



Mayor James L. Deermer called the regular session to order at 7:00 p.m. on Tuesday, October 5, 2010, lead the pledge of allegiance and gave the invocation. Roll call was taken.

Council Members Present: Mayor James L. Deermer, Vice Mayor Emma Q. Moser and Councilmen J. Keith Milam, Cecilia C. McCollough and Alejandro M. Bejarano, establishing there was a quorum present.

Staff Present: Deputy Town Clerk Becky J. Hopkins and Police Chief Keith W. Titus

Guests: Juell & Vera Barker, Brian White of the USBP, and Keith Titus

- **Call To The Public** – Brian White, representing the Border Patrol, reported that he is a community relations liaison and would like to give us any support the Town might need in the way of community support.

Mrs. Edna Calvin, who is handicapped, requested permission to keep a 4-H lamb in her backyard as she has problems getting her granddaughter out to the Water Plant. The Council did not give permission to allow her to keep a lamb in her back yard and make a few suggestions to help her out.

DISCUSSION AND ACTION ITEMS

1. **Approval of Financial Statements**
 - A. **For the month of August 2010**

A motion was made by Vice Mayor Moser, seconded by Councilmember McCollough, to approve the Financial Statements for the month of August 2010. Voice vote 5-0, motion carried.

2. **Approval of Cash Disbursements List**
 - A. **For the month of September 2010**

A motion was made by Councilman Bejarano, seconded by Vice Mayor Moser, to approve the Cash Disbursements for the month of September 2010. Voice vote 5-0, motion carried

3. **Approval of Minutes**
 - A. **For the Regular Meeting of September 21, 2010**

A motion was made by Vice Mayor Moser, seconded by Councilmember McCollough, to approve the Minutes of the Regular Meeting of September 21, 2010. Voice vote 5-0, motion carried.

4. Presentation by Councilmember Alex Bejarano on Nuisances.

Councilman Bejarano gave a pictorial presentation of nuisances he felt were a representation of the problems we are facing on this issue. The Council and staff discussed the issue. Councilman Bejarano also volunteered to write an article on the Nuisance Process once it is enforce to show the progress each month.

5. Discussion and action to adopt Resolution #532, a resolution establishing and implementing a program to charge mitigation rates for the deployment of emergency services by the Fire Department for services provided or rendered for the Town of Wellton.

A motion was made by Vice Mayor Moser, seconded by Councilmember McCollough, to adopt Resolution #532, a resolution establishing and implementing a program to charge mitigation rates for the deployment of emergency services by the Fire Department for services provided or rendered for the Town of Wellton. Voice vote 5-0, motion carried.

6. Discussion and possible action to award a contract for the Water Services Control Building.

A motion was made by Vice Mayor Moser, seconded by Councilmember Bejarano, to award the bid for the Water Services Control Building to LoCoco-Pilkington Construction in the amount of \$337,000. Voice vote 5-0, motion carried.

7. Discussion and possible action to recommend approval for a Liquor License Application for Agent Change, License #0151643-9, for Del Sol #8 located at 29854 Los Angeles Avenue.

A motion was made by Councilmember Bejarano, seconded by Vice Mayor Moser, to recommend approval to the Arizona Department of Liquor License Control for a Liquor License Application for an Agent Change, License #0151643-9, for Del Sol #8 located at 29854 Los Angeles Avenue. Voice vote 5-0, motion carried.

8. Recess as Common Council of the Town of Wellton and convene a public hearing as the Board of Adjustment of the Town of Wellton to consider the following item:

Recessed at 7:20 p.m. as the Board of Adjustment.

- A. CONDITIONAL USE CASE #11-301: Mr. Juell Barker, Agent for Kevin Barker, requests a Conditional Use Permit to allow a second (2nd) recreational vehicle space at 10426 Maybelle Street for the purpose of providing living space for an on-site caregiver.**

The Council had been given back-up documentation which reflected the reason this application for a conditional use was required. The Council reviewed and discussed the documentation noting that without their approval for the conditional use, this would not be an allowable use and the property would be in violation of both State and Town law. The Council discussed the possibility that if they were to approve the conditional use for humanitarian uses and the need

for a caretaker should cease or the caretaker moved, then Mr. Barker, as a responsible citizen, would remove the third R.V. from the property.

Adjourn as Board of Adjustment for the Town of Wellton and reconvened at 7:28 p.m. as the Common Council of the Town of Wellton.

9. Discussion and action to consider recommendations of the Board of Adjustment for the Town of Wellton in the matter of Conditional Use #11-301.

A motion was made by Councilmember Bejarano, seconded by Vice Mayor Moser, to approve Conditional Use Case #11-301 to allow a second (2nd) recreational vehicle space at 10426 Maybelle Street for the purpose of providing living space for an on-site caregiver with the condition that if this caregiver should leave or the need is no longer necessary, the 2nd RV will be removed from the property. Voice vote 5-0, motion carried.

10. Discussion and possible action to adopt Resolution #533, a resolution to support GYEDC in their mission.

A motion was made by Councilmember Bejarano, seconded by Councilmember McCollough, to adopt Resolution #533, a resolution to support GYEDC in their mission. Voice vote 5-0, motion carried.

11. Other Reports

Vice Mayor Moser gave a presentation on the Wellton School's Fall Festival to be held on November 6, 2010.

Councilmember McCollough reported that we have a parking problem at the school during drop off and pickup times at the school. There are a few people just idling in the parking lot and blocking traffic. Council asked staff to make up a sign about idling in the parking lot and posting it at the parking lot.

Mayor Deermer reported that he had a meeting with the Rail Road with the ultimate goal of trying to get the railroad to help us get an overpass over the railroad.

12. Manager's Report – No report.

13. Executive Session

- A. For legal, real estate or personnel Matters pursuant to A.R.S. Section 38-431.03, Section A (1), (3) And (7).**

There was no need for an executive session.

14. Adjournment

A motion was made by Vice Mayor Moser, seconded by Councilmember Bejarano, to adjourn. Voice vote 5-0, motion carried. Meeting adjourned at 7:50 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 Wellton, Arizona held on the 5th day of October 2010. I further certify that the meeting was duly called and held and that a quorum was present.

Approved this 26th day of October 2010

Rodney L. Rinehart
Town Manager/Clerk