

MINUTES
TOWN OF QUARTZSITE
REGULAR MEETING OF THE COMMON COUNCIL
TUESDAY, JANUARY 14, 2014, 9:00 AM

CALL TO ORDER: 9:00 AM

INVOCATION: None

PLEDGE OF ALLEGIANCE: Led by Vice Mayor Jewitt

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; Patricia Ronan, 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. Vice Mayor Jewitt withdrew his motion. Council Member Kelley withdrew her second to the motion. Vice Mayor Jewitt moved to approve the agenda as presented with one correction: Item 7 is a discussion only item. 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 36636 - 36785, totaling \$200,347.52.

Council Member Scott pulled checks 36656 and 36677. Town Manager Bruno answered the questions about these checks.

1-b. MINUTES – Consider approval of the minutes of the Regular Meeting of December 23, 2013 and the Special Meeting of January 3, 2014.

Council Member Scott pulled the minutes of the Regular Town Council Meeting of December 23, 2013, Page 3. It should say 'Council Member Scott directed staff' instead of 'directs'. She asked that the minutes be amended.

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

Council Member Scott moved to amend Page 3 of the minutes for December 23, 2013 to state 'Council Member Scott directed staff' and also to approve the checks that were discussed before. **Vice Mayor Jewitt seconded** the motion. The vote was unanimous. **Motion Passed.**

ADMINISTRATIVE ITEMS:

2. PLANNING & ZONING COMMISSION ORDINANCE – Discussion and possible adoption of an ordinance amending Ordinance No. 13-02 by changing the number of members on the Planning & Zoning Commission from seven to five.

The Mayor suggested the order of Items 2 and 3 be reversed.

3. PLANNING & ZONING COMMISSION INTERVIEWS AND POSSIBLE APPOINTMENTS – Interview applicants for appointment to the Planning & Zoning Commission. Discussion and consider possible appointments to the Planning & Zoning Commission.

Mr. Dole stepped to the podium and introduced himself. He stated he is a long term resident of the Town of Quartzsite. He answered the questions of the Council.

Randie Farish introduced himself and stated he is with the Scenic Road RV Park. He answered the questions of the Council.

Terry Frausto introduced herself. She stated she has lived in the community since 1996. She answered the questions of the Council.

Vice Mayor Jewitt moved to nominate all three. The vote was unanimous. **Motion Passed.**

Vice Mayor Jewitt moved to adjourn Item 2 and **Council Member Kelley seconded** the motion. The vote was unanimous. **Motion Passed.**

The Mayor recused himself from attending the executive session. He stated the reason was that he is in favor of avoiding litigation where possible, saving the tax payers the cost and aggravation of that.

Vice Mayor Jewitt moved to adjourn to executive session.

Discussion ensued between the Mayor and Attorney Ronan regarding the executive session. The Mayor said that he was recusing himself and would not attend the executive session because the executive session dealt with litigation. The Mayor stated that he disapproved of litigation. Attorney Ronan alerted the Mayor to three items that did not relate to litigation, including further discussion of the Town Manager applicants and documents being made available that the Mayor had specifically requested. The Mayor declined to attend the executive session.

Vice Mayor Jewitt moved to adjourn to the executive session.

Council Member Crooks asked that the record reflect that Mayor Foster recused himself from the executive session.

Council Member Scott seconded the motion. The vote was six ayes. **Motion Passed.**

9:23 AM Adjourned to executive session.

4. EXECUTIVE SESSION

- Executive session pursuant to A.R.S. Section 38-431.03(A)(4) for discussion or consultation with the attorneys for the Town in order to consider its position and instruct its attorneys regarding the Quartzsite's position in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation for *Linda Conley; Heriberto Dominguez and Yoami Dominguez; Stephen Frakes; James C. Kemp and Reyna Kemp; Michelle Norris; William Ponce; and Herlen Yeomans and Eloina Yeomans v. Town of Quartzsite, et al.*
- Executive session pursuant to A.R.S. Section 38-431.03(A)(4) for discussion or consultation with the attorneys for the Town in order to consider its position and instruct its attorneys regarding the Quartzsite's position in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation for *Town of Parker and Town of Quartzsite v. La Paz County, et al.*
- Executive session pursuant to A.R.S. Section 38-431.03(A)(4) for discussion or consultation with the attorneys for the Town in order to consider its position and instruct its attorneys regarding the Quartzsite's position in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation for *Desert Gardens v. Quartzsite.*
- Executive session pursuant to A.R.S. Section 38-431.03(A)(4) for discussion or consultation with the attorneys for the Town in order to consider its position and instruct its attorneys regarding the Quartzsite's position in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation for *Jennifer and John Jones v. Town of Quartzsite, et al.*
- Executive session pursuant to A.R.S. Section 38-431.03(A)(4) for discussion or consultation with the attorneys for the Town in order to consider its position and instruct its attorneys regarding the Quartzsite's position in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation for *Jennifer Jones v. Town of Quartzsite, et al.*

- Executive session pursuant to A.R.S. Section 38-431.03(A)(4) for discussion or consultation with the attorneys for the Town in order to consider its position and instruct its attorneys regarding the Quartzsite's position in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation for *Janet Brannan v. Town of Quartzsite, et al.*
- Executive session pursuant to A.R.S. Section 38-431.03(A)(2) for discussion or consideration of records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law relating to (1) the acquisition of insurance coverage for Quartzsite and (2) attorney-client communications.
- Executive session pursuant to A.R.S. Section 38-431.03(A)(1) for discussion or consideration of employment of Town Manager and review of applicants and questionnaires.
- Executive session pursuant to A.R.S. Section 38-431.03(A)(3) for discussion or consultation for legal advice with the Town Attorney relating to administrative and discretionary personnel matters, Town Code designations and requirements and liability risks to members of the Town Council.
- Executive session pursuant to A.R.S. Section 38-431.03(A)(4) for discussion or consultation with the attorneys for the Town in order to consider its position and instruct its attorneys regarding the Quartzsite's position in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation for *Foster v. Town of Quartzsite, et al.*

12:06 PM RETURN TO OPEN SESSION

ROLL CALL:

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

5. TOWN MANAGER POSITION – Discussion and possible action on next steps regarding the employment of a Town Manager.

Vice Mayor Jewitt moved to adjourn the item. **Council Member Kelley seconded** the motion. The vote was unanimous. **Motion Passed.**

6. POLICE CHIEF JOB DESCRIPTION – Consider approval of a proposed annual salary range and description for the position of Quartzsite Police Chief.

The Council Members discussed the \$60,000 - \$90,000 proposed salary range and the position description.

Council Member Crooks moved to approve the proposed annual salary range and description to recruit with those amendments that were just mentioned to the position of Quartzsite Police Chief. The amendments were: to remove the twenty-five pounds and to add one hundred pounds to be lifted, as well as add the word 'run' to the physical demands.

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

7. OPEN PUBLIC RECORDS REQUESTS – Discussion of open public records requests.

The Mayor, Council Members, Town Manager and Town Attorney discussed open public records requests.

COMMUNICATIONS:

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

None

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

None

10. Reports from the TOWN MANAGER to the Council.

Town Manager Bruno handed out calendars prepared by the Payroll Office listing Council pay dates. She announced that a new Police Officer has been hired. The new Officer's name is Ms. Candi Conley and she started January 13, 2014. Town Manager Bruno advised the Council that the Town has two employees that have applied to go to the police academy. They are currently going through the comprehensive background process. If they pass, they will move on to the academy and she will keep the Council apprised of that.

CALL TO THE PUBLIC:

Shanana Rain GoldenBear spoke regarding police academy training, public records request fees and the Grand Gathering. The Grand Gathering Senior Fair's venue has been changed from the Town Park to the Q.I.A.

ADJOURNMENT: 12:28 PM

Vice Mayor Jewitt moved to adjourn the meeting.

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of January 14, 2014, of the Town Council of Quartzsite, Arizona, held on January 14, 2014.

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

DATED this 11th day of February 2014

Tina M. Abriani, Town Clerk

On behalf of the Common Council

Ed Foster, Mayor

DRAFT