



MINUTES

**WICKENBURG COMMON COUNCIL
REGULAR MEETING
Monday, May 5, 2025 - 5:30 P.M.
155 N. TEGNER - COUNCIL CHAMBERS
WICKENBURG, ARIZONA 85390**

- A. **CALL TO ORDER** – Mayor Bratcher called the meeting to order at 5:32 PM
- B. **PLEDGE OF ALLEGIANCE** - Led by Fire Chief Ed Temerowski
- C. **INVOCATION** - Led by Don Droze, Seventh Day Adventist 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

Staff Present: Troy Smith, 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
Robert Martinez, Finance Director
Tarah Mayerhofer, Human Resources Director
Ed Temerowski, Fire Chief
Herschel Workman, Public Works Director

E. **MAYOR & COUNCILMEMBERS REPORT ON CURRENT EVENTS**

- PROCLAMATION - National Police Week - May 11-17, 2025
- Councilmember Rebecca Rovey attended the Planning and Zoning Commission meeting. She announced that the Wickenburg Christian Academy (WCA) girls just got first for softball with a win and thanked the coaches for starting the program this year.

- Councilmember Margaret Nyberg recognized the firefighters for International Firefighter Day on May 4th and congratulated them on a good softball tournament.
- Mayor BG Bratcher reported that Benner-Nawman just celebrated 100 years in business. She met with the State Treasurer Kimberly Yee regarding the town's investments. She attended the Battle of the Burg softball tournament and the National Day of Prayer at the Little Red Schoolhouse.

F. TOWN MANAGER'S REPORT

- Recognition of Wickenburg Leadership Academy Graduates
- Interim Town Manager Troy Smith congratulated Town Attorney Trish Stuhan on being awarded the municipal attorney of the year for 2025. The zoning code final version is expected by the end of the month with the public input in the fall with another consultant. There are still eight properties to sign the easements in the Lewis Addition, which is progress since they started with 40. The goal is still the end of May to be completed. Tegner repaving will start June 27th. There is also pavement preservation work going on around town. The Battle of the Burg with police versus fire in a softball tournament. The Adopt-a-Park program is available for anyone who wants to improve a part.

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

H. CALL TO THE PUBLIC

- Judy Johnson, In-Town Resident, stated that the rent in many of the senior mobile home parks are going up and will be difficult for people on a fixed income.

I. ITEMS OF BUSINESS

1. Action on the Consent Agenda -

MOVED BY Councilmember Kristy Bedoian to approve items a, b, c, and d 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 Special and Regular Meetings of April 21, 2025 and Special Meeting of April 28, 2025

By a 7-0 vote under the Consent Agenda, Council moved to approve the minutes of April 21 and April 28, 2025.

- b. Consideration and Action to Approve Administrative Change Order No. 1 to the Intergovernmental Agreement with Maricopa County, Administered by its Human Services Department for the Community Development Block Grant (CDBG) for the Santa Cruz Waterline

Kathleen Crutchfield, Grants Administrator, reported in her Council routing form that the proposed changes to the contract are administrative in nature only and do not involve any alterations to the specifics of the contract. These adjustments are related to updating the project timeline and modifying the funding source name to reflect the change from the Community Development Block Grant (CDBG) to the Community Development Block Grant CARES Act (CDBG-CV). Additionally, a "not to exceed" clause for the awarded amount of \$400,000 was added.

The Santa Cruz Waterline Project is a vital infrastructure improvement initiative aimed at enhancing the water distribution system in the Reed and Collins Additions area of Wickenburg. The project focuses on replacing aging waterlines along Santa Cruz from Washington to Adams Street, and Adams Street from Santa Cruz to Yavapai. In addition to the waterline replacements, the project will include necessary improvements to the surrounding infrastructure, such as:

- Curb, gutter, and sidewalk repairs and replacements
- ADA ramp updates
- New pavement installation
- Installation of new fire hydrants, water service lines, meter boxes, and water valves

This project is part of a broader effort to upgrade the community's infrastructure and improve the quality of services for residents.

This item seeks approval for Administrative Change Order No. 1 to the existing Intergovernmental Agreement between Maricopa County (administered by its Human Services Department) and the Town of Wickenburg. The proposed changes include:

- Revisions to the project timeline. Section 3, Work Statement, Paragraph 3-Implementation Schedule.
- A change in the funding source name from Community Development Block Grant (CDBG) to Community Development Block Grant CARES Act (CDBG-CV). Section 3 Work Statement, Paragraph 5-Budget.
- A statement specifying that the funding "will not exceed" the awarded amount of \$400,000. Section 5, 5.2.

These changes are necessary to align the project with updated funding parameters and timelines.

By a 7-0 vote under the Consent Agenda, Council moved to approve the Administrative Change Order No. 1 to the IGA with Maricopa County, administered by its Human Services Department, which includes revisions to the project timeline, a change in the funding source name, and the addition of a "not to exceed" statement for the awarded amount of \$400,000.

- c. Consideration and Action Approving the Transfer of \$400,000 from Electric Contingency for an Outstanding Invoice for La Paloma Overhead to Underground (OH/UG) Upgrades

Herschel Workman, Public Works Director, Town Clerk, reported in his Council routing form that during the previous fiscal year, an invoice from Arizona Public Service (APS) for the La Paloma Overhead to Underground upgrades was not processed in time to be applied to last fiscal year's budget. This was a budgeted expense in the prior years' budget. At the end of the fiscal year, the full budgeted amount was returned to the Electric Fund, Contingency line item and the expense was not included in this fiscal year's budget. As a result, the expense was paid out of this Fiscal Year's budget, which then prevents us from doing this year's Jackson/Mojave Overhead-to-Underground (OH/UG) project, which was budgeted at \$800,000 dollars. In order to keep moving forward with these critical infrastructure projects, it is recommended to transfer funds from the Electric Contingency account to Other Capital Purchases to fulfill this obligation.

By a 7-0 vote under the Consent Agenda, Council moved to approve the transfer of \$400,000 from the Electric Contingency fund to Other Capital Purchases to complete the Jackson/Mojave OH/UG upgrades.

- d. Consideration and Action to Adopt Resolution 2375 for the Vacating and Abandoning a Street Easement While Retaining all Utility Easement Rights Located between, 880 West Palo Verde Drive, 886 West Palo Verde Drive and 890 West Palo Verde Drive

Steve Boyle, Community Development Director, Town Clerk, reported in his Council routing form that in January 1953, the Town of Wickenburg received a Dedication of Street and Utility Easement in the Vista Del Rio Estates Subdivision for general public use of a fifty-foot wide strip of land for a street and as an easement for utilities. This dedication was made by adjacent landowners and accepted by the Town of Wickenburg Mayor at the time, CJ Pollay. It has been determined that the public street is no longer necessary for public use as a roadway. An easement for existing utilities will be retained by the Town and as well, the current property owners have recorded new easements for APS.

This Resolution 2375 to vacate the 50-foot public street on the properties is part of a negotiated settlement agreement to resolve the pending lawsuit filed in Maricopa Superior Court, Case No. CV2023-012279. Also a part of that

settlement agreement was to split the cost of a survey between the property owners and the Town to effectuate the settlement.

By a 7-0 vote under the Consent Agenda, Council moved to approve Resolution 2375 to vacate the street easement between 880,886, and 890 West Palo Verde Drive while retaining all utility easement rights.

2. Public Hearing and Action to Consider an Application by Michael Maerowitz of Snell & Wilmer, LLP for a Conditional Use Permit (CUP) at 1310 Kenrick Drive, Maricopa County Parcels 505-03-023C & 505-03-023J, for a Horse Training Facility with Boarding and an Approved Small Travel Trailer Park on a Site Less than 10 Acres in Size to Accommodate Short-term Stays for Limited Clients on 11.8 Acres of Land

Steve Boyle, Community Development Director, reported that the town has received a Conditional Use Permit application for two adjacent parcels at 1310 W. Kenrick Drive, located near the intersection of Cherokee Lane and Kenrick Drive. This area is semi-rural, with properties generally over one acre in size. The parcels are zoned R1-35 Single Family and the properties are approximately 11.8 acres in total size. The applicant is proposing to establish a horse boarding and training facility, along with a travel trailer park intended for short-term stays by clients using the equestrian services.

The property currently includes equestrian facilities such as a pole barn, corral, and shop. The future owner plans to expand these operations on the remaining land. Proposed additions include a private roping arena, cutting pen, horse stables, and up to four private RV pads. Since there are two parcels, the applicant also plans to eventually construct a single-family home and an accessory dwelling unit on each lot.

According to the zoning code, certain uses—such as horse boarding and travel trailer parks on parcels under 10 acres—are allowed with conditions. Conditional Use Permits require reasonable conditions that can be set by the town or in this case they have provided a list of self-imposed conditions which have been updated from the list in the packet.

A Conditional Use Permit may only be approved if the following criteria are met:

- The proposed use won't negatively impact nearby properties and is adequately separated from incompatible land uses or zones.
- There is an appropriate transition between different zoning intensities and the subject property.
- Adequate off-street parking is provided.
- The use complies with the Zoning Code and other applicable local, state, and federal regulations.
- The health, safety, and general welfare of the public will not be adversely affected.

The applicant will address each requirement in his presentation.

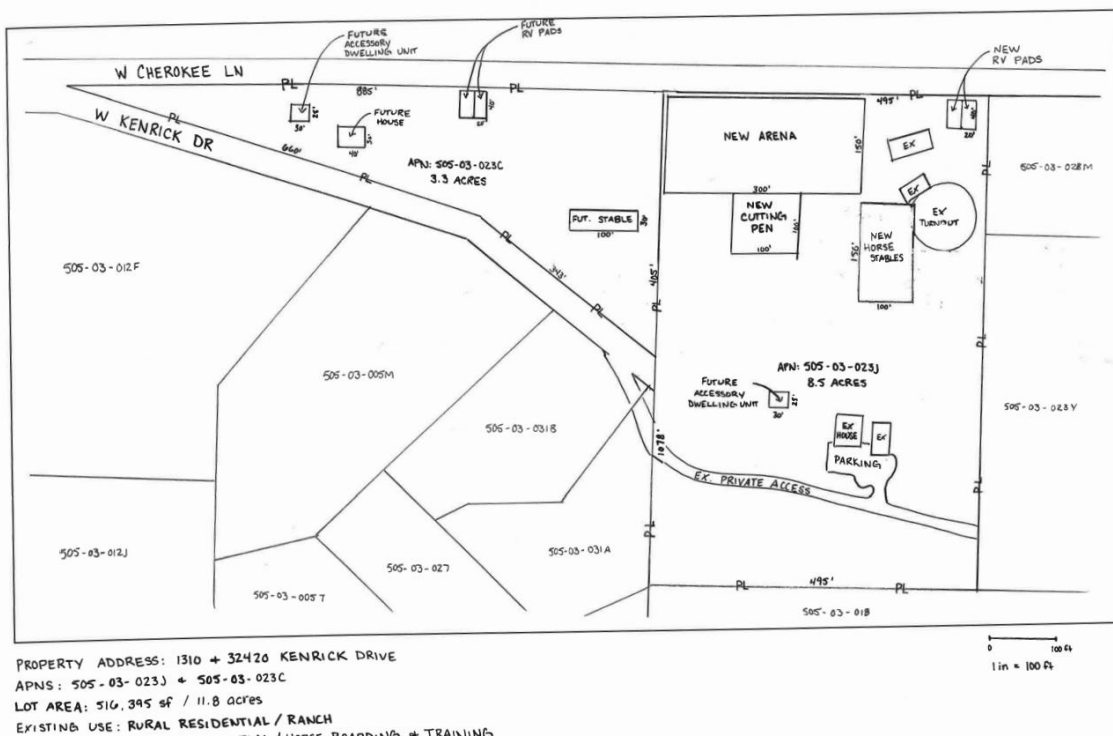
The subject parcels are surrounded by other large, rural, equestrian-friendly properties. Establishing horse training and boarding operation in this type of setting is common both statewide and nationally. The intent is to maintain the rural character of the area, aligning with neighboring equestrian uses.

The town held a public meeting last week for the nearby residents. The applicant attended that meeting and modified their self-imposed conditions to address some of the concerns that were raised in that public meeting. The Conditional Use Permit will allow the town to better enforce standards if issues arise. The following are the self-imposed conditions that have been updated:

- No more than 3 trainers will be present, horses will be boarded, trained and fed on property
- No rodeos or team roping competitions
- A maximum of 4 RV pads for private clients only. Property owner is not permitted to rent or lease RV pads to individuals not associated with the facility.
- RV Pads shall only provide water and electric service, no septic hookups shall be provided. In system holding tanks only and transported off-site for disposal
- No stadium seating or public events
- No amplified sound will be used outside of 8:00am to 5:00pm
- Training activities will end at sundown
- Outdoor lighting will be minimal and limited to stable areas. Freestanding lighting for proposes of illuminating walkways shall be low-level, not to exceed 3 feet in heigh. Building mounted lights shall be shielded with cut-off fixtures to direct light downward and shall not exceed 12 feet in height
- Sprinkle system or water truck will be used for dust control
- No more than 30 horse and 15 cattle (reduced from the original 30 cattle) will be kept on-site at any one time.
- Animal waste shall be collected in an enclosed dumper smaller than 3 yards. Maintenance of the dumpster waste shall be under private contract, with removal of waste occurring on a weekly basis.

R1-35, R1-87, & R1-175 are the only zones where horse boarding and training are permitted in the zoning code. It is the normal practice for boarding and training facilities to be in rural residential areas. Local Covenants, Conditions, and Restrictions (CC&R's) prohibit location in subdivisions, so there are a lot of areas in Wickenburg that don't allow horses or arenas. Business operation in residential area is allowed per the zoning code such as churches, B&B's, golf courses, schools, farm stands, and funeral homes.

Below is the proposed site plan for the location of the new arena, cutting pen, horse stables, RV pads, and future house.



Some of this property is in the flood way and flood zone, so anything new in those areas will need to be approved by the Flood Control District of Maricopa County (FCDMC). This includes any fence or building as they can alter the floodway.

At the neighborhood meeting, the main complaints are listed as:

- Commercial operation not allowed in residential zone
- Cattle amount seems excessive unless manure maintenance is great. Horse manure generally not a concern
- Add a self-imposed condition on manure maintenance, especially cattle
- Access a concern- Maintenance of Cherokee Lane public or private street?
- Rotating customers could cause excessive traffic
- Perspective property owner desires to maintain separate parcels of land and not consolidate
- Low level lighting asked for and shielding if necessary
- Seasonal use is proposed, little to no usage in summer months
- Flies to be controlled
- Flood Control will be necessary for permitting services as property is in the flood hazard area
- Notice was sent out to neighbors within 400' of property instead of 300'
- Blind spots on Cherokee Land a concern

Councilmember Clark asked if the town will be the entity to enforce the conditions and whether the new code will affect this. Director Boyle stated that the town will be the enforcer of the conditions through the active and reactive code enforcement. That new code will not be in effect until it is approved by the Council in the fall. This is an 11.8-acre property, so they can have 1 house per 1,200 feet of corral space, so if they fenced it all in, they could have many more horses than this number. The new code will change the animal count to make it more enforceable, but that will not be final until Council approves it after public comments.

Councilmember Rubash asked about the easement being blocked with a gate. Director Boyle stated that the easement is an ingress/egress public easement, so that can't be blocked, but he hasn't seen the actual easement agreement as the road is on this property.

Councilmember Clark asked if Cherokee is being maintained. Director Boyle stated that part of the road is Maricopa County responsibility, but the asphalt is in good shape. He is not sure of the schedule of road maintenance for the dirt area on Cherokee and Kenrick. The town did remove some sentiment sand on Cherokee.

Michael Maerowitz, Snell & Wilmer, LLP and the applicant, stated that the buyer of the property, Buddy Wilton, and the horse trainer, Ryan Thomas, are in attendance if there are specific questions of them. Horse training is only permitted in residential zoning areas. This property has had horses in the past and many of the neighbors have horses and arenas. The Conditional Use Permit is to allow horse boarding ancillary to a permitted residential horse training facility (Use Permit required per Section 14-4-2) and to allow travel trailer park on a site less than 10 acres in size to accommodate short-term stays for traveling clients of the facility (Use Permit required per Section 14-4-2). There are two parcels for a total of 11.8 acres with a zoning of Single-Family Residential R1-35, which is the same as all the neighbors zoning. There is no request to change the zoning. There is currently a house, corral, and stables on the property.

The trainer will be Ryan Thomas who is a professional horse trainer in cutting and reining. He was the Reserve Champion, 2024 Australia's Greatest Horseman with over a decade of experience working with National Reined Cowhorse Association (NRCHA) professionals. The horses that will be on the property will be either the owners, trainers or ones being boarded while they are being trained. For this type of training the minimum contract is for 90 days up to one year. There will be no public events, so it will have low traffic use.

He then reviewed the conditional use permit criteria:

1. The proposed use won't negatively impact nearby properties and is adequately separated from incompatible land uses or zones. He showed the location and pictures of five properties that are near this property with large

- arenas and many horse stalls on the property.
2. There is an appropriate transition between different zoning intensities and the subject property. The area around this property is all zoned the same as this property and they are not requesting a rezone.
 3. Adequate off-street parking is provided. The traffic and use will have a low number of vehicles compared to a normal boarding situation, since only those people and horses that are being trained will be there for long-term training. There is sufficient space on the property for the horse trailers and RV's.
 4. The use complies with the Zoning Code and other applicable local, state, and federal regulations. This type of use is only allowed in this zoning.
 5. The health, safety, and general welfare of the public will not be adversely affected. This is similar to other properties in the area and they have added 13 self-imposed conditions to try to ease the concerns of the neighbors.

The revised self-imposed conditions are as follows:

1. Horses will be boarded, trained, and fed at the Property and there shall be no more than three trainers on the Property at a single time.
2. Training operations will be limited to performance horse training. No rodeo or team roping competitions will be permitted or hosted on the Property.
3. A total of four RV pads are proposed to accommodate limited overnight stays for individuals transporting their horses to this Property.
4. RV pads will ONLY be used in connection with the horse training and boarding facility. THE PROPERTY OWNER IS NOT PERMITTED TO RENT OR LEASE RV PADS TO INDIVIDUALS NOT ASSOCIATED WITH THE HORSE TRAINING AND BOARDING FACILITY.
5. RV PADS SHALL ONLY PROVIDE WATER AND ELECTRIC SERVICE; SEPTIC HOOKUPS SHALL NOT BE PROVIDED. RV WASTE SHALL BE COLLECTED WITHIN INDIVIDUAL RV HOLDING TANKS AND TRANSPORTED OFF-SITE FOR DISPOSAL.
6. No stadium seating will be located on the Property and there will be no public events hosted on the Property.
7. No amplified sound will occur on the Property outside of the hours of 8am to 5pm.
8. Training activities will cease at sundown.
9. Outdoor lighting will be modest and limited to the stable areas for horse security and trainer safety. FREESTANDING LIGHTING FOR PURPOSES OF ILLUMINATING WALKWAYS SHALL BE LOW-LEVEL, NOT TO EXCEED 3 FEET IN HEIGHT. BUILDING-MOUNTED LIGHTING SHALL BE SHIELDED WITH CUT-OFF FIXTURES AND DEFLECTORS TO DIRECT LIGHT DOWNWARD AND SHALL NOT EXCEED 12 FEET IN HEIGHT.
10. A sprinkler system and/or water truck will be used to control dust.
11. HORSE WASTE SHALL BE COLLECTED IN AN ENCLOSED DUMPSTER NO SMALLER THAN 3 YARDS IN SIZE. MAINTENANCE OF THE DUMPSTER WASTE SHALL BE UNDER PRIVATE CONTRACT, WITH REMOVAL OF WASTE OCCURRING ON A WEEKLY BASIS.

12. No more than 30 horses will be located on site at a single time.
13. No more than ~~30~~ 15 cattle will be located on the Property at a single time.

They have four letters of support from some of the neighbors which he provided to the town. There are many horse boarding facilities in town. They want to do this the right way by going through the process of bringing this into town legally and adding self-imposed conditions. They would like to be the example of how to do this legally in the future.

Councilmember Clark asked how many trips the neighbors can expect. Mr. Maerowitz stated that there will have to be someone dropping off hay, a weekly disposal of waste from the trash truck, and customers dropping off their horses. He stated that based on 11.8 acres, they could have 450 horses on this property.

Councilmember Bedoian asked where the cattle will be kept. Mr. Maerowitz stated that they will be in the cutting pen.

Mayor Bratcher asked why the need for 30 horses. Mr. Maerowitz stated that Mr. Thomas can train 10-20 horses at a time plus his and the owner's horses. He wants to allow flexibility in the busy season.

Mayor Bratcher asked for the timeframe for the stay with the RV's. Mr. Maerowitz stated that it is usually just for a few days to make sure their horse is settled. The client is willing to stipulate that a stay can't be longer than seven days. Mr. Thomas is expected to train seven days per week.

Councilmember Jones asked about the amplified sound. Mr. Maerowitz stated that it is used for training, but they can do without it. Mr. Thomas uses a microphone and will usually have 1-2 speakers low to the ground. They will not be training at night.

Councilmember Rovey asked about the adverse effects on the neighbors. Mr. Maerowitz stated that this is in an area with many other large parcels with horses and arenas and the reasons for the conditions is to alleviate the adverse effects on the neighbors as much as possible.

Public Hearing Opened at 6:50 PM by Mayor Bratcher and requested civility by all in attendance to hear everyone's point of view.

Cindy Thrasher, In-Town Resident, stated that she grew up in this area as her name is Kenrick. She is worried about the well contamination as this is not a benefit to the neighborhood.

Wendy Castellanos, In-Town Resident, moved to Wickenburg for peace and quiet. She is worried about well contamination from the cattle as it takes a lot to get a permit rescinded.

Michele Painter, In-Town Resident, has horses and thanked Mr. Thomas and Mr. Holder for being open about what they are proposing to do on the property. This is horse country where there is already dust and noise. She looks forward to them being in the area.

Rachel Dara Prince, In-Town Resident, stated that she believes that the attorney is not in compliance with Title 15 for fraudulence since she was given the name of the proposed owner as Buddy Wilton and that must be a nickname because she can't find information on him. She put together a 12-page report using artificial intelligence (AI) regarding the issues with that many animals on 11 acres.

Sara Gordon, In-Town Resident, stated that she is with the Wickenburg Horseman's Association and thinks a horse facility for teaching cutting is a great addition to Wickenburg. Wickenburg is a great horse community.

Patrick Fly, In-Town Resident, stated that this is a professional horse trainer running a for-profit business in a residential area. There will also need to be employees on site such as a horse shoer, groomer, and stable person. This will increase traffic on Cherokee that is not maintained.

Cathy Billingsley, In-Town Resident, stated that she has been a resident for 60 years and was just introduced to the cutting world this past year. She thought that the trainer would also have to train the rider/owner of the horse and was worried about well issues. No one wants change, but Wickenburg has seen a lot of change in the last five years. Cherokee Lane has a lot of sand and a gate at the end. This was a great presentation on how to do this correctly and it will set precedent for those who have not done it correctly.

Chuck Guetz, In-Town Resident, stated that he lives close but is not for or against the project. He has no confidence in accountability if the conditions aren't followed. Cherokee Lane and Kenrick Drive are not maintained by the town. He thinks this was pushed through too quickly.

John Cook, In-Town Resident, stated that Wickenburg should be trying to do their best to get businesses into town to invest in Wickenburg. Horses are a part of Wickenburg, and this will bring money into town. They are trying to do this the right way. He would like to see the speakers limited.

Cathy Higgins, In-Town Resident and owner of this property for 40 years, stated that all the property is fenced and the private part of Kenrick Drive is actually on her property. In 1989, she granted a few neighbors access to Kenrick Drive. This is in the flood way, but she has a barn in that area, and she has never had it flood. There is good water in the area, and she turned down several other offers as she wanted someone who would take care of the property.

Layla Villasenor, Real Estate Agent for property and niece of owner, stated that there were several offers but when they met Mr. Wilton and Mr. Thomas, it seemed like the right fit. They have kept their promises and provided a level of transparency and accountability by volunteering to agree to self-imposed conditions. Most of the people in the area love horses. This project is being done the right way, by the book, by getting approval prior to building it.

Dwight Zemp, In-Town Resident, was concerned with them leveling the land which can increase the runoff. He thought there were too many animals for the area and could affect the water.

Larry Hibler, In-Town Resident, was against the project as he thought it was wrong for the neighborhood due to the smell of the cattle and urine into the ground.

Cathy Weiss, In-Town Resident, stated that these are quality people as she was able to find information on them online. The horses that are being trained cost between \$500,000 to \$1M, so she would think the owners would want to stay a few days to make sure the horses are settled. The town needs to be open to equine activities and businesses, especially when they want to do it the right way. This is different but is a perfect business for Wickenburg. The Council should approve this to stay with the Town Code. The town should welcome equine businesses.

Jim Brown, Flying E Ranch, stated that he has owned 1,200 horses in his lifetime. He does have empathy and respects the neighbors' views, but this is a good business for Wickenburg. Wickenburg has the right to be western, which includes horses and cattle. Many communities such as Prescott are kicking out the horses. He saw a boarding facility come next to some of his property and it brought up the value of the neighboring properties in the area. It can cost \$200,000 for this type of training. The neighbors might be surprised at how good this will be to bring up the property values in the area.

Geri Fair, In-Town Resident, stated that Wickenburg is a western town and they are doing this correctly by doing this up front. The town has always answered her calls for service and been honest and helpful.

Todd Bishop, In-Town Resident, stated that Cherokee Lane is a narrow road that is deteriorating. This will add extra use on the road. He would like them to address improvements on the road.

Ryan Thomas, Horse Trainer, stated that it would have been easy to come to Wickenburg to train horses and stay under the radar of the requirements. However, they wanted to do this the right way and be up front. This also protects them in the future, because they have an approved use on the property. He

doesn't need the public address (PA) system, if that is a concern, it can be taken out. He will do what it required to have a legal business including getting a business license and paying the taxes, as that is how you pay for the roads.

Councilmember Rovey asked about the hay and manure. Mr. Thomas stated that they will get large loads of hay, so it will be a few dozen loads per year. The manure will be picked up by a garbage truck, just like everyone else, so no extra trips. They will get the size of can that is needed. Customers do stay a few days to make sure the horse is settling in okay.

Councilmember Nyberg asked about the training of the riders. Mr. Thomas stated that people will usually drop off their horses and he will see how they interact and might help the rider with their horses. His training is primarily with horses.

Mayor Bratcher asked about other trainers. Mr. Thomas stated that they have stipulated no more than three trainers as sometimes they will train and teach each other. That means that he will also go to other locations for a few days to visit other trainers.

Mayor Bratcher asked about staff that are hired to help. Mr. Thomas stated that he has a groomer that helps him. He has a small business and works on quality, not quantity.

Mayor Bratcher asked about Kenrick Drive for the road into other properties. Director Boyle stated that he hasn't seen the easement for Kenrick Drive to know if it was granted only for a few other properties. There are many who use it for access and if there is an accident on the bypass, locals know how to use the backroads to get around traffic.

Public Hearing Closed at 7:47 PM

Vice Mayor Jones thanked everyone for their feedback. This will set precedent to show others how to do this the right way. The town wants to encourage people to do their research and apply for permits before doing work so that everything is done according to the code. This will put conditions on the use that will make it easier to enforce. Town Attorney Stuhan stated that the zoning code requires a conditional use permit (CUP) for a horse boarding facility and RV pedestals in residential areas. This is a greater use than the normal code, which is why the CUP is required. The CUP will add conditions to try to mitigate the effects on the neighbors. There will be land use impacts such as traffic, noise and dust, but it is permitted by the code to be in residential areas. It will be up to staff to ensure compliance with the conditions. The neighbors can file a complaint if they see issues. The town can add to the conditions such as an administrative review of the facility in a year to have a check in the future.

Councilmember Rovey sees that there are concerns on both sides. She would like to see the administrative review in a year of the conditions as well as no sound system.

Councilmember Clark thanked both sides for their input and Mr. Thomas for bringing this business to town. He would like to see the town address the streets in the area.

Councilmember Rubash stated that he is a property rights person until it impedes on the neighbors and it sounds like the neighbors don't want this.

Councilmember Bedoian stated that property rights are important to her also and wanted to verify that all the surrounding properties were R1-35. Director Boyle confirmed the zoning.

Councilmember Bedoian also requested the town maintain the roads.

Mayor Bratcher would like to delay approval of this until the new zoning code is in place. She has concerns about the number of horses, the number of RV's and the grading and drainage of the property. This is a different use with an arena and business being run seven days per week.

Councilmember Rovey stated that they could have more animals with the current code than is requested. They could have come in without requesting the CUP, which will give the town more oversight.

Town Attorney Stuhan also requested the last sentence in the CUP to change to read that this Use Permit is subject to all limitations of the Wickenburg Town Code and may be terminated as set forth in the Wickenburg Town Code

MOVED BY Councilmember Margaret Nyberg to approve the Conditional Use Permit (CUP) for a Horse Boarding and Training Facility along with 4 RV pads at 1310 Kendrick Drive with the recommended conditions as outlined in the CUP and add a one-year administrative review for compliance, no PA system and the attorney clean up of the last sentence in the CUP

SECONDED BY Councilmember Shawn Clark

VOTE: 5 – 2 (Yes – Vice Mayor Jones, Councilmembers Bedoian, Clark, Nyberg, and Rovey) (No - Mayor Bratcher and Councilmember Rubash)

Recess was called at 8:12 PM.

Meeting was reconvened at 8:30 PM

Item 4 was heard prior to Item 3.

3. Presentation Approving a Contract with Felix Construction Company for the South WWTP Intensification Project in the amount of \$2,903,161.00 per Bid 24-03

Herschel Workman, Public Works Director, reported that the South Wastewater Treatment Plant (SWWTP) Intensification Project aims to expand and enhance the liquid stream capacity of the existing South WWTP from 0.8 million gallons per day (MGD) to 1.2 MGD. The project will introduce intensification techniques to improve both hydraulic and biological treatment capacity by incorporating media into the bioreactor. Additionally, two new center-fed drum screens will be installed to recover and maintain the media, along with two new waste activated sludge (WAS) pumps, associated piping, electrical distribution, and instrumentation enhancements.

After a thorough review of the proposals, Felix Construction Company has been selected as the contractor for the project at a total cost of \$2,903,161.00 through a sealed bid process. The original engineers' estimate for the project was 1.4-million dollars. A 1.4-million-dollar WIFA loan was procured to fund the project. Additional funding for the project will include the reallocation of ARPA funding from the future Headworks project in the amount of \$1,000,000 dollars. Additionally, \$600,000 will initially be pulled from Wastewater 1 Contingency to fund the remaining amount and allow for award of the contract. However, staff will be working with WIFA to reallocate \$600,000 from the future UV Disinfection Project, which was originally funded at \$1.4M dollars. That project is currently being redesigned and is expected to only cost \$800,000 in the final configuration.

MOVED BY Vice Mayor Brian Jones to approve the contract with Felix Construction Company for the South WWTP Intensification Project in the amount of \$2,903,161.00 per Bid 24-03 and authorize \$600,000 from Wastewater 1 Contingency and the use of budgeted ARPA funding

SECONDED BY Councilmember Kristy Bedoian

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

4. Consideration and Action on the Sale of Real Property, Consisting of Parcel # 505-50-141 Located at 74 W Wickenburg Way to the Humane Society through Bid 25-02

MOVED BY Councilmember Shawn Clark to adjourn into executive session at 8:21 PM for Item J1

SECONDED BY Councilmember Margaret Nyberg

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

Meeting was reconvened at 8:29 PM.

Interim Town Manager Smith stated that this item was heard on April 7, 2025 and tabled to give staff time to work with the Humane Society on the price. They have come back with a new purchase price of \$575,000.

MOVED BY Councilmember Kristy Bedoian to approve the sale of real property, Maricopa County Parcel #505-50-141, located at 74 W Wickenburg Way, to the highest qualified bidder through Bid 25-02 and authorize the Town Manager and Town Attorney to take all necessary steps to complete the sale for \$575,000.00

SECONDED BY Councilmember Rebecca Rovey

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

5. Consideration and Possible Action Regarding the Town Manager Vacancy, Hiring Process, Possible Job Offer to a Candidate, and Approval of a Contract

MOVED BY Councilmember Kristy Bedoian to adjourn into executive session at 8:34 PM for Item J2

SECONDED BY Vice Mayor Brian Jones

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

Meeting was reconvened at 9:58 PM

Mayor Bratcher announced that this item will be continued to the May 12th meeting.

- 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 (1) A.R.S. § 38-431.03(A)(3) for discussion or consultation for legal advice with the Town Attorney; (2) A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney regarding the Town's position and to instruct the Town Attorney regarding a contract that is the subject of negotiations; and (3) A.R.S. § 38-431.03 (A)(7) for discussions or consultations with designated representatives of the Town in order to consider the Town's position and instruct its representatives regarding negotiations for the purchase, sale, or lease of real property; all related to real property consisting of approximately 0.37 acres of real property and 5,018 square foot building located at 74 W Wickenburg Way.
2. An Executive Session Pursuant to A.R.S. §§ 38-431.03(A)(1), 38-431.03(A)(3), and 38-431.03(A)(4) For (1) Discussion and Consideration of Employment of Town Manager And Interview of Candidate; (2) Discussion or Consultation for Legal Advice with the Town Attorney regarding Appointment of a Town Manager; and (3) Discussion or Consultation with the Town Attorney in order to consider its

position and instruct the Town Attorney regarding the Town Council's position regarding the Town Manager Contract. Candidate for appointment is Troy Smith.

K. SCHEDULING OF FUTURE COUNCIL AGENDA ITEMS - None

L. ADJOURNMENT

MOVED BY Councilmember Kristy Bedoian to adjourn at approximately 9:58 PM

SECONDED BY Councilmember Rebecca Rovey

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

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 May 5, 2025. I further certify the meeting was duly called and held and that a quorum was present.

Amy Brown, MMC
Town Clerk