

**MINUTES
TOWN OF QUARTZSITE
MEETING OF THE COMMON COUNCIL
TUESDAY, APRIL 23, 2013, 9:00 AM**

CALL TO ORDER:

Mayor Foster 9:00 AM

INVOCATION

Invocation by Sandra Gilbert

PLEDGE OF ALLEGIANCE:

Led by Vice Mayor Jewitt said by all

ROLL CALL:

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

ABSENT:

STAFF PRESENT:

Town Manager Laura Bruno, Town Clerk Terry Frausto, Assistant to Town Clerk Tina Abriani, Town Attorney Kelly Schwab.

APPROVAL/AMENDMENT OF AGENDA:

Motion: to approve the agenda except Item number 6 executive session be split, executive session for Legal instruction and an open session for discussion with Jeff Gilbert **Action:** Approve, **Moved by** Vice Mayor Jewitt, **Seconded by** Council Member Orgeron. **Motion passed unanimously.**

CONSENT AGENDA:

1. Ledger of Accounts Paid
2. Minutes of the Regular Meeting on April 9, 2013
3. Consider the disbanding of the Centennial Committee.
4. Accept the Resignation of Municipal Utilities Administrative Committee Member Carolyn Percifull.
5. Accept the Resignation of Beverly Cunningham of the Health & Development Services Board.

Motion: Moved to approve the consent agenda with the exception of the item mentioned. The exception being, as Mike Jewitt requested, to pull check #35467 of the general ledger. **Action:** Approve, **Moved by** Vice Mayor Jewitt, **Second by** Council Member Orgeron.

Motion passed unanimously.

Motion: Motion to approve check #35467, **Action:** Approve, **Moved by** Vice Mayor Jewitt, **Seconded by** Mayor Foster.

Motion passed unanimously.

ADMINISTRATIVE ITEMS:

6. Executive Session:

- An executive session pursuant to ARS 38-431.03(A)(1) for discussion of the employment, assignment, dismissal, disciplining or resignation of Jeff Gilbert as Chief of Police of the Quartzsite Police Department.
- An Executive Session pursuant to ARS 38-431.03(A)(3) and (A)(4) for legal advice and discussion and consultation with the Town Attorneys regarding the Town's position and to instruct the Town Attorneys regarding its contract with Jeff Gilbert as Chief of Police of the Quartzsite Police Department.

Motion: That we go into executive session for the purpose of getting legal advice and discussion consulting with the town attorney regarding the Town position and to instruct the Town Attorney regarding its contract with Jeff Gilbert as Chief of Police **Action:** Approve, **Moved by** Mayor Foster, **Seconded by** Council Member Orgeron. Motion passed unanimously.

ADJOURNED INTO EXECUTIVE SESSION: 9:06 AM

RECONVENE: 9:34 AM

ROLL CALL:

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

Pursuant to ARS 38-431.03(A)(1) for discussion of the employment, assignment, dismissal, disciplining or resignation of Jeff Gilbert as Chief of Police of the Quartzsite Police Department.

Chief Gilbert requested that this be open session.

Motion: To allow to have it open for public discussion, **Action:** Approve, **Moved by** Vice Mayor Jewitt, **Seconded by** Council Member Orgeron.

Mayor asked for a roll call of the vote.

Vote: Motion failed (summary: Yea = 2, Nay = 4, Abstain = 0).

- Yea: Vice Mayor Jewitt, Council Member Kelley.
- Nay: Mayor Foster, Council Member Crooks, Council Member Workman, Council Member Orgeron.

Chief Gilbert makes opening statement.

Council Member Orgeron wants to approach the issues. On what the town was receiving in funds for traffic tickets.

Chief Gilbert responded by saying the police department was not a revenue generating department.

Chief Gilbert responds on drug crime.

Council Member Crooks asked if any new lawsuits have been filed against the Police department.

Laura Bruno responded to the question.

Chief Gilbert responded on the lawsuits.

Council Member Crooks asked if the Chief had a wish list how much money and how many officers he would have.

Chief Gilbert responded.

Question by Council Member Orgeron on cite and release on DUI's.

Chief Gilbert responded to the question on why they do cite and release.

When we find ourselves in a bind can we ask them for coverage and help.

Chief Gilbert responded.

Orgeron asked when there was only one person on duty.

Orgeron asked what would be proper policy for the chief.

Orgeron asked what the proper way to proceed after a directive was given.

Chief Gilbert responded.

Orgeron asked about the policies being updated.

Orgeron asked if all the officers have access to all the policies and procedures.

Orgeron asked when the last time that the policy and procedure manual was reviewed and changed.

Council Member Kelley mentioned that the wish list should be three officers per shift

Vice Mayor Jewitt asked if each officer received a copy of their own policy and procedure manual.

Motion: to go back into executive session for legal advice, **Action:** Approve, **Moved by** Mayor Foster, **Seconded by** Council Member Orgeron.

Vote: Motion failed (**summary:** Yea = 3, Nay = 3, Abstain = 0).

Yea: Mayor Foster, Council Member Workman, Council Member Orgeron.

Nay: Vice Mayor Jewitt, Council Member Kelley, Council Member Crooks.

Council Member Orgeron wanted to know if the counsel wanted to give direction to the Town Attorney to come back to the council with the buyout amount for the contract.

COMMUNICATIONS:

Mayors report on new poles on Highway 95

Town Managers report: Review of letter from the Attorney General's office.

Memo to Council on CDBG Grant

Risk Management update for the Council review of claims and suits by the public.

PUBLIC COMMUNICATIONS:

Jennifer Jones made a statement on violations of open meeting law. She also made statements about Jackson Lewis report

Carolyn Guthrie made statement to Council Member Orgeron and rumors going about the town.

Michelle Lukkasson made statement to the council about buying out chief gilberts contract.

Violet kiss made statement on the council and town management.

Elmer London spoke on the subject of Chief Gilbert.

Mary Scott spoke on the subject of an issue that happened on her property and an incident that happened on the Yacht Club.

Sally Ford made statement on Council lawsuit

Starr Bearcat made statement to council on the town manager and codes and the water board.

Shanana Rain GoldenBear made statement to council on missing Patricia Anderson at the board meetings. Wants to applaud all of the volunteers.

ADJOURNMENT: 10:34 AM

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of April 23, 2013, of the Town Council of Quartzsite, Arizona.

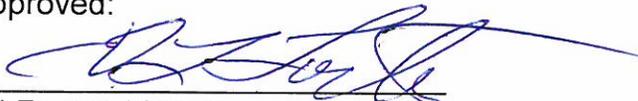
I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 14th day of May 2013


Terry Frausto, Town Clerk

On behalf of the Common Council

Approved:


Ed Foster, Mayor