



MINUTES

**WICKENBURG COMMON COUNCIL
REGULAR MEETING
Monday, December 16, 2024 - 5:30 P.M.
155 N. TEGNER - COUNCIL CHAMBERS
WICKENBURG, ARIZONA 85390**

- A. **CALL TO ORDER** – Mayor Bratcher called the meeting to order at 5:30 PM
- B. **PLEDGE OF ALLEGIANCE** - Led by Darcy Wekell
- C. **INVOCATION** - Led by Pastor Josh Hitchcock, First Southern Baptist Church
- D. **ROLL CALL**

Present: Mayor BG Bratcher
Vice Mayor Brian Jones
Councilmember Kristy Bedoian
Councilmember Shawn Clark
Councilmember Margaret Nyberg
Councilmember Rebecca Rovey
Councilmember Art Rubash (Left at 7:49 PM)

Staff Present: Andy Granger, Interim Town Manager
Trish Stuhan, Town Attorney
Tim Suan, Deputy Town Manager/Economic Development
Steve Boyle, Community Development Director
Amy Brown, Town Clerk
Les Brown, Police Chief
Tarah Mayerhofer, Human Resources Director
Ed Temerowski, Fire Chief
Herschel Workman, Public Works Director

E. MAYOR & COUNCILMEMBERS REPORT ON CURRENT EVENT

- Councilmember Rebecca Rovey thanked the town for a great tree lighting and light parade.
- Councilmember Margaret Nyberg stated that the tree lighting was a great evening.
- Councilmember Shawn Clark thanked the town for the tree lighting as it was an amazing event, and the parade was lots of fun.

- Councilmember Bedoian stated that the whole park was packed for the tree lighting, now if there wasn't an insurance issue to stop some of the arts and craft vendors from participating.
- Mayor BG Bratcher thanked the town and Elks for the free coat giveaway at the library. She attended the Maricopa Association of Governments (MAG) Regional Council meeting, Holiday Music Walk, Cops Who Care car show, West Valley Mayors and Managers meeting, League training for newly elected officials and the parade.
- PROCLAMATION – Speak Up, Stand Up, Save a Life – January 2025

F. TOWN MANAGER'S REPORT

- Community Development Director Steve Boyle gave an update regarding the zoning code as was requested by the Council. Matrix is done with 75% of the text and are sending to staff to review. The new sign code will be coming soon with a complete rewrite. It will take a few meetings to review the entire code with this planned to start at the Planning and Zoning Commission meeting in January. There will also be a community engagement portion with public participation. The plan is for final adoption in late spring, possibly in April with it coming for final approval to the Town Council after being approved by the Planning and Zoning Commission.
- Interim Town Manager Andy Granger reviewed the holiday schedule for town hall being open on the Mondays and part of Tuesday of each of the next two weeks. The Town Hall lobby and restrooms will be renovated during that time, so there will be limited access for the front counter only.

G. FINAL CALL for Request to Speak Cards to be turned into the Town Clerk.

H. CALL TO THE PUBLIC

- Vern Correa, Out-of-Town Resident, thanked Interim Town Manager Granger for his work for the town and was mad that he was leaving. He thanked him for moving the project along for the football field for the kids.

I. NEW BUSINESS

1. Action on the Consent Agenda -

MOVED BY Councilmember Kristy Bedoian to approve items a and c of the consent agenda

SECONDED BY Councilmember Rebecca Rovey

VOTE: 7 – 0 (Yes – Mayor Bratcher, Vice Mayor Jones, Councilmembers Bedoian, Clark, Nyberg, Rovey, and Rubash)

- a. Consideration and Action to Approve the Minutes of the Regular Meetings of November 18, 2024 and December 2, 2024 and Special Meeting of December 6, 2024

By a 7-0 vote under the Consent Agenda, Council moved to approve the minutes of November 18, 2024, December 2, 2024 and December 6, 2024.

- b. Consideration and Action Regarding Reappointments and New Appointments to the Board of Adjustment, Community Programming Advisory Committee, Economic Development and Transportation Advisory Committee, Parks and Trails Advisory Committee, and Planning and Zoning Advisory Commission

Amy Brown, Town Clerk, reported in her Council routing form that the Town Clerk's Office has advertised openings on the various Boards, Committees and Commissions with all applications due by November 7, 2024. Mayor Bratcher has reviewed the list of applications to fill most of the open seats on the committees. All the recommended members live in the town limits. All seats are recommended for a two-year term.

The town didn't receive any extra applications in order to fill the alternate seats and still has one vacant position on the Board of Adjustments. If residents still want to apply, they can put in applications, and they can be appointed to the alternate positions on the committees. Below is a list of the appointments:

Committee Name	Member Name	Application Received / Status	Term Expiration	Decision Today
Board of Adjustment				
	Mike Heath	10/21/2024	Dec-26	Reappoint
	Teresa Underdown	8/28/2024	Dec-26	Reappoint
Community Programming				
	April Douthett	10/16/2024	Dec-26	Reappoint
	Amy Monesmith	11/6/2024	Dec-26	Reappoint
	Emily Morse	10/2/2024	Dec-26	Reappoint
	Alyssa Standard	9/5/2024	Dec-26	Reappoint
Economic Development and Transportation				
	Geri Fair	10/21/2024	Dec-26	Reappoint
	Dwight Zemp	9/3/2024	Dec-26	Reappoint
Alternate	Bob Beacham	Alt- Appoint	Dec-25	Appoint
Alternate	Craig Froeter	Alt- Appoint	Dec-25	Appoint
New	Christal James	2/28/2024	Dec-26	Appoint

Parks & Trails				
	Cindy Chamberlin	9/9/2024	Dec-26	Reappoint
Alternate	Linda Brockwell	Alt- Appoint	Dec-25	Appoint
Alternate	Nancy Craig	Alt- Appoint	Dec-25	Appoint
New	Morgan Barnes	9/9/2024	Dec-26	Appoint
New	John Oplinger	9/26/2024	Dec-26	Appoint - Alt
Planning & Zoning				
	Bill Green	8/28/2024	Dec-26	Reappoint
	Mitch Jackson	8/29/2024	Dec-26	Reappoint
Alternate	Terry Belieu	Alt- Appoint	Dec-25	Appoint
New	Kristi Henson	11/6/2024	Dec-26	Appoint
New	Tom Pollei	9/9/2024	Dec-26	Appoint
New	Darcy Wekell	11/6/2024	Dec-26	Appoint

Mayor Bratcher announced that Mike Shubic withdrew his name for consideration on the Economic Development and Transportation Committee. She also asked the Town Clerk to tell about the process for filing the vacancies. Amy Brown, Town Clerk, reported that she will advertise for any open positions in January for them to complete an application and return to the town. Ads will be placed on social media and the town website. Below is a list of the remaining openings on the boards, committees and commissions:

- Board of Adjustment – 1 opening
- Community Programming – 2 alternate positions
- Economic Development and Transportation – 1 regular opening and 2 alternate positions
- Parks and Trails - 1 alternate position
- Planning and Zoning - 2 alternate positions

MOVED BY Vice Mayor Brian Jones to approve the listed reappointments and new appointments

SECONDED BY Councilmember Rebecca Rovey

VOTE: 7 – 0 (Yes – Mayor Bratcher, Vice Mayor Jones, Councilmembers Bedoian, Clark, Nyberg, Rovey, and Rubash)

- c. Consideration and Action to Approve the Renewal of the Intergovernmental Agreement (IGA) with the City of Glendale that Allows the Wickenburg Municipal Court to Refer Cases Involving Veterans to the West Valley Regional Veterans Court

Rosa Garcia-Marquez, reported in her Council routing form that in late 2016, the East Valley Regional Veterans Court, which is considered a specialty court, was created. This included six municipal courts on the east side of Maricopa County. It was initially created utilizing grant funds. After the grant expired, the municipalities have been sharing the cost based on the number

of cases that are processed in the specialty court, as referred by each individual court.

On December 8, 2022, the Presiding Judge of the Superior Court signed Administrative Order No. 2022-158 establishing the West Valley Regional Veterans Court. The participation of the Wickenburg Municipal Court was approved by council on December 19, 2022, and then renewed in December 2023. The Wickenburg Municipal Court would like to renew it for one more year.

The West Valley Regional Veterans Court was established with the goal of improving the quality of life for veterans and their families, including to maximize available resources and ensure the participation of the Veteran's Justice Outreach specialist from the U.S. Department of Veterans Affairs. This is a cooperative effort among judges, prosecutors, defense attorneys, members of the Veterans Health Administration, the Department of Veterans Affairs Justice Outreach program, human services and Mercy Maricopa Integrated Care.

Benefits of the Veterans' only program include but not limited to:

- The program is for veterans only, to help them address the pending charges and life situations that include medical conditions, mental health and drug or alcohol abuse that may be a contributing factor to the Veterans' charges.
- Veterans are able to utilize the same benefits earned through service, which gives them Veteran-specific resources.
- Plans are unique to the individual veteran.
- Participation helps minimize recidivism.
- Treatment is conducted through the VA or Social Services.

Veterans are eligible to participate if they are charged with a misdemeanor charge or the case cannot be processed through a diversion program. The Prosecutor's Office can refuse admission to the program if it would violate the law or the interest of justice. If the Veteran is challenging the charge, it will remain with the Wickenburg Municipal Court to resume regular court proceedings. A veteran enrolls by asking their attorney, the prosecutor, or the judge to determine eligibility.

When the program started, Judge DiPiazza, presiding judge of the Glendale Municipal Court, obtained a grant from the Department of Justice in the amount of \$197,235, that had been utilized by all the Municipal Courts that chose to participate in the West Valley Regional Veterans Court. This is to be used by the year 2025. The grant covered 75% of the cost associated with processing of each case; the municipal courts that are currently participating are responsible for paying 25%.

- The estimated cost per case is \$400.
- The Wickenburg Municipal Court will be billed annually.
- If no cases are referred, there is no cost to the court.

The Wickenburg Town Court assigned two (2) cases this past fiscal year (FY24) and two (2) cases in the current fiscal year. The invoice paid for FY24 was \$157.28. This is a benefit for veterans to receive treatment services that are offered through the U.S. Department of Veterans Affairs office.

By a 7-0 vote under the Consent Agenda, Council moved to approve the Renewal of the Intergovernmental Agreement (IGA) with the City of Glendale that Allows the Wickenburg Municipal Court to Refer Cases Involving Veterans to the West Valley Regional Veterans Court.

2. Consideration and Action to Recommend Approval of a Temporary Extension of Premises/Patio Permit for Vulture Peak Brewing Company for January 16, 2025 until June 15, 2025

Amy Brown, Town Clerk, reported that Vulture Peak Brewing Company is requesting a temporary extension of the premises permit in order to allow liquor to be brought outside their building from January 16, 2025 until June 15, 2025. They currently have a liquor license for alcohol sales, service, and consumption only inside their building. This permit requires Town Council approval, which will then be sent to the Arizona Department of Liquor Licenses and Control for final approval. All liquor license applications are reviewed by the Community Development and Police departments for compliance. There was an issue identified by the Community Development department.

Steve Boyle, Community Development Director, reported that the request for extension of premises for a liquor license involves an additional seating capacity of 78 persons. The actual permanent building has an occupancy of 35 persons which requires a permanent restroom facility which is in place as of today. Adding the additional 78 persons for an extended period of time in staff's opinion necessitates the addition of a complete restroom as the code requires 1 restroom with sink for each 40 persons. A temporary use is generally approved for 60 days or less and this application is for 5 months of the year. Staff's recommendation is that if the patio extension is granted, a permanent restroom needs to be constructed to accommodate the new capacity. Portable toilets and sinks are generally reserved for special events which last 7 days or less.

Mayor Bratcher asked if it could be for a trial of 4-5 months with the porta potties. She would like to see an enclosure around them and have them locked when they aren't open.

Councilmember Rovey also requested a shield around them for a temporary exception to the code.

Councilmember Bedoian stated that she received a concern from a neighbor with the porta potty being in their back yard. She attended a wedding once where they had a much nicer portable restroom that looked like a building instead of the plastic construction porta potties. She would like to see them work with the neighbors.

Vice Mayor Jones stated that he would like to help a local business but wondered about a rolling 30-day temporary permit to make sure they aren't creating issues in the neighborhood with the porta potties and any other issues.

Director Boyle stated that the town can monitor this under the occupancy issue to see if they are exceeding the number where an additional bathroom is necessary. The code is the code. The restrooms need to be clean and nice bathrooms. They can deal with it on a complaint basis.

Town Attorney Trish Stuhan stated that the application is actually a Temporary Extension of Premises permit from the Arizona Department of Liquor which the Council can either recommend approval or denial. The Council can approve it and tell them to work with Town Hall regarding plans for a permanent solution to the restroom issue, if the occupancy requires it but it would be a code enforcement issue. The state is the final decision on liquor licenses, the town just sends a recommendation to them. The state will either approve or deny for the requested five months, but it will be up to the town to enforce code issues.

Mayor Bratcher asked if there could be a temporary acceptance of the extension. Town Attorney Stuhan stated that this is based in International Building Code of a standard number of restrooms needed per occupancy in order to protect the health and safety of patrons. The codes need to be the same for everyone, without giving exceptions. The town will usually allow temporary exceptions for special events that are only a few days, not five months.

Director Boyle stated that there is little wiggle room in the I-Codes. He would like to see maybe a conditional approval with enforcement protocols such as occupancy issues or complaints about the restrooms not being cleaned.

Susan Webster, In-Town Resident, stated that her husband and herself own the brewery. They visited with Deputy Town Manager Tim Suan in October about the temporary extension of premises. The state doesn't have requirements for restrooms for any extension. She is okay with camouflaging the restrooms and locking them when they are not open. They will be in the rear of the building, so they will not be visible from the street.

Councilmember Clark asked about the cleanliness of the restrooms. Ms. Webster stated that they will be cleaned daily and weekly by the company.

Councilmember Nyberg asked about camouflaging them. Ms. Webster stated that they can put up fencing. The ones they are renting will have a sink and are only available for a month-long rental at a minimum.

Councilmember Bedoian would like to do this in two steps, one to approve the liquor license tonight and then come back to the Council with what they are going to do for the restrooms and talk to the neighbors. Director Boyle expressed that it would be appropriate for the staff to review the installation and any shielding of the units.

Town Attorney Stuhan stated that staff enforces the building codes, so if this is approved, it would be good to give options of what staff should be looking for.

Councilmember Clark stated that the Council should let staff do their job.

MOVED BY Councilmember Rebecca Rovey to recommend approval of the temporary extension of premises permit for Vulture Peak Brewing Company from January 16, 2025 until June 15, 2025 provide temporary restrooms are added that are screened from view and the owners work with staff

SECONDED BY Councilmember Kristy Bedoian

VOTE: 7 – 0 (Yes – Mayor Bratcher, Vice Mayor Jones, Councilmembers Bedoian, Clark, Nyberg, Rovey, and Rubash)

3. Consideration and Action to Approve Payment of \$20,000.00 to Rosenbauer America for a Down Payment of New Fire Department Aerial Apparatus

Ed Temerowski, Fire Chief, reported that the town has reserve fund 110-110-95150 for Fire apparatus replacement currently at \$1.25M. The CIP for this current fiscal year was pushed into next Fiscal year for the Aerial replacement project, with the current status of the 1986 Aerial apparatus being out of useful life cycle, and the build time on firefighting apparatus as the industry standard from time of order to completion 24–36 months. We are requesting to use the current funds for a down payment of \$20,000.00 on the unit that is currently in production and using the CIP for FY25/26 to fully fund the project upon completion in the spring of 2026 at a total cost of approximately \$1.6M. This will save 2 years of build time, \$250,000.00 in increased costs if we hold the order until July 2025. The unit specifications meet the needs of the community and will be the direct replacement for our current unit which will be out of useful service in 2025.

The current unit we have is a 1986 model Aerial apparatus, which had a refurbishment completed in 2015, to extend the duty cycle until 2025. NFPA standard: Fire Apparatus over 20 years is to be placed in reserve status and be removed from service after 25 years. We have the reserve funding for the down payment and will need the additional amount which will be budgeted in CIP for

FY25/26. This unit is a demo unit for \$1.6 million with a build time of 18 months. If we wait to order it is expected to cost \$1.8 million and take 36 months to build.

Councilmember Clark asked what the town does in the meantime when the other truck is taken out of service. Chief Temerowski stated that the town will not have a ladder truck at that time.

MOVED BY Councilmember Rebecca Rovey to approve the down payment of \$20,000.00 to Rosenbauer for the future purchase of an Aerial Apparatus, from the fire truck reserve line item 95150

SECONDED BY Councilmember Margaret Nyberg

VOTE: 7 – 0 (Yes – Mayor Bratcher, Vice Mayor Jones, Councilmembers Bedoian, Clark, Nyberg, Rovey, and Rubash)

4. Discussion, Direction to Staff, and/or Action Regarding Council Liaisons for Committees and Commissions

This item was heard at the end of the meeting after items 5 and 6.

Council decided on the following liaisons for the different committees and organizations:

- Community Programming Advisory Committee – Councilmember Shawn Clark
- Economic Development and Transportation Advisory Committee – Councilmember Kristy Bedoian
- Parks and Trails Advisory Committee – Councilmember Margaret Nyberg
- Planning and Zoning Advisory Commission – Councilmember Art Rubash
- Valley Metro – Mayor BG Bratcher
- WESTMARC – Councilmember Rebecca Rovey
- CDAC – Primary is Councilmember Margaret Nyberg and Alternate is Councilmember Shawn Clark
- GPEC – Vice Mayor Brian Jones
- MAG Regional Council – Mayor BG Bratcher
- PSPRS Boards – Mayor BG Bratcher
- MPC – Mayor BG Bratcher and Vice Mayor Brian Jones

5. Consideration and Action to Appoint an Interim Town Manager

MOVED BY Councilmember Kristy Bedoian to adjourn into executive session at 6:18 PM for items 5 and 6

SECONDED BY Councilmember Rebecca Rovey

VOTE: 7 – 0 (Yes – Mayor Bratcher, Vice Mayor Jones, Councilmembers Bedoian, Clark, Nyberg, Rovey, and Rubash)

Council returned to session at 7:49 PM. Councilmember Art Rubash left the meeting at 7:49 PM.

Tarah Mayerhofer, Human Resources Director, reported that the Council has decided to continue the contract with Interim Public Management (IPM) and hire Troy Smith as the interim town manager, being paid through general fund contingency. In addition, there will be costs for travel and lodging that will also be paid through general fund contingency.

MOVED BY Vice Mayor Brian Jones to continue the contract with IPM for the placement of Troy Smith as the Interim Town Manager effective January 9, 2025 with expenses from General Fund Contingency and place the Deputy Town Manager as the acting Town Manager during the interim

SECONDED BY Councilmember Rebecca Rovey

VOTE: 7 – 0 (Yes – Mayor Bratcher, Vice Mayor Jones, Councilmembers Bedoian, Clark, Nyberg, Rovey, and Rubash)

6. Presentation and Possible Action Regarding the Recruitment Process for the Town Manager Position

Tarah Mayerhofer, Human Resources Director, reported that the Council has requested to table this item to the first meeting in February and reach out to the companies for new proposals.

J. **EXECUTIVE SESSION** - (Council May Vote to Go Into Executive Session Pursuant to A.R.S §38-431.03(A)(3) to Receive Legal Advice from the Town Attorney on Any of the Above Agenda Items.)

1. An executive session pursuant to A.R.S. § 38-431.03(A)(3) and A.R.S. § 38-431.03(A)(1) for legal advice with the Town Attorney regarding appointment of an Interim Town Manager and consideration by Council of options for appointment through a contract with Interim Public Management, LLC (IPM).

K. **SCHEDULING OF FUTURE COUNCIL AGENDA ITEMS** - None

L. **ADJOURNMENT**

MOVED BY Councilmember Kristy Bedoian to adjourn at approximately 7:58 PM

SECONDED BY Councilmember Rebecca Rovey

VOTE: 6 – 0 (Yes – Mayor Bratcher, Vice Mayor Jones, Councilmembers Bedoian, Clark, Nyberg, and Rovey) (Councilmember Rubash left early)

BG Bratcher, Mayor

ATTEST:

Amy Brown, Town Clerk

CERTIFICATION

I, Amy Brown, the duly appointed and qualified Town Clerk of the Town of Wickenburg, do hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Town Council of Wickenburg, Arizona held on December 16, 2024. I further certify the meeting was duly called and held and that a quorum was present.

Amy Brown, MMC
Town Clerk