



MINUTES

Town Council Regular Meeting

6:00PM – Tuesday, August 1, 2023

Wellton, Town Hall Council Chambers

28634 Oakland Avenue, Wellton, Arizona 85356

Mayor Scott Blitz called the regular meeting to order at 6:00PM on Tuesday, August 1, 2023. Mayor Blitz led the Pledge of Allegiance and gave the invocation. Roll call was taken.

Councilmembers Present: Mayor Scott Blitz, Vice Mayor Cecilia McCollough (via Zoom), Councilmembers Barbara Biggs, Sylvia Davidson, and Michelle Jones.

Councilmembers Absent: None.

Staff Present: Town Manager Richard Marsh, Deputy Town Clerk Sandra Jones, Finance Director Dennis Osuch (via Zoom), Police Chief David Rodriguez, Code Enforcement Officer Belen Medina, and Attorney John Austin Gaylord (via Zoom).

Guests Present: Brian Ted Kohn, Evie Pistone, Lou Landers, Brenda Landers, Lynda Lake, Audrey Zingler, Stan Lucier, Lilia Wilson, Mary Miranda, Catherine Blitz, Marisol Hernandez, Miley Hernandez, Tim Mayclin, Bob Bruley, Diane Bruley, Darren Simons, Bob Newquist, Juan Salcido, Kathy Schaben, Robert Leeper, and Peggy Leeper.

Call to the Public

Tim Mayclin – Wellton Elementary School (New Superintendent/Principal): He wanted to take the opportunity to thank the Town for the coordination of the donation of backpacks and school supplies to Wellton School.

After Agenda Item 2

Kathy Schaben - Yuma County Superior Court: She appeared as the Yuma County Court Administrator, gave a detailed description of an existing Intergovernmental Agreement between the Town of Wellton and Yuma County, expressed comments “on behalf of” Yuma County Superior Court Judge David Haws and Wellton Magistrate/Yuma County Justice of the Peace Russ Jones, made further comments on Town accounting matters, and suggested that Judge Jones may choose not to “re-up” the IGA between the Town and County..

Presentations

- Presentation of Employee of the Month: Lt. Juan Salcido
- Code Enforcement Update by presented by David Rodriguez, Police Chief

Discussion and Action Items

1. **Approval of Minutes:**
 - a. **For the Meeting of July 11, 2023 (Special Meeting).**

Motion made by Councilmember Jones, seconded by Councilmember Biggs, to approve Minutes for the July 11, 2023 (Special Meeting).

Davidson: Yay

Jones: Yay

Blitz: Yay

McCollough: Yay

Biggs: Yay

Motion carried.

2. Discussion and possible action on whether to revisit Ordinance No. 147 “Town of Wellton Amendments to the 2018 International Property Maintenance Code”.

Discussion regarding concerns with the content and ramifications of said content. Input was received from Staff, residents, council and guests, Randall Crist, City of Yuma and John Montenegro, City of Yuma.

Motion made by Councilmember Jones, seconded by Councilmember Biggs, to revisit Ordinance No. 147 “Town of Wellton Amendments to the 2018 International Property Maintenance Code” at the September 5, 2023 Regular Meeting.

Davidson: Yay

Jones: Yay

Blitz: Yay

McCollough: Yay

Biggs: Yay

Motion carried.

• Recess Regular Session of the Common Council and open Public Hearing as Board of Adjustment

Motion made by Councilmember Jones, seconded by Councilmember Davidson, to recess Regular Session of the Common Council and open Public Hearing as Board of Adjustment at 6:55PM.

Davidson: Yay

Jones: Yay

Blitz: Yay

McCollough: Yay

Biggs: Yay

Motion carried.

3. Public Hearing for:

- a. **Variance Case #V-24-002: Scott and Twanette Stauth request a variance of Planning & Zoning Code Chapter 8, Section 8-5.4.1-D (1): Minimum Interior Yard Setback: 6 on his lot located at 11771 Castle Dome Street (Parcel #: 709-59-312). The request is for a 5-foot variance of the interior yard setback for construction**

of 2 storage sheds and a 2-foot variance of the rear yard setback for one of the storage sheds.

Discussion regarding Variance Request.

- b. Variance Case #V-24-003: Jose A Montoya requests a variance of Planning & Zoning Code Chapter 8, Section 8-5.4.1-D (1): Minimum Interior Yard Setback: 6 feet on his lot located at 28412 Telegraph Avenue (Parcel #: 709-58-332). The request is for a 6-foot variance of the interior yard setback for construction of a carport.**

Discussion regarding Variance Request.

• **Close Public Hearing.**

Motion made by Councilmember Jones, seconded by Councilmember Davidson, to close Public Hearing at 7:09PM.

Davidson: Yay

Jones: Yay

Blitz: Yay

McCollough: Yay

Biggs: Yay

Motion carried.

- 4. Discussion and possible action to approve Variance Case #V-24-001: Quick Fix Pools and Spas LLC, agent for Jim and Tamra Wilcox, requests a variance of Planning & Zoning Code Chapter 8, Section 8-5.4.1-D (1): Minimum Interior Yard Setback: 6 feet on their lot located at 28731 Canal Avenue (Parcel #: 709-52-139) for the installation of a pool.**

Motion made by Councilmember Biggs, seconded by Councilmember Jones, to approve Variance Case #V-24-001: Quick Fix Pools and Spas LLC, agent for Jim and Tamra Wilcox, requests a variance of Planning & Zoning Code Chapter 8, Section 8-5.4.1-D (1): Minimum Interior Yard Setback: 6 feet on their lot located at 28731 Canal Avenue (Parcel #: 709-52-139) for the installation of a pool.

Davidson: Yay

Jones: Yay

Blitz: Yay

McCollough: Yay

Biggs: Yay

Motion carried.

- 5. Discussion and possible action to approve the Professional Services Agreement between Dennis Osuch, Osuch Consulting PLLC and the Town of Wellton for consulting services as Finance Director.**

Motion made by Councilmember Jones, seconded by Councilmember Davidson, to approve the Professional Services Agreement between Dennis Osuch, Osuch Consulting PLLC and the Town of Wellton for consulting services as Finance Director.

Davidson: Yay

Jones: Yay

Blitz: Yay

McCollough: Yay

Biggs: Yay

Motion carried.

Future Agenda Items

- Variance requests regarding setbacks.
- Bakersfield Avenue Road Improvement
- Liquor License request.

Town Manager's Report

- Clarifier Update- As I mentioned in my previous update. It appears a projected budget was not established to complete the clarifier project build out when the project was in the planning phase during 2021. I have inquired with some staff members and consultants that were involved during that time and it remains unclear what occurred.

As reported in July report the Town has issued a second round of Request for Bids for this project. There has been substantially more interest in this round. There were 8 companies in attendance at the pre-bid meeting, as opposed to the 2 bids received during the first round. The second round of bids were tallied, and the actual construction was bid at \$1 million dollars. I requested that Dennis let me know the availability of ARPA funds for this project. Our most recent tally is \$228,000.

Staff are pursuing WIFA funds for the \$1 million dollars (\$500,000 forgivable loan), but that funding would not be open for applications for 3-4 months. Staff will continue to look for additional grant opportunities and funding sources for this project, as funding is not available in our budget. Updates will be provided as available.

- I attended the ACMA Summer Conference on July 12 – 14, 2023 in Tucson. The highlight of this conference included:
 - The Artificial Intelligence and the Robotics industry and the potential replacement of Police officers and -automated vehicles, fire fighters and -automated vehicles. Educators, Nurses, predictive analytics in Human Resources for determining good candidates for employment and solving crimes, diagnosis of health care concerns and so much more.

The ability to harness individual thoughts, experiences, beliefs, and intellect into a robot and live in perpetuity. This raised concerns about the effects on the retirement system, social security, etc. I will keep you apprised as I learn more about this rapidly emerging industry and its potential impact on local government operations.

At the AMCA training I had the opportunity to attend a presentation by Troy Hayes, City of Phoenix, regarding the Future of Water in Phoenix. I have reached out to him to meet with myself and our Water System Superintendent about the

pending legislation which will allow for increased use of Affluent for municipal owned properties.

- Nuisance Update - Thank you, Mayor Blitz, Councilmember Davidson, Councilmember Jones, and Councilmember Biggs for canvassing the Town and reporting blight to our team, great teamwork and it's really appreciated.
- Links at Coyote Wash Utilities Update - In April, the Links at Coyote Wash Utilities (LCW), which is a private company, applied to the Arizona Corporation Commission (ACC) to increase its sewer rates. In response, the Town of Wellton issued a notice directing LCW customers to the ACC, the State agency responsible for regulating utility rates.

LCW customers registered 196 comments urging the ACC to deny or decrease the proposed increase. Among those are comments from the Mayor Scott Blitz, and the Town, which is also an LCW customer.

Still, on July 20, ACC staff published a Staff Report recommending approval of LCW's rate increase. The ACC process is ongoing, and the Commissioners have not yet decided about the proposed increase.

It is important to note that the ACC is the regulatory authority with jurisdiction over utilities such as LCW. The Town investigated whether it has any basis for legal action outside the ACC process and determined that it does not.

Interested residents may contact the ACC's Consumer Services Section at 800-222-7000 or 602-542-4251 with questions or concerns or to request information about becoming an official party in the proceedings. Residents may also explore available resources and assistance programs that may be helpful for residents experiencing financial hardship.

For additional details and explanation, please see the Town's first notice.

- I attended the AMCA Annual Elections Training and Annual Conference in Fountain Hills from July 25 – 27, 2023. A few of the presentations that resonated were:
 - Colleen Biggs - 6 Habits of Growth: Creating Habits of High Performers
 - Elections Calendar from the League Elections Manual.
 - Potential Candidates Orientation – A meeting to provide explanation of the Clerk's Office and candidates' roles during the election cycle to potential candidates. Candidate Packets are reviewed and dispersed at that time as well.
 - The presentation of E-Qual - AZ Secretary of State (SOS) System where candidates running for county, city, and town office in Arizona can collect 100% of their minimum number of required nomination petition signatures electronically.
- The Bakersfield Avenue Road Improvements Project Bid Opening will be August 8, 2023, at 2:00PM at Town Hall.
- Community Conversation – August 17, 2023, Community Center at 1:30PM. Bring your questions, comments, and concerns for discussion with the Mayor and Town Manager.
- Court Fee Update – Staff met on July 13, 2023, with the Court and discuss our findings. We will be submitting a detailed analysis to the Court for their review and will update you accordingly.

- Councilmember Biggs wanted to inform residents that she as a resident of the Coyote Wash Subdivision has submitted a Request to Intervene to the Arizona Corporation Commission regarding The Links at Coyote Wash Utilities rate increase request. She' been contacting the AG's Office, reaching out to an attorney, as well as possibly planning to procure a bus to the hearing.
- Councilmember Jones has been working with Antelope Union High School during their process with the state and receivership. Pat Koury has been named temporary Superintendent at the high school.
- Mayor Blitz wanted to remind residents:
 - Community Conversation at the Wellton Community Center on August 17, 2023 at 1:30PM.
 - Sunset Community Health Center Award presentation on August 8, 2023 at 12:30PM.
 - Municipal Rental Tax Modification has passed.
 - Next Regular Council Meeting is September 6, 2023 at 6:00PM.

Executive Session

- None requested.

Adjournment

Motion made by Councilmember Jones, seconded by Councilmember Biggs to adjourn.

Davidson: Yay

Jones: Yay

Blitz: Yay

McCollough: Yay

Biggs: Yay

Motion carried.

Meeting adjourned at 7:40PM.



Scott Blitz, Mayor


ATTEST:



Richard Marsh, Town Manager

CERTIFICATION:

I hereby certify that the forgoing minutes are a true and correct copy of the regular meeting held August 1, 2023, and the meeting was duly called and posted and that a quorum was present.



Richard Marsh, Town Manager