MINUTES
TOWN OF QUARTZSITE
REGULAR MEETING OF THE COMMON COUNCIL
TUESDAY, AUGUST 12, 2014, 7:00 PM

CALL TO ORDER: 7:00 p.m.

INVOCATION: Prayer offered by Audrey Berger.

PLEDGE OF ALLEGIANCE: Led by the Mayor.

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

STAFF PRESENT: Skylor Miller, Town Manager; Kelly Schwab, Town Attorney; Tina Abriani, Town Clerk

APPROVAL/AMENDMENT OF AGENDA: Vice Mayor Jewitt moved to approve the agenda as presented and **Council Member Kelley seconded** the motion. The vote was unanimous. **Motion Passed**.

CONSENT AGENDA:

1-a. LEDGER OF ACCOUNTS PAID – Consider approval of check series 37689 - 37768, totaling $156,160.41.

1-b. MINUTES – Consider approval of the minutes of the Regular Meeting of July 22, 2014.

Vice Mayor Jewitt moved to approve the consent agenda as presented and **Council Member Crooks seconded** the motion. **Motion Passed**.

PUBLIC HEARING:

2. LIQUOR LICENSE – Conduct hearing and consider recommending approval of a Restaurant Liquor License for the business named Stagecoach located at 904 W. Main Street, Quartzsite, AZ, 85346.

Council Member Crooks moved to conduct the public hearing and **Council Member Orgeron seconded** the motion.

The Mayor asked if anyone wished to comment. There was no response. The Mayor asked the Town Manager if the application was approved by the State Liquor Board.

Town Manager Miller advised the first step is for the State Liquor Board to accept the recommendation of approval from the Town Council.

Council Member Crooks moved to close the public hearing and **Council Member Timberlake seconded** the motion.

Vice Mayor Jewitt moved to approve the liquor license application for the Stagecoach Motel and **Council Member Scott seconded** the motion.

The Mayor asked for clarification of what the motion should be and Town Attorney Kelly advised the Council is recommending approval to the State Liquor Board. The Mayor stated **the motion is to recommend approval to the State Liquor Board and Vice Mayor Jewitt and Council Member Scott agreed**.

The vote was unanimous. **Motion Passed**.

ADMINISTRATIVE ITEMS:

3. **HEALTH & DEVELOPMENT SERVICES BOARD - Consider the appointment of six regular members to the Health and Development Services Board. The interested volunteers are: Sylvia Browning, Sally Ford, Elmer London, Sue MacCracken, Suellen Pennington and Rita Wilson.**

The Mayor announced that Sylvia Browning asked that she be removed from the list.

The Mayor stated there may be motions made to appoint volunteers.

Council Member Scott noted that Elmer London's Volunteer Interest Statement did not contain all that makes him qualified. She also commented on his attributes that make him good for the Board.

Council Member Crooks noted that Sally Ford would make a great addition.

Council Member Scott thanked everyone for being on the list and for volunteering. Vice Mayor Jewitt thanked all the volunteers. Council Member Kelly thanked the volunteers for being interested in helping.

Vice Mayor Jewitt moved to approve all the names for the Health and Development Board: (Council Member Crooks read the names of the list aloud) Sally Ford, Elmer London, Sue MacCracken, Suellen Pennington and Rita Wilson.

Council Member Kelley seconded the motion. The vote was unanimous. **Motion Passed**.

4. **BOARD OF ADJUSTMENT - Consider the appointment of five regular members to the Board of Adjustment. The interested volunteers are: Sean**

Austin, Harry Cleveland, Sally Ford, James Hogan, Jennifer Jones, Dolores Klose, Marilyn McFate, Jenny Mills and Carol "Lynn" Stimson.

Jenny Mills asked that she be removed from the list. It was noted, by the Mayor, that there were five openings and eight applications.

Council Member Kelley suggested that those volunteers in the audience raise their hands to let the Council know of their presence.

The Mayor asked if anyone wished to make a statement to the Council before the selection process.

Council Member Timberlake recommended Marilyn McFate for nomination, in order to have a member with some knowledge of the process on the Board, as Ms. McFate has served on the Board in the past. **Vice Mayor Jewitt seconded** the nomination.

Council Member Kelley nominated Dolores Klose and **Council Member Scott seconded** the motion.

Council Member Crooks nominated Carol "Lynn" Stimson and **Council Member Kelley** seconded the motion.

Council Member Timberlake nominated Sally Ford and **Council Member Kelley seconded** the motion.

Council Member Orgeron nominated Harry Cleveland and **Council Member Crooks seconded** the motion.

The Mayor closed the nominations.

Council Member Crooks moved to approve Harry Cleveland, Sally Ford, Dolores Klose, Marilyn McFate and Carol "Lynn" Stimson for appointment to the Board of Adjustment.

Council Member Timberlake seconded the motion.

Council Member Scott noted these are extremely important positions; there will be a lot of training involved and the attorneys need to be available to assist.

Council Member Scott and the other Council Members thanked all the volunteers for their participation.

The Mayor called for the vote; all were in favor of the motion. **Motion Passed**.

5. HI JOLLY CEMETERY FORMS – Discussion and consideration of new administrative forms for the Hi Jolly Cemetery.

Council Member Scott asked that flowers be permitted at the gravesites in the Cemetery Regulations. She noted that on page one of the regulations, it states: 'decorative items that are secured and cannot blow away are allowed'. She does not want to deny people the ability to place flowers at the gravesites.

Town Manager Miller stated he plans to get clarification before the Council is asked to approve the Cemetery Regulations. He stated he does not believe flowers were included in the regulations as something not permissible.

Town Manager Miller stated he will work with staff to reword that regulation to note that flowers are permitted.

Council Member Scott asked if the $200 head stone deposit is new and if people now have to pay the Town $200 when they place a headstone.

Dinice Ross of the Cemetery explained that the $200 deposit is in place so that if the client does not get a headstone, the Town can purchase one. This is necessary to mark the grave.

Mrs. Ross stated that if one can prove a headstone has been ordered, the $50.00 for setting the headstone in cement is the only money owed. If the person pays the $200.00 deposit and purchases a head stone, then $150.00 will be refunded.

The Mayor noted the only change is regarding the flowers being removed from the requirement and directed staff to make the change.

6. SALES TAX AUDIT CHECK – Discussion and possible action regarding Town of Quartzsite check #37646, payment to the tax auditor.

The Mayor explained check #37646, to the Town's tax auditor, was removed from the consent agenda of the last Council Meeting and has since been reviewed and staff is recommending approval.

Town Manager Miller stated the tax auditor's rate is hourly for his services. There is a separate rate for his travel when he comes to the Town to perform audits. Additionally, the tax auditor will appear in court, or provide legal assistance, as necessary. Currently, he is not itemizing each one of those activities; he is simply providing a fee per tax payer.

Town Manager Miller has requested of the auditor that he itemize each service and each fee in the future.

Council Member Timberlake moved to approve check #37646, and **Vice Mayor Jewitt seconded** the motion. The vote was unanimous. **Motion Passed**.

Council Member Kelley requested that the tax auditor attend an upcoming-Council meeting and be prepared to answer questions of the Council.

Town Manager Miller said he will address this matter in the Town Manager's report.

Council Member Orgeron asked that the matter be added as a future agenda item. Council Member Kelley requested that the tax auditor be present.

7. APS FRANCHISE RESOLUTION - Discussion and possible adoption of a resolution deeming that a franchise with Arizona Public Service is beneficial for the Town and ordering that the question of the approval of the franchise be placed on the ballot for the November 4, 2014 election.

The Mayor asked for clarification. He stated that the franchise fee is in lieu of a tax and this change would result in a tax plus a franchise fee. He asked if the rate payers, if the franchise is approved, will pay the franchise fee plus the 2% tax.

Town Manager Miller explained the franchise is going to the voters. A requirement, in order for the franchise question to get on the ballot, is that the Town Council must approve a resolution.

The Mayor stated constituents will ask the Council Members about adding a 2% tax.

Vice Mayor Jewitt stated we are asking the public to make the decision.

Vice Mayor Jewitt moved to approve the placing on the General Election in November, the item regarding the franchise fee for APS and **Council Member Crooks seconded** the motion.

Town Attorney Schwab, asked that the motion clearly adopt the resolution.

Council Member Crooks moved to adopt a resolution deeming that a franchise with Arizona Public Service is beneficial for the Town and ordering that the question of approval of the franchise, by the voters, be placed on the November 4, 2014 ballot.

Vice Mayor Jewitt corrected to the motion to include: Resolution No. 14-05.

Council Member Crooks added 14-05 to her motion. **Council Member Kelley seconded the motion**. The vote was unanimous. **Motion Passed**.

8. EXECUTIVE SESSION - An executive session pursuant to A.R.S. § 38-431.03(A)(3) for discussion or consultation for legal advice with the Town Attorney regarding a power purchase agreement with SunEdison Origination1, LLC and pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the Town's position regarding possible litigation related to a power purchase agreement with SunEdison Origination1, LLC.

Vice Mayor Jewitt moved to go into executive session for legal information regarding the contract with SunEdison Origination and **Council Member Timberlake seconded** the motion.

ADJOURN TO EXECUTIVE SESSION - 7:29 p.m.

RETURN TO OPEN SESSION - 8:51 p.m.

The Mayor called the Regular Meeting of the Common Council back to order at 8:51 p.m.

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

COMMUNICATIONS:

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

None.

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

Council Member Kelley announced that the Town of Quartzsite is 25 years old this month. She exclaimed, "Happy Birthday Quartzsite!" Council Member Kelley asked that everyone remember Labor Day and she stated that it is coming together just as good as the 4th of July. She further noted that Halloween is already being planned.

Council Member Timberlake announced that on Saturday night, August 16, 2014, at the Community Building, the PG-13 rated movie entitled Divergent will be shown for free at 6:00 p.m. Children 13 years of age or under must have a parent or guardian with them. She advised it is sponsored by the Recreation Department and the Library and concessions are being sponsored by the Friends of the Library. Council Member Timberlake invited everyone to bring chairs and attend.

Council Member Scott stated some people are extremely upset about the water increases. She stated the water increases have not been implemented yet; but she believes they are upset because last year, when they were watering their plants, and using more water, their sewer bills stayed the same, because they weren't raised until later. She stated the bills are up substantially, $50 - $65 a month for some of these people for watering their trees. She stated this does not go in the sewer and yet it is on their bills as sewer usage, over a certain amount.

Council Member Scott advised that something must be done. The problem needs to be looked at because people are not even here and are being charged for swimming pools

and having watering systems for their trees even though it is not going to the waste water treatment plant.

Council Member Scott asked that this issue be placed on a future agenda.

Town Manager Miller advised that he cannot respond at this point; but, he stated he is listening.

11. Reports from the TOWN MANAGER to the Council.

Town Manager Miller advised he is going to contact the Chief of Police interview panel to set up a time at the end of this month, in order to do six or seven interviews in one day.

Town Manager Miller noted Labor Day is coming up and he and the rest of Town staff are available for support.

Town Manager Miller announced that the Transit Coordinator, Janet Collier, received a letter from the Arizona Department of Transportation stating the Town has received a grant award for the 5311 transit program totaling $221,743.00.

Town Manager Miller advised the local match, which was budgeted, is $71,936.00.

Town Manager Miller announced that the Arizona Blue Cross/Blue Shield granted the Town $5,000 for a dog park and an additional $3,000 that can be used to finish the dog park this year, or for the Snack Shack, or for another part of the park.

Town Manager Miller noted one condition of the grant is that there must be a physical structure in the park by the end of this calendar year. This year is Blue Cross/Blue Shield of Arizona's 75th Anniversary.

Town Manager Miller advised that the League of Arizona Cities and Towns Conference will be held next week.

Town Manager Miller announced there will be a water rate Public Hearing on August 26, 2014, at the Regular Council Meeting. August 26, 2014 is Election Day. He advised that should the Council approve the new water rate structure at that meeting, the new rates will go into effect October 1, 2014.

Town Manager Miller stated he has heard the concerns from the consumers on the waste water and would be happy to talk to anyone regarding that.

Town Manager Miller advised that the Quail Trail well is still moving forward. A second cleaning treatment is being considered because based on what the camera shows, more needs to be done.

COMMUNICATIONS FROM CITIZENS

Jennifer Jones pointed out that the Town leases the Town Park from the Bureau of Land Management and no structure may be put upon it without an environmental impact study.

Audrey Berger stated she lives on South Church Street. She advised that on that street there are two water meters, #105 and #106, where no one lives, but there are two water meters in the ground. She stated she would like to know who is paying for them.

The Mayor directed staff to look into finding the answer for Ms. Berger and to bring it back at a later date.

Michael Roth spoke about the Town's budget, saving money, the police department, code enforcement, the magistrate court and his idea of help for the waste water treatment plant, involving Paul Skilicorn, presented at a previous Town Council meeting.

Council Member Orgeron stated Mr. Skilicorn is set for the agenda for September 23, 2014.

Shanana Rain Golden-Bear stated when someone comes up and speaks, it is their personal opinion. She stated the Council needs to become aware of the fact that it can be very difficult for the audience when there is chattering and cross-talk. She advised that the audience has does not have the right to speak but does have the right to listen. She advised the first Halloween meeting was held today. It was a group of concerned citizens with all kinds of ideas coming together in amazing ways.

Vice Mayor Jewitt moved to adjourn the meeting and Council Member Timberlake seconded the motion. The Mayor adjourned the meeting at 8:12 p.m.

ADJOURNMENT: 8:12 p.m.

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of August 12, 2014, of the Town Council of Quartzsite, Arizona, held on August 12, 2014.

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

DATED this 26th day of August 2014

Tina M. Abriani

Tina M. Abriani, Town Clerk

On behalf of the Common Council

Approved:

Ed Foster, Mayor