous Meeting adjourned at 9:35 pm

ATTEST:

APPROVED:

Lona Duncan, Town Clerk

Robert Rivera, Mayor

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular/special meeting of the Town Council of the Town of Thatcher held on the 13th day of August, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Lona Duncan, Town Clerk