

# TOWN OF WELLTON

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## Minutes of the July 8, 2014 Special Meeting

**Mayor James L. Deermer called the special meeting to order at 7:00PM on Tuesday, July 8, 2014, lead the Pledge of Allegiance and gave the invocation. Roll call was taken.**

**Council Members Present:** Mayor James L. Deermer, Vice Mayor Cecilia C. McCollough, Councilmembers Lisa J. Jameson and Vickie L. Bornt.

**Council Members Absent:** Councilmember Alejandro M. Bejarano

**Staff Present:** Town Manager Dick Watenpaugh, Deputy Town Clerk Sandra Jones, Public Works Director Joe Grant, Police Chief Donald Jones, and Fire Chief Mark Rivera.

**Guests Present:** Johnnie Altstatt, Fran Enos, Juell & Vera Barker, Lynette Layton, Shirley Reynolds, Ed Heikila, Victor & Lynn Frankfather, David McMillian and Dave McMillian.

**Call to the public:** No Speaker Request forms were formally submitted. But two people requested to speak.

- Juell Barker: A Thank You for the article in the Yuma Sun a couple of weeks ago.
- Lynette Layton: A Thank you for the fireworks. Enjoyed them very much. Especially for a small town.

### Department Head Reports

**Police Department:** Chief Jones requested that if the Council would like to hear a specific item of interest during his report to let him know and he would make sure to hit those points.

**Municipal Court:** Not present/excused.

**Fire Department:** Chief Rivera gave a report on the runs for June. They have had quite a few vehicles/equipment fires. July 2 was Public Safety Day with Kid's Klub at Wellton School. They are also looking forward to a Water Day, Thursday, July 24, 2014.

**Public Works:** Public Works Director Grant reported we are running a little shorthanded due to vacations. Alley Clean-Up started this month. County 12<sup>th</sup> Street pond was inspected by ADEQ and they pointed out the water quality going in to the pond from the wastewater treatment facility may not meet the treatment facilities permit requirements. 4<sup>th</sup> of July turned out well in spite of the rain. Question from Councilmember Jameson regarding the trash pick-up not running on Thursday. Trash ran on Wednesday and notification was on the water bill. Councilmember Jameson questioned the level of the water in the east pond at Butterfield Golf Course. Public Works Director Grant explained that during the summer, when the Golf Course is basically closed, we do not regularly add water to the pond. He will check the level.

### DISCUSSION AND ACTION ITEMS

#### 1. Approval of Minutes.

##### a. For the Meeting of June 19, 2014 (Special Meeting).

Motion made by Vice Mayor McCollough, seconded by Councilmember Bornt to approve the

minutes for the Meeting of June 19, 2014 (Special Meeting) with the mentioned correction. Voice vote 4-0. Motion carried.

## **2. Public Hearing**

**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 as Common Council of the Town of Wellton and convened a public hearing as the Board of Adjustment of the Town of Wellton at 7:08PM.

- a. Variance Case #14-403, Fairways 2 Development requests a variance allowing for a minimum lot size of 3,200 square feet (a reduction from the current minimum of 5,500 square feet for a Residential Lot).**

Town Manager Watenpaugh detailed Rancho El Mirage LLC's request to reduce the minimum required lot size. A question was raised regarding wastewater and whether the treatment plant would have the capacity for the new development. Victor Frankfather questioned the maximum lot coverage and ingress and egress into the property. It was explained that even with the reduction in lot sizes, the 50% maximum lot coverage would still be met. In addition, the levy road provides a second access.

- b. Variance Case #14-404, Fairways 2 Development requests a variance of ten feet (10') for front setbacks and a variance of three feet (3') for side yard setbacks.**

Town Manager Watenpaugh detailed Rancho El Mirage LLC's request to reduce the minimum setbacks. Mayor Deermer questioned how that would impact the Fire Departments ability to respond if the setbacks were smaller. Chief Rivera replied, "We can do anything with that ladder truck."

**Adjourn as Board of Adjustment for the Town of Wellton and reconvene as the Common Council of the Town of Wellton.**

Adjourned as Board of Adjustment for the Town of Wellton and reconvened as the Common Council of the Town of Wellton at 7:18PM.

- 3. Discussion and possible action to consider recommendations of the Board of Adjustment for the Town of Wellton in the matter of Variance Case #14-403.**

Motion made by Councilmember Bornt, seconded by Vice Mayor McCollough to approve the variance allowing for a minimum lot size of 3,200 square feet (a reduction from the current minimum of 5,500 square feet for a Residential Lot) for Fairways 2 at Coyote Wash Development for Rancho El Mirage LLC. Voice vote 4-0. Motion carried

- 4. Discussion and possible action to consider recommendations of the Board of Adjustment**

**for the Town of Wellton in the matter of Variance Case #14-404.**

Motion made by Councilmember Bornt, seconded by Vice Mayor McCollough to approve the variance of ten feet (10') for front setbacks and a variance of three feet (3') for side yard setbacks for Fairways 2 at Coyote Wash Development for Rancho El Mirage LLC. Voice vote 4-0. Motion carried

**5. Discussion and possible action regarding the Development Agreement between the Town of Wellton and Rancho El Mirage LLC.**

Town Manager Watenpaugh detailed the key points of the Development Agreement. He apologized to Mr. McMillian, as he did not get a copy of the updated Development Agreement until this evening. His Engineer, Craig Colvin was emailed a copy, which apparently was not forwarded to Mr. McMillian.

Town Manager Watenpaugh did point out the water meter issue still needs to be ironed out for the Development Agreement.

Chief Rivera confirmed the fire hydrant spacing needs to be 600' in the development. This is one of the issues that will be discussed further to accommodate the fire flow as well as the water meter.

Vice Mayor McCollough brought up the question of wastewater capacity for the area. Town Manager Watenpaugh did reiterate that Glen Curtis, although he did go bankrupt on the previous development, did not go bankrupt on the wastewater treatment plant. He is still in charge of that and is responsible for the maintenance and any future expansion of the plant. Town Manager Watenpaugh also pointed out that Pivotal (Links at Coyote Wash Utilities) has an Agreement for Service with McMillian. McMillian also has an Agreement with Curtis to fund the expansion of the existing plant.

Town Manager Watenpaugh stated Pivotal Utility has already provided an Agreement for Services to Rancho El Mirage LLC for Fairways 2 at Coyote Wash.

Town Manager Watenpaugh detailed the points regarding the wastewater system and the Town's standpoint of dealing with them. And the dealings with ADEQ and their involvement in the wastewater treatment plant.

Vice Mayor McCollough suggested the developer entertain the idea of a possible donation to Tri-Valley Ambulance Service as the residents of his park will be older and will potentially be using the TVA Service. Chief Rivera did mention the new Chief at TVA is very interested in returning to the RV parks and being involved in blood pressure checks, etc.

Motion made by Vice Mayor McCollough, seconded by Councilmember Jameson to approve the Development Agreement between the Town of Wellton and Rancho El Mirage LLC with mentioned amendments and clarifications. Voice vote 4-0. Motion carried.

**Future Agenda Items**

- Next Council Meeting scheduled for August 12, 2014.
- Revised and restated Agreement with Republic Services may be on the August Agenda.
- Chapter 15 Franchise Ordinance (currently at the attorney for review).

**Other Reports**

- Vice Mayor McCollough questioned as to where we were on the paperwork on the sale of the church property to Mission Antioquia Church Inc. Town Manager Watenpaugh advised the Agreement to Open Escrow was at Chicago Title and Katie Wofford was working on the Escrow Instructions at this time. The document will be brought back before Council for final approval of terms, etc. prior to signing.
- Town Manager Watenpaugh announced the Town is offering an Aqua Zumba class beginning July 15 at the pool on Tuesdays and Thursdays from 6:30PM – 7:30PM. The class will be 8 sessions long. It will be \$25 for the class or \$4 per session for drop-ins.

**Staff's Report**

No Staff Reports.

**Executive Session**

No Executive Session requested.

**Adjournment**

Motion made by Vice Mayor McCollough, seconded by Councilmember Bornt to adjourn. Meeting adjourned at 7:53PM.