

MINUTES
TOWN OF QUARTZSITE
REGULAR MEETING OF THE COMMON COUNCIL
TUESDAY, JANUARY 28, 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. **Council Member Kelley seconded** the motion. The vote was unanimous. **Motion Passed.**

PRESENTATIONS; PROCLAMATIONS:

1. PROCLAMATION – Arizona Adult Literacy Week, February 9-15, 2014.

Mayor Foster read the proclamation aloud.

2. QUARTZSITE TROLLEY – Update and status report on the Quartzsite Trolley.

John Andoh, Transit Planning Consultant and Janet Collier, Transit Coordinator, used a PowerPoint presentation to provide an overview of the status of the pilot trolley project. They reviewed the trolley schedule, funds collected, funds expended, ridership, fares collected and advertising sales.

Council Member Kelley stated she has heard nothing but positive comments about the trolley.

Council Member Scott commented that if the trolley should be used again next year, it should not start in December. She asked that when the pilot program is over, the bottom line should be reviewed, as well as any grant monies that will be available.

Council Member Scott stated the Town Council needs the final figures for this year so that they may review the service and make it better for next year; if they choose to run it next year.

Herman Konyen suggested that signs be posted at the trolley stops. The signs would explain what the trolley is, when it stops and how much it costs to ride.

Jennifer Jones asked about the costs of purchasing and installing the bus stops. John Andoh explained they were paid out a HURF transportation enhancement grant and did not affect the Town's general fund.

Marilyn McFate stated the transit system, not including the trolley, is for the elderly, handicapped and others. She suggested that the trolley run behind the shows to pick up people that are tired.

CONSENT AGENDA:

- 3-a. **LEDGER OF ACCOUNTS PAID – Consider approval of check series 36786 – 36856, totaling \$228,427.96**
- 3-b. **MINUTES – Consider approval of the minutes of the Regular Meeting of January 14, 2014.**
- 3-c. **INTERGOVERNMENTAL AGREEMENT – Consider approval of an Intergovernmental Agreement (IGA) with the State of Arizona Department of Transportation (ADOT) for a Management Inventory System project for the Town's regulatory and cautionary signs.**

Vice Mayor Jewitt moved to approve the consent agenda as written.

Council Member Scott pulled check # 36796 and page 2 of 6 of the minutes.

Vice Mayor Jewitt withdrew his motion.

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

Town Manager Bruno explained that check # 36796 was one check with two account numbers.

Council Member Scott stated more of the discussion that took place on page 2 of the minutes, where the Mayor and Attorney Ronan spoke regarding the Mayor recusing himself from executive session, should be included in the minutes.

Attorney Ronan stated she will work with the Clerk on that item and resubmit the minutes at the next meeting.

Council Member Scott moved to approve check # 36796 and **Council Member Timberlake** seconded the motion. The vote was unanimous. **Motion Passed.**

ADMINISTRATIVE ITEMS:

4. PARK, RECREATION FACILITIES & CEMETERY CODE AMENDMENTS

An ordinance declaring the document entitled “Park, Recreation Facilities & Cemetery Code Amendments, January 28, 2014” as a public record; adopting the “Park, Recreation Facilities & Cemetery Code Amendments, January 28, 2014” by reference; amending the Town Code of the Town of Quartzsite Arizona, Chapter 11, Offenses, by repealing and adopting new Chapter 21 Park, Recreation Facilities & Cemetery, relating to the Use, Reservation of, and Rules for Town Facilities; providing for severability; and providing penalties.

The title of the proposed ordinance was read into the record by Mayor Foster.

Town Manager Bruno stated that on November 12, 2013, the Council did approve rule changes for the use of the Town of Quartzsite Park and Cemetery Facilities. The rules included hours, times of use and fees regarding the Cemetery Columbarium Niche Wall. On November 12, 2013 staff was directed to bring back an amended ordinance for Council approval.

Vice Mayor Jewitt moved to approve this ordinance as presented and secondly, to direct staff to look closer at vagrancy and extended parking ordinances. **Council Member Crooks** seconded the motion.

Council Member Scott suggested looking into the issue of consecutive days of use of the Park Facilities.

The vote was unanimous. Motion Passed.

5. HI JOLLY CEMETERY BOARD - Consider the reappointment of one regular member to the Hi Jolly Cemetery Board with a term ending November 2016.

Hi Jolly Cemetery Board Member Ms. Eileen Lunsford approached the podium.

Council Member Scott thanked Ms. Lunsford for her hard work on the Cemetery Board and for her request to stay on the Board.

Vice Mayor Jewitt moved to reappoint Ms. Eileen Lunsford to the Hi Jolly Cemetery Board with a term to expire in November 2016. **Council Member Kelley seconded** the motion. The vote was unanimous. **Motion Passed.**

6. HI JOLLY CEMETERY BOARD - Consider the appointment of one regular member to the Hi Jolly Cemetery Board with a term ending December 2015.

Terry Frausto approached the podium and Council Member Kelley asked if Terry Frausto had enough time to serve on the board. Terry replied stating she does have enough time.

Vice Mayor Jewitt moved to appoint Terry Frausto to the Hi Jolly Cemetery Board, term to expire December 2015 and **Council Member Kelley** seconded the motion. The vote was unanimous. **Motion Passed.**

7. EXECUTIVE SESSION

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.

An executive session pursuant to A.R.S. § 38-431.03(A)(1) for discussion or consideration of applicants, William DiLibero, Skylor Miller, Enrique Ochoa, Robert Wherry, and Thomas Wilson for possible employment as town manager, including review of reference checks to establish a final list of candidates to interview.

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 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 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 Quartzsite's position in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation with La Paz County regarding outstanding public records requests.

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 Town of Quartzsite's position in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation in connection with a notice of claim from Jennifer Jones.

ADJOURNMENT TO EXECUTIVE SESSION: 9:41 AM

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

RETURN TO OPEN SESSION: 10:59 AM

The Mayor called the meeting back to order.

ROLL CALL:

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

COMMUNICATIONS:

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

None

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

Council Member Kelley stated, "We have had a beautiful season."

10. Reports from the TOWN MANAGER to the Council.

Town Manager Bruno advised that the Bureau of Land Management has reported camping permits are up from last year. They are gathering numbers and they will be getting them to us, for our surrounding area. The Vendor Permits are at a par with what they were last year.

COMMUNICATIONS FROM CITIZENS

Jennifer Jones, resident, stated the vendors are wondering why the trolley is not free. She spoke regarding her ongoing litigation in U.S. District Court.

ADJOURNMENT: 11:03 AM

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

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of January 28, 2014, of the Town Council of Quartzsite, Arizona, held on January 28, 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

Approved:

Ed Foster, Mayor