

MINUTES
TOWN OF QUARTZSITE
REGULAR MEETING OF THE COMMON COUNCIL
TUESDAY, MARCH 25, 2014, 9:00 AM

CALL TO ORDER: 9:00 AM

INVOCATION: None

PLEDGE OF ALLEGIANCE: Led by Council Member Orgeron

ROLL CALL:

Present: Mayor Foster, Vice Mayor Jewitt, Council Member Kelley, Council Member Crooks, Council Member Orgeron, Council Member Scott, Council Member Timberlake.

ABSENT: No one

STAFF PRESENT: Laura Bruno, Town Manager; Kelly Schwab, Town Attorney; Tina Abriani, Town Clerk

APPROVAL/AMENDMENT OF AGENDA:

The Mayor had the minutes of the March 19, 2014 minutes removed for discussion.

Council Member Timberlake asked to remove Item 8 from the agenda. She stated it was discussed and voted on at the last meeting and saw no reason to discuss it.

Council Member Timberlake called for all the checks to be pulled.

Vice Mayor Jewitt stated he believed that Item 8 was discussed in executive session and not voted on.

Council Member Timberlake stated it was voted on in the previous meeting.

Vice Mayor Jewitt moved to approve the agenda as amended and **Council Member Timberlake seconded** the motion. The vote was unanimous. **Motion Passed.**

PRESENTATIONS; PROCLAMATIONS:

1. PROCLAMATION – Pay it Forward Day, Thursday, April 24, 2014.

The Mayor read the Pay it Forward Day Proclamation aloud.

2. PRESENTATION – Governor’s Office of Highway Safety (GOHS) – GOHS grant award to the Town of Quartzsite Police Department.

Officer Ruvalcaba greeted the Council and discussed the grant award from Arizona Governor’s Office of Highway Safety (GOHS). He started by explaining what GOHS does. GOHS awarded the Town of Quartzsite’s Police Department \$45,000 in grant funding to purchase a fully equipped patrol vehicle. The last time the Town of Quartzsite was awarded the funding to purchase a vehicle from GOHS was in the year 2010. This patrol vehicle will be fully equipped for traffic enforcement.

3. PRESENTATION – Report on the Grand Gathering.

Mark Goldberg, a member of the Grand Gathering Board, asked that everyone that participated in the event stand. Applause. Mr. Goldberg provided a brief recap of the event.

The event was a joint effort of the Town’s oldest non-profit organization, the Q.I.A. and the youngest non-profit organization, the Proud Neighbors of Quartzsite.

Some of the activities at the event were: the Human Q, an auction, a senior petting zoo, peek-a-boo with the camels, vendors (half the vendors were non-profits), concerts, jam sessions, fifties dance and a gospel group.

Great support was provided by the Mayor, Council Member Orgeron and Council Member Kelley. Volunteers from the La Paz County Search and Rescue served as stewards for the Human Q.

Community cooperation and volunteerism, as well as sponsorship and support from the local businesses, was greatly appreciated. Some of the businesses mentioned were: Horizon Community Bank, Paul Weiner’s Bookstore, Hardies, Quail Café, the Quartzsite Sports Vacation RV Show, the Desert Messenger, Rush Signs, Blue Water Casino, Tyson Wells Gift Shop and Tri State Care Flight did the aerial photographs.

Mr. Goldberg listed some benefits to Quartzsite from the broad participation: positive worldwide recognition, due to the Human Q, visitors stayed longer, dined in restaurants more, shopped more and stayed longer in RV Parks around Town.

As the event was run by local non-profits, all the net profits from this event go right back into the community.

CONSENT AGENDA:

- 4-a. LEDGER OF ACCOUNTS PAID – Consider approval of check series 37065-37141, totaling \$136,316.52.**

4-b. MINUTES – Consider approval of the minutes of the Special Meeting of February 19, 2014, the Regular Meeting of February 25, 2014, the Regular Meeting of March 11, 2014 and the Special Meeting of March 19, 2014.

4-c. ORDINANCE CHANGING THE TOWN COUNCIL REGULAR MEETING TIME – Consider approval of an ordinance amending the Town Code, Chapter 2 Mayor and Council, Article 2-4 Council Procedure, Section 2-4-1 Regular Meetings, setting the Town Council regular meeting time to the second and fourth Tuesday of each month at 7:00 p.m.

The Mayor stated Item 4-a. was removed, as were the March 19, 2014 minutes.

Vice Mayor Jewitt moved to approve the consent agenda as amended. **Council Member Kelley seconded** the motion. The vote was unanimous. **Motion Passed.**

Council Member Timberlake asked about the following checks:

37083 to Rush Signs for Vehicle Lettering - Town Manager Bruno stated this was part of the Trolley Program and was for advertising.

37089 to VISA for the following:

Cummins Manual, Council Member Timberlake asked why there were 5 manuals and Town Manager Bruno stated that she will look into it.

Council Member Timberlake asked about a payment made to the Times Three Restaurant on March 12, 2014. Town Manager Bruno recalled that this was the lunch consisting of the current Town Manager, the two candidates for the Town Manager position, along with the Department Managers.

\$539 for Expedia: National Judicial College

\$299 for Expedia: Traffic Seminar

\$650 for American Bar Assoc. Traffic Court Seminar

37115 to Amanda Lilly for per diem: Traffic Seminar in Chicago \$865

Town Manager Bruno stated that these charges, related to Chicago's Traffic Seminar, are from the Magistrate Judge's request.

Council Member Scott stated Chicago's laws are different from Arizona laws.

Town Manger Bruno will ask Judge Lilly to ask Council before traveling to Chicago.

Council Member Timberlake stated she wants to talk to the Judge before she goes to Chicago.

37125 to John Andoh, Council Member Timberlake asked if the payments to John Andoh were budgeted out of the Trolley Program. Town Manager Bruno explained this is part of the Transit Program and has been budgeted. John Andoh has an annual \$5,000 contract for his consulting services to the Transit Program.

37135 to TDS, Council Member Timberlake asked why it was written and cancelled and written and cancelled again. Town Manager Bruno stated she will check into the matter.

37136, the Air Force Jet, Council Member Timberlake asked how often the Town pays the insurance on this. Town Manager Bruno stated the insurance premiums are paid once a year.

37183 to Yuma Printing for the Trolley, Council Member Timberlake asked why the Town did not print the brochures for the Trolley.

John Andoh explained that the Town could not print the brochures, signs and passes in an effective manner. Three quotes were received and Yuma Printing had the lowest price.

37141 to West Payment Center, Council Member Timberlake asked what this was. Town Manger Bruno stated they are law books.

Council Member Orgeron moved to approve the ledger of accounts paid and **Council Member Crooks seconded** the motion. The vote was unanimous. **Motion Passed.**

Council Member Scott asked about the outcome if the Council decides not to send Judge Lilly to Chicago. Town Manager Bruno stated the event could be canceled with a refund. Town Manager Bruno stated Judge Lilly will be at the next Council Meeting.

The Mayor spoke regarding the fact that he attempted to call in to attend the executive session telephonically. The Mayor stated he was told the system wasn't working. The Mayor asks that this be reflected in the Minutes of the March 19th Meeting.

Vice Mayor Jewitt noted that Council Members cannot attend executive sessions by phone because it is a private meeting.

Vice Mayor Jewitt moved to approve the minutes as amended and **Council Member Timberlake seconded** the motion. The vote was unanimous. **Motion Passed.**

PUBLIC HEARING:

5. TRANSIT GRANT FUNDING – PUBLIC HEARING - Authorize the filing of an application for FTA Sections 5310 and 5311 funding, committing the necessary local match for the project and stating the assurance of the Town of Quartzsite to complete the project upon receipt of the FTA Sections 5310, and 5311 funding.

Town Manager Bruno stated that as part of the 5310 and 5311 funding, the Town is required to hold public hearings.

John Andoh, Transit Consultant and Janet Collier, Transit Coordinator explained the requests to apply for Federal Transit Administration Section 5310 and Section 5311 funding to support the Quartzsite Transit Services Program. Mr. Andoh stated this is a public hearing to gather information from the public as relates to these grants only. Afterward, the Council would take a position regarding adoption of a resolution to authorize the Town to submit for these applications.

This last fiscal year the Town was successful in obtaining 5310 funding to support the elderly and persons with disabilities transit program, as relates to the operating assistance, in the amount of \$15,000.

This application for federal fiscal year 2015 would authorize the Town to apply again for operating assistance to support the transit program which would reduce the General Fund's contribution, should the Town be successful again.

At the request of ADOT, the Town is also applying for Section 5311 funding. There would be a feasibility study of starting a rural general public transit program which would service the entire general population within the Town.

Council Member Scott asked about a keeping door-to-door service and the waiving of fees for those who cannot afford to pay.

Janet Collier stated both services would be included in one and John Andoh stated the waiving of fees would be part of the feasibility study.

Council Member Scott wants the level of service for the elderly and disabled to stay in place and does not want those that cannot pay, to have to pay. She stated that is what the grant is for, for those who need assistance.

The Mayor asked if any more money would be required from the Town.

John Andoh explained that it will be no more than what the Town is paying for the transit. The grant is paying 58% of the transit costs.

Town Manager Bruno verified that 42% is what is required of the Town.

Jennifer Jones asked about the last 5310 grant and its usage. She also spoke about funds used on the Trolley Program.

Jennifer Jones asked if the second grant will also be a matching grant and about the terms of the match.

John Andoh spoke regarding the 5310, the elderly disabled grant. He stated \$15,000 came from the State that basically added to the \$103,000 that the Town has budgeted for the Transit Program. Mr. Andoh declared that when an invoice is submitted to ADOT, to draw from the \$15,000, they are only for expenses associated with the senior and disabled transit program and nothing else. He went on to say that in staff's opinion, the Town is in compliance with that grant.

Mr. Andoh explained that for the future, regarding the 5310 grant for which the Town is applying, the monies will be used solely for the elderly and disabled transit program for FY 2014 & 2015.

Mr. Andoh also explained that the 5311 grant, for which the Town is applying, is for a general population transit system. He went on to say, this could be a trolley service, a deviated fixed route service, or it could be a door-to-door service. He stated this is why a planning consultant will analyze which would be the best method of delivering a general public transportation service. He said the same matching principles would apply as in the 5310 program.

Town Manager Bruno stated it does not require additional local funds to be added to the transit program over what is in the budget.

Council Member Crooks moved to close the public hearing and **Council Member Kelley seconded** the motion. The vote was unanimous. **Motion Passed.**

Council Member Scott moved and **Council Member Timberlake seconded the motion** stated by the Mayor Foster: to adopt a resolution approving the application for these grants. The vote was unanimous. **Motion Passed.**

ADMINISTRATIVE ITEMS:

6. WESTERN ARIZONA COUNCIL OF GOVERNMENTS (WACOG) LA PAZ COUNTY ADVISORY COUNCIL (LPCAC) – Discussion and possible action to fulfill request to appoint an elected official to serve on the LPCAC.

Council Member Crooks stated she attended the February Executive Board Meeting of WACOG. She said Quartzsite was called out, in a very public way, for not having representation of elected members to that very important body.

Council Member Crooks investigated and learned that, after Mrs. Anderson resigned her position, WACOG had sent out two letters to Mayor Foster and received no response. Council Member Crooks said it is critical that someone is appointed to that board.

Council Member Timberlake stated she would be willing to be appointed to serve as the elected official from the Town of Quartzsite on the LPCAC.

Council Member Scott moved to appoint Monica Timberlake to serve on the LPCAC and **Vice Mayor Jewitt seconded** the nomination. The vote was unanimous. **Motion Passed.** The next meeting of the LPCAC is scheduled for June 3, 2014.

7. TOWN MANAGER CONTRACT – Consideration and possible approval of employment agreement with Skylor Miller as Town Manager.

Vice Mayor Jewitt moved to approve the contract as presented.

The Mayor shared his thoughts regarding hiring someone with no experience in management and providing him with a salary equivalent to that of the Governor of the State of Arizona.

Council Member Kelley seconded the motion.

Roll Call Vote: Motion Passed (summary: Yes = 6, No = 1, Abstain = 0).

Yes: Vice Mayor Jewitt, Council Member Kelley, Council Member Crooks, Council Member Orgeron, Council Member Scott, Council Member Timberlake.

No: Mayor Foster.

8. EMPLOYMENT CONTRACT EXTENSION - Discussion and possible approval of an extension to the employment contract between the Town and Laura Bruno, as requested by the new Town Manager, to provide for an orderly transition.

Agenda Item 8 was removed from the agenda.

ADJOURN TO EXECUTIVE SESSION 9:52 AM

Council Member Orgeron moved to adjourn to executive session and **Council Member Crooks** seconded the motion. The vote was unanimous. **Motion Passed.**

EXECUTIVE SESSION:

9. • **Executive session pursuant to A.R.S. § 38-431.03(A)(1) and (A)(3) for discussion and consideration of appointment of candidates for police chief (Richard Paterson, Gary Newton, Frederick Smith, James Spurgeon, Hilario Tanakeyowma and Ned Hyduke II) and for legal advice with the Town Attorney regarding same.**

RETURN TO OPEN SESSION 10:35 AM

ROLL CALL:

Present: Mayor Foster, Vice Mayor Jewitt, Council Member Kelley, Council Member Crooks, Council Member Orgeron, Council Member Scott, Council Member Timberlake.

COMMUNICATIONS:

10. Announcements and Reports from the MAYOR on current events.

None.

11. Announcements and Reports from the COUNCIL on current events.

Council Member Timberlake spoke regarding the sewer rates and RV park owners. Council Member Timberlake stated she had spoken with Council Member Scott regarding RV park owners meeting with Town representatives to discuss whether there are other sources of revenue that hadn't been considered or other options out there to stop the lawsuit before it went any further. Council Member Timberlake stated the meeting that took place, was not the meeting that she had asked for and consequently, the appeal went forward.

Council Member Scott reported that the Council received a letter from Shawn Farish.

The Mayor advised Council Member Scott that she may speak from the podium as a member of the public during the Call to the Public.

12. Reports from the TOWN MANAGER to the Council.

Town Manager Bruno advised the cemetery fence, that runs east and west, is being installed along the south border of the cemetery.

Town Manager Bruno stated the Snack Shack is expected to be finished within the next month and a half.

Town Manager Bruno reported that a Notice of Appeal has been filed in the case of *Foster v. Quartzsite*. Without upgrades to the existing water treatment facility, the Town will not be able to increase the number of residents or businesses in the Town because the Town is barred from adding anymore customers to the existing water treatment plant. The appeal continues the litigation, therefore the loan will not be granted, nor will the grant. The Town Attorneys advise that the appeal will take at least 9 months. The appeal might have the effect of making the loan and the grant no longer available to the Town. If the Town loses the grant, it might have to take larger loans to make needed repairs and improvements to the water treatment plant. Future loans will most likely not be available at the favorable interest rate that we previously negotiated.

Town Manager Bruno advised there was a meeting last Thursday, with all interested parties represented, those being from RV parks, the business community and home owners. The meeting attendees intended to meet two weeks from last Thursday, giving staff the needed time to gather the requested data. Unless advised otherwise, this follow-up meeting is still scheduled.

COMMUNICATIONS FROM CITIZENS

Mary Scott spoke as a citizen regarding ideas for additional revenue to help the RV Parks. She said the issue is that the RV parks just want the Town to offset the costs for the RV parks. The park owners asked for a small round table discussion where they can just ask questions and take the answers back to other park owners. She spoke regarding a letter from Shawn Farish indicating that a meeting every two weeks will not be sufficient. She thinks the Town should be willing to work with the park owners.

Jennifer Jones, resident, clarified the reason for the lawsuit by Mayor Foster. She said it is not his opposition to the loan itself, but his assertion to protect the right of the people to a voter referendum, so that the people may vote on whether they want to be indebted for forty years. She spoke regarding the previous WIFA loan and its use. She also spoke about the settlement of a lawsuit with police officers, costing the Town \$300,000.

Mark Orgeron, resident, addressed the Council as a citizen. He stated that Mr. Prutch contacted him to address the Council with a question; specifically, what the Mayor's alternative is for the sewer. Mr. Orgeron asked Ms. Timberlake if she is going to hold a special meeting for the businesses and homeowners. Mr. Orgeron stated that Mr. Prutch would like to be contacted by Mayor Foster and Ms. Timberlake with their thoughts.

Terry Frausto, concerned citizen, thanked the Mayor for increasing her popularity by mentioning her in an article. She noted she only works for herself. She said there

are people out there that appreciate her questions. She spoke about transparency, honesty and integrity and stopping rumors.

Shawn Farish, part owner of the Scenic Road RV Park, stated the park owners just want a rate they can live with. They do not want the Town to lose the grant; this is their only method to make the Council come up with a plan with which the RV park owners can live. She said now the Town is finally at the point that they are willing to sit down with the RV park owners. She wants a meeting of a small group. She recommends that the meetings happen once or twice a week. Ms. Farish advised the smaller the group, the more efficient it will be.

Jeff Gilbert, resident, spoke regarding the sewer issues. He said all citizens are stakeholders. Everyone should be informed about these meetings and their outcomes. He spoke regarding harm caused by law suits.

Vice Mayor Jewitt moved to adjourn and Council Member Kelley seconded the motion.

ADJOURNMENT: 11:00 AM

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of March 25, 2014, of the Town Council of Quartzsite, Arizona, held on March 25, 2014.

I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 8th day of April 2014.

Tina M. Abriani, Town Clerk

On behalf of the Common Council

Approved:

Ed Foster, Mayor