

***I. PROCEDURES***

- A. Call to Order Chairman Williams called the meeting to order at 6:59 p.m.
- B. Pledge of Allegiance Chairman Williams led the pledge of allegiance.
- C. Roll Call Present were Chairman Buck Williams, Vice Chairman John Holst and Commissioners Brad Massey, Harry Schmitz, and Greg Brooks.. Commissioners Gabe Ayala and Josh Smiley were not in attendance. Present from staff were Building Inspector Tim Pettit, City Manager Brandon Buchanan and City Clerk/HR Director Susan Kerley.
- D. Adoption of Agenda Commissioner Massey made a motion to adopt the Agenda. Commissioner Schmitz seconded the motion, and it carried 4-0.
- E. Approval of Minutes from August 18, 2011 Commissioner Schmitz made a motion to approve the minutes as presented. The motion was seconded by Commissioner Massey, and it carried 4-0.

***II. Public Participation - None***

***III. Amendment to Sign Code to Allow and Regulate Electronic Display Signs***

- A. Report to the Planning & Zoning Commission Tim Pettit reported that Staff has proposed an amendment to P & Z to regulate electronic display signs. They want to stay away from the main downtown area but allow them in HC areas – any area that leads into town limiting the signs to City-owned or City-leased property. EDS, or electronic display signs, are an excellent way to promote community events instead of using banners. Redefining animated and illuminated and electronic signs will be necessary. Now, paragraph O is the only allowed definition.
- B. Recess to Public Hearing No members of public were present.
- C. Reconvene Regular Planning & Zoning Session
- D. Discussion and Decision Commissioner Schmitz understands that approval is done by Conditional Use Permit. Commission must find that there will be a positive economic impact. Usually it is their job to find hardship or negative impact. A CUP would come to P & Z and then to Council. New Commissioner, Greg Brooks, warned that they may be applying spot zoning by differentiating between HC and CBD zones. Tim Pettit reassured that this would not be the case. Using the EDS would get rid of most of the temporary banners. Commissioner Williams asked how this came before P & Z. Tim Pettit replied that it was brought to him by the Chamber of Commerce. Brandon Buchanan said that the City's hope is to sell space to businesses and to announce special events. John Holst suggested that, if the purpose is to do announcements of public events, specific locations on City property should be

designated. He recalled that the intent on the Clean & Beautiful logo signs was the same, and it grew out of control. This would also have a tendency to grow out of control. It is important to figure out how this will be a benefit to the community.

Greg Brooks found the proposal to be well put together. He would exclude the EDS from the downtown Historic District, coupled with exclusion of banners except for special circumstances. Allow them in other districts. The challenge would be how to make it work, allowing for private advertising on signs would generate revenue for the City through increased sales tax.

John Holst reiterated that to prevent this from getting out of control, designated, pre-approved locations for the EDS should be determined.

Brandon Buchanan said that the intent is to do institutional advertising and community events at the northeast corner of the Visitors' Center parking lot where the ditch goes under Grand Canyon Boulevard.

Determining the limitations of how much advertising a business can buy and other protocols would be handled through the development of managerial policy not by Ordinance.

Brandon Buchanan will consult with the City's Attorney regarding designating pre-determined spots for EDS.

EDS would replace banners for community events and would leave only the temporary banners permitted to businesses for three days.

Commissioner Williams read Item G which stipulates allowable, larger signage in the area around Grand Canyon Boulevard and Interstate 40. He suggested working on re-zoning while they are reviewing the General Plan.

Findings from this discussion were:

Consider City-owned or leased locations for EDS

Look into the feasibility of renting space on signs

Define "public benefit."

#### ***IV. ADJOURN***

This discussion will be continued at the next meeting on April 19, 2012. The meeting adjourned at 8:00 p.m.

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Buck Williams, Chairman

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Susan Kerley, City Clerk

***I. PROCEDURES***

- A. Call to Order Chairman Williams called the meeting to order at 7:00 p.m.
- B. Pledge of Allegiance Chairman Williams led the pledge of allegiance.
- C. Roll Call Present were Chairman Buck Williams, Vice Chairman John Holst and Commissioners Gabe Ayala, Brad Massey, Harry Schmitz, Josh Smiley, and Greg Brooks. Present from staff were Building Inspector Tim Pettit, City Manager Brandon Buchanan and City Clerk/HR Director Susan Kerley.
- D. Adoption of Agenda Commissioner Holst made a motion to adopt the Agenda as presented with one change: reversing the order of Items III and IV. Commissioner Massey seconded the motion, and it carried 6-0.
- E. Approval of Minutes from March 15, 2012 Commissioner Brooks made a motion to approve the minutes as presented. The motion was seconded by Commissioner Massey, and it carried 6-0.

***II. Public Participation - None***

***IV. Amendment to Sign Code to Regulate Off-Site Signage  
(Case #PZ-12-03-002***

- A. Report to the Planning & Zoning Commission Brandon Buchanan reported that when the existing blue Clean & Beautiful signs were installed they were legal. When the current Ordinance took effect, it negated all earlier ordinances and amendments. This has come up because Clean & Beautiful wants to make changes in the existing signs. They cannot change the signs now because they are legally non-conforming signs. The proposed amendments are very specific in language. Modifications were made to make existing signs fit the Ordinance.
- B. Recess to Public Hearing No members of public were present.
- C. Reconvene Regular Planning & Zoning Session
- D. Discussion and Decision Commissioner Holst expressed disagreement with the spacing allowed between the signs and the height of the signs. He feels that signs should be at least 300' apart and their height no more than 12'. Commissioner Brooks suggested moving the two signs that are now out of compliance with the 100' spacing requirement. After a brief discussion, Commissioner Brooks made a motion to approve the amendment with three changes:
- In Paragraph P, change "Edison Avenue" to "Rodeo Road."
  - In Paragraph P (1), change "sixteen (16) feet above grade" to "twelve (12) feet above grade."
  - In Paragraph P (2), change "one hundred (100) feet" to "three hundred (300) feet."

Commissioner Holst seconded the motion, and it carried 6-0.

**III. Amendment to Sign Code to Allow and Regulate Electronic Display Signs  
(Case #PZ-12-02-001)**

A. Report to the  
Planning &  
Zoning  
Commission

Tim Pettit reported that he has been working with City Attorney, Kellie Peterson, on this Amendment. Her concern is that placing the signs only on City-owned property could be construed as spot zoning. Also, she shied away from legislating exactly what could appear on each ad.

Tim Pettit said he is comfortable with the homework and research he has completed. He suggested allowing EDS just in the HC Zone. We are being more restrictive than most other cities. He prefers not allowing EDS in the Historic District. Allowing none downtown unless a public benefit district is there on public property would also be his suggestion.

B. Recess to Public  
Hearing

No members of public were present.

C. Reconvene Regular Planning & Zoning Session

D. Discussion and  
Decision

Commissioner Williams read excerpts from a *Daily Sun* article about proposed State legislation that would create a 75-mile EDS-free zone around observatories. If we make an ordinance in Williams, would it be grandfathered in? He wondered if the City Attorney had an opinion.

Commissioner Holst responded to Commissioner Schmitz's question of whether the General Plan contains any verbiage to cover EDS. He said the Plan covers it in two areas under protection of visual impact to the Historic District.

Chairman Williams noted that the General Plan revision is due in 2013 and that this Commission would be working on it.

Commissioner Brooks said the Chamber (of Commerce) wanted to put in an electronic display sign, and the question about placing it in the Historic District came up. He feels it would benefit the community as a whole to have a sign outside of the Main Street (Route 66 eastbound) area. To get tourists into the downtown area, he thinks it would be in the best interest of the City to approve that location (at the northeast side of the Visitors' Center parking lot) for a sign. On the issue of the bill going through the House and Senate, he feels the City should act now as it may not be able to do anything later.

Tim Pettit added that the matter of electronic display signs was not just brought up by the Chamber of Commerce; it was brought up by businesses in the Historic District.

Commissioner Brooks made a motion to accept the proposed amendments as presented by Staff. Commissioner Massey seconded the motion, and a roll call vote was taken.

Williams Yes  
Holst No  
Ayala No  
Brooks Yes  
Massey No  
Schmitz No  
Smiley Abstain

The motion was defeated 4 nays to 2 ayes with one abstention.

***V. ADJOURN***

Commissioner Brooks made a motion to adjourn. Councilman Smiley seconded the motion, and it carried 6-0. The meeting ended at 7:54 p.m.

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Buck Williams, Chairman

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Susan Kerley, City Clerk

**CITY OF WILLIAMS CITY COUNCIL**

**REGULAR MEETING  
APRIL 26, 2012  
7:00 P.M.**

**CITY COUNCIL CHAMBERS  
113 S. FIRST STREET  
WILLIAMS, ARIZONA**

**AGENDA**

PURSUANT TO A.R.S. #38-431.02, NOTICE IS HEREBY GIVEN TO THE MEMBERS OF THE CITY COUNCIL AND THE GENERAL PUBLIC THAT THE CITY COUNCIL WILL HOLD A MEETING OPEN TO THE PUBLIC **THURSDAY, APRIL 26, 2012, AT 7:00 P.M.** IN THE CITY COUNCIL CHAMBERS, 113 S. FIRST STREET, WILLIAMS, ARIZONA. THE COUNCIL WILL DISCUSS AND MAY TAKE ACTION ON THE FOLLOWING MATTERS:

**I. PROCEDURES**

- A. Call to Order
- B. Pledge of Allegiance and Invocation
- C. Roll Call

- |                          |                          |
|--------------------------|--------------------------|
| _____ Mayor Moore        | _____ Councilman Hiemenz |
| _____ Vice-Mayor Dent    | _____ Councilman Miller  |
| _____ Councilman McNelly | _____ Councilman Wurgler |
| _____ Councilman Payne   |                          |

- D. Approval of Minutes: April 12, 2012
- E. Adopt Agenda

**II. PRESENTATIONS**

- A. Annual update from Greater Williams Community Fund: Kris Vasquez and Donna Eastman Liddle
- B. Kaibab Forest Service Review of *Draft Land and Resource Management Plan for the Kaibab National Forest* and *Draft Environmental Impact Statement (DEIS)*.: Ariel Leonard, Forest Planner

**III. PUBLIC PARTICIPATION**

The Council cannot act upon items presented during the public participation portion of the agenda. Individual Council members may ask questions of the public or may respond to any criticisms, but the members are prohibited by the open meeting law from discussing or considering the items among themselves until the time that the matter is officially placed on the agenda. The open meeting law does, however, allow the City Council to ask staff to review a matter or ask that it be placed on a future Council agenda.

An individual person has a five-minute time period to speak. If a person has a written presentation that requires more than five minutes to present verbally, he should indicate the estimated time required on the sign up sheet. The presiding officer may grant additional time if the agenda for the meeting is not too full. A registered spokesperson for a recognized community organization shall be afforded ten minutes provided other members of the same organization agree before hand to withhold their individual comments on the same subject.

**CITY OF WILLIAMS CITY COUNCIL**

**REGULAR MEETING  
APRIL 26, 2012  
7:00 P.M.**

**CITY COUNCIL CHAMBERS  
113 S. FIRST STREET  
WILLIAMS, ARIZONA**

**AGENDA**

**IV. CONSENT AGENDA ITEMS**

- C. Approval of Purchase Orders: J. Duffy

**V. NON-CONSENT AGENDA ITEMS**

- D. Council may approve a Volunteer Service Agreement for Natural Resource Agencies that will allow members of the Mayor's Youth Advisory Group to adopt the Bill Williams, Clover Spring, and Buckskinner Trails on Bill Williams Mountain: Amanda Wamble
- E. After discussion, Council may adopt Resolution No. 1279, authorizing a transportation enhancement application for matching funds for artifact acquisition for the Arizona State Railroad Museum: B. Buchanan:

**RECESS TO**

**BOARD OF ADJUSTMENTS**

- F. Discussion of amendments to the permitting and regulation of off-site signs.

**RECONVENE TO REGULAR SESSION**

- G. Council may approve the first reading of Ordinance No. 928, permitting and regulating Off-Site signs: B. Buchanan
- H. Council may adopt Resolution No. 1278, approving the Amendments to the Rural Arizona Group Health Trust (RAGHT) Agreement and Declaration of Trust: S. Kerley

**VI. REPORTS, CURRENT EVENTS AND INFORMATION ITEMS**

- I. Mayor and Council
- J. Staff Reports

**VII. ADJOURN**

***I. PROCEDURES***

- A. Call to Order Chairman Williams called the meeting to order at 7:00 p.m.
- B. Pledge of Allegiance Chairman Williams led the pledge of allegiance.
- C. Roll Call Present were Chairman Buck Williams, Vice Chairman John Holst and Commissioners Gabe Ayala, Brad Massey, and Harry Schmitz. Commissioners Greg Brooks and Josh Smiley were absent. Present from staff were City Manager Brandon Buchanan, Building Inspector Tim Pettit, and City Clerk/HR Director Susan Kerley.  
Attorney Kellie Peterson was also present.
- D. Adoption of Agenda Commissioner Massey made a motion to adopt the Agenda as presented. Commissioner Ayala seconded the motion, and it carried 4-0.
- E. Approval of Minutes from April 19, 2012 Commissioner Holst made a motion to approve the minutes as presented. The motion was seconded by Commissioner Massey, and it carried 4-0.

***II. Public Participation - None***

***III. Request for Conditional Use Permit for 341 E. Route 66 (old Pouquette Realty Building)  
(Case #CUP-12-09A)***

- A. Report to the Planning & Zoning Commission Copies of the Report by Tim Pettit were distributed to the Commissioners and were available for the public.
- B. Recess to Public Hearing Chairman Williams introduced this item by saying that Mr. Tim Moore, not related to Mayor John W. Moore, was available for questions. In April the State of Arizona approved medical marijuana facilities. It was made mandatory by the State law that City Councils or Planning & Zoning Commissions or nobody could prevent such facilities by setting restrictions but could set parameters. We cannot pass laws that deny facilities. According to State law, if they comply with the City's Ordinance No. 916, the City cannot deny them.  
The Cannabis Research Group/Tim Moore has made a request for a Conditional Use Permit for the Poquette Building. Our job this evening is to make certain he complies with Ordinance No. 916 and to do what is best for the City, not act on our feelings.  
Members of the public offered comments, some more than one time. (Repetitions will not be included in these annotated minutes.)  
Priscilla Lagier:  
As a former Planning Commissioner of a City of 80,000, she can appreciate the Commissioners' position. The proposed location sits among businesses on Route 66, and it is not consistent with the other businesses in the area. Please consider the character of the businesses

surrounding the proposed location. She urged Commissioners to not approve the application for this location. She suggested another area rather than Route 66.

Bill Miller:

Route 66 is a main tourist road, traveled by people from all over the United States. Within a block, there are five family hotels, four family restaurants, dog grooming and a beauty shop. He believes other places should be sought out for the medical marijuana facility. He fears we will develop tourist trade for marijuana if medical cards can be gotten in one day.

Ruth Sanzari:

Residents can do nothing to prevent the medical marijuana dispensary other than request another location other than Route 66. It may hinder business of Twister's, Wild West Junction and hotels.

Ryan Schmitz:

As a former communications major at NAU, he understands that everything communicates. He is here because of the quality of life. He believes the City Council, Planning and Zoning Commission, and Building Inspector are gatekeepers. He asked what image should be communicated in Williams and doesn't think that the City of Williams deserves this business on Route 66.

Lawrence Sanchez:

He owns a business within 200' of the proposed location, and he agrees with what has been said. He believes for-profit businesses like his and others will be hurt. This is not something we want Williams to be known for in its promotions.

Judy Givens:

Some months ago a homeless shelter was prevented from going onto Route 66, This is an iconic highway, not the place for this type of facility. Why pick a small place like Williams, why not in Flagstaff or out on the highway? She respectfully asked that this location be re-considered.

Margaret Mason:

She believes such a business will revitalize the downtown area.

Tom Hooker:

As a Scout Master in town, he can't see this message being sent to Scouts as an appropriate one, and he can't imagine the message sent by this establishment would be a positive one.

Patty Williams:

She knows some in town who would use marijuana as a medication but would purchase it elsewhere or grow it themselves so others don't know they're using it.

Dave \_\_\_\_\_: (No Citizen Information Card Submitted)

He asked if police have been asked how they feel about the facility.

Chairman Williams replied that he talked with the Police Chief today. The State has approved facilities, but the Feds have not. The police will be involved in security if this goes through.

Bill Miller:

He asked Attorney Peterson if there was any provision for this Commission to deny the permit. She replied that if there is evidence that the applicant has taken the necessary steps provided by the Ordinance, the permit should be approved. P & Z makes its recommendations to City Council for a “yes” or “no” for final approval. P & Z is a screening committee.

C. Reconvene Regular Planning & Zoning Session

Chairman Williams conducted a review of the *Checklist for the P & Z Approval of Conditional Use Permit Under Ordinance 916*. All items seemed to be met satisfactorily.

D. Discussion and Decision

Tim Moore explained that his group was awarded Williams on August 7<sup>th</sup> in a lottery conducted by the State. A majority in the State voted for the legislation that allowed facilities. He understands most people have a problem with the location. There will be no signage designating this as a medical marijuana clinic. The low-key sign will read, “Route 66 Wellness Center.” There are only about 60 patients in the Williams area so they don’t expect traffic. They are not looking for a large retail business. The Cannabis Research Group has a cancer clinic in Scottsdale where they are doing clinical trials with patients. They have to have a dispensary in the State to do these trials. Access to the building will be limited to one person per card, and cards are run to find out if the patient is eligible to receive the product, based on the amount used and how frequently. Lingered outside the building or smoking in a car are illegal. The product can only be used at home. They are looking for the availability of products in Scottsdale. 70% of patients in chemo suffer from nausea.

How is the marijuana distributed? It is kept in a locked area in a loose form in plastic containers. No edibles will be available, and it will not be a smoke shop. They have no plans for cultivation in this area.

There are 60 patients now registered in this area. Their Clinic in Scottsdale has 1,700 patients with 1,000 participating in clinical trials.

Commissioner Ayala believes this is the wrong location and is not in the best interest of the community.

Commissioner Schmitz noted that, based on the testimonies heard, such a facility would be detrimental to the general welfare. Almost everyone in the audience is in opposition to the location on Route 66. He can find that it is inconsistent with the General Plan and vote against recommending it to Council.

Commissioner Holst asked where might be a more acceptable location.

He suggested everyone get over the “image” of Route 66. He believes the guidelines are as tight and clean as we can get. He has looked at the proposed building and cannot see a detriment.

Chairman Williams added that State law requires the City to allow for a medical marijuana facility. The City does not have the right to tell the applicants to take their business elsewhere.

Commissioner Holst made a motion to make the recommendation to City Council that the Conditional Use Permit, based on the presented information, be approved. Commissioner Massey seconded the motion, and a roll call vote was taken:

Williams	Yes
Holst	Yes
Ayala	Abstain
Massey	Yes
Schmitz	No

The motion was passed with 3 voting yes, 1 no, and 1 abstention.

***IV. ADJOURN***

The meeting ended at 8:35 p.m.

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Buck Williams, Chairman

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Susan Kerley, City Clerk