

MINUTES
TOWN OF QUARTZSITE
REGULAR MEETING OF THE COMMON COUNCIL
TUESDAY, JULY 8, 2014, 7:00 PM

CALL TO ORDER: 7:02 p.m.

INVOCATION: Audrey Berger gave the prayer.

PLEDGE OF ALLEGIANCE: Council Member Orgeron led the pledge.

ROLL CALL:

Present: Mayor Foster, Council Member Kelley, Council Member Crooks, Council Member Orgeron, Council Member Scott, Council Member Timberlake and Vice Mayor Jewitt appeared telephonically

STAFF PRESENT: Skylor Miller, Town Manager; Susan Goodwin, Town Attorney; Tina Abriani, Town Clerk

APPROVAL/AMENDMENT OF AGENDA: Council Member Orgeron moved to approve the agenda as written 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 37579 - 37600, totaling \$45,199.32.**
- 1-b. **MINUTES – Consider approval of the minutes of the Special Meeting of June 20, 2014, the Regular Meeting of June 24, 2014 and the Special Meeting of June 30, 2014.**

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

ADMINISTRATIVE ITEMS:

2. **MUNICIPAL LIBRARY BOARD APPOINTMENT Discussion and possible action to appoint one regular member, with a term to expire in April 2015, to the Municipal Library Board.**

Council Member Orgeron stated he has some questions for Ms. Hearne, who did not appear due to the storm.

Council Member Kelley moved to adjourn the Library Board appointment to the next regular meeting. **Council Member Orgeron seconded** the motion. The vote was unanimous. **Motion Passed.**

3. MEMORANDUM OF UNDERSTANDING - Consider ratification of a Memorandum of Understanding (MOU) entered into on June 30, 2014 by and between the Town of Quartzsite and the Western Arizona Council of Governments (WACOG) relating to transportation funding.

Town Manager Miller advised the Memorandum of Understanding was a proposal offered by WACOG on June 30, 2014. He explained the Town applied for a grant for approximately \$12,000 for transit operations. Due to a technicality in the Town's application, it was denied. The Town went through an appeal process for reconsideration of the application. WACOG met on June 30, 2014 and again denied the application.

Town Manager Miller stated WACOG did offer to buy passes or tokens for fares for specific riders in need. They offered to purchase 4,300 fares, which comes to a total of \$12,900. He advised that the offer came with the requirement that a Memorandum of Understanding be entered into that same day. This was in an effort, on the part of WACOG to obligate that money for fiscal year 2013-2014. An MOU was quickly drafted and approved by the Town Attorney.

Town Manager Miller noted that he signed the MOU with the understanding that the Council would need to ratify it to have it go into effect. The passes would not be able available to every transit rider. They particularly target those in need and would be for in-Town transport to the Senior Center, pharmacy and medical appointments only.

Town Manager Miller stated it will take two to three years for the passes to all be used. Therefore, it is only a stable revenue stream. The money for the passes will be in the bank and it will draw down when a rider uses it.

Town Manager Miller explained this is an opportunity to expand the Town's ridership and stabilize the fare stream.

The Mayor asked Janet Collier, Transit Coordinator, how many people fall into category that allows them to use the passes.

Mrs. Collier stated the passes are for the most in need. She advised it will be the Town's job to identify those that would be the neediest.

She noted there will be a meeting with WACOG on July 28, 2014 to work out the details.

Council Member Orgeron asked if participating in this MOU prevents the Town from applying for the same grant through WACOG next year. Town Manager Miller and Mrs. Collier responded it would not preclude future grant applications.

Council Member Timberlake asked if a three dollar fare for in-Town transit is for a one way or round trip.

Mrs. Collier replied that the three dollar fare is good all day long; no matter how many times they step onto and off of the transit van.

Council Member Timberlake moved to ratify the MOU with WACOG and **Council Member Crooks seconded** the motion. The vote was unanimous. **Motion Passed.**

4. S. SCOTT LANE SEWER LINE EXTENSION BID AWARD - Consider approval of a bid for the S. Scott Lane sewer line extension project to Tri-Suns Engineering, Inc.

Town Manager Miller stated there is supporting documentation from the Town Engineer in the agenda packet.

Council Member Kelley asked if the project is going to be watched a little more carefully than the last project.

Town Manager Miller stated Council Member Kelley had some concerns regarding another project in which traffic mitigation was an issue. He advised he will discuss traffic mitigation with the contractor.

The Mayor asked if the project will be done before the season comes upon us.

Town Manager Miller advised it is a small enough project that it will not take that long.

Council Member Orgeron moved to award the bid for the S. Scott Lane sewer line extension project to Tri-Suns Engineering, Inc. and **Council Member Timberlake seconded** the motion. The vote was unanimous. **Motion Passed.**

5. 2014 TOWN OF QUARTZSITE GENERAL PLAN UPDATE ADOPTION - Discussion and possible action to approve Resolution 14-04 adopting the 2014 Town of Quartzsite General Plan.

Town Manager Miller stated the General Plan has been reviewed and approved by the Planning and Zoning Commission. The Commission held a public hearing on May 20, 2014 and on June 23, 2014, the Commission voted to unanimously recommend the General Plan to Council.

Council Member Scott thanked the citizens and the Planning and Zoning Commission for their hard work on the General Plan. She congratulated them and stated she thinks it is a very good document. Council Member Orgeron stated it is of high quality. Council Member Crooks noted the pictures in the General Plan and Council Member Kelley stated the mapping was excellent.

Town Manager Miller said the General Plan is very good work done by the Commission and staff. He stated it should be noted that the General Plan is a living and breathing document that grows with the Town and there should be an annual review of the document by Planning and Zoning. He advised there should be updates and the addition of new sections as needed. Town Manager Miller added it is a wonderful foundation on which to build even more in the future.

Council Member Crooks moved to approve Resolution 14-04 of the Town Council of the Town of Quartzsite adopting the 2014 Town of Quartzsite General Plan and **Council Member Kelley seconded** the motion. The vote was unanimous. **Motion Passed.**

6. FINAL DRAFT OF AMENDMENTS TO THE TOWN CODE - Review, discussion and possible action to approve amendments to the Town Code, Chapter 3 Administration, for adoption by ordinance at the next meeting.

Town Manager Miler stated that at the last meeting the Town Attorney and he put forth a version for the Council's review and possible adoption. There were some amendments requested by Council and they have been incorporated in this new document.

Council Member Scott asked the Town Attorney if the Town Prosecutor portion of the ordinance needs to be the same as the Town Attorney portion by stating the Town Prosecutor shall be appointed by Council. The Town Attorney replied that the Town Prosecutor portion should mirror the Town Attorney portion.

The Town Council directed staff to make the change and to bring back the ordinance for adoption.

7. APS FRANCHISE AGREEMENT - Consideration and possible approval of a franchise with Arizona Public Service for the use of Town streets for electric utility purposes and ordering that the question of approval of the franchise by the voters be placed on the November 4, 2014 ballot.

Town Attorney Goodwin stated this is an updated format that is similar to the existing franchise except that under the existing franchise, which expires next year, sales tax revenues offset the franchise fee. Under the proposed franchise there is no offset. The franchise fee would be 2% of gross revenues.

The Constitution requires this be put on the election. It will be on the November 4, 2014 election, if the Town Council approves it tonight. APS will pay a proportionate share of the costs of the election.

The Mayor asked what the impact is on the rate payers.

Town Attorney Goodwin advised the user will pay both the sales tax and the franchise fee.

The Mayor stated the utility user will pay an additional 2% versus what is being paid now.

Council Member Orgeron moved to approve the franchise with Arizona Public Service and directing that the question of approval of the franchise by the voters be placed on the November 4, 2014 ballot. **Council Member Kelley seconded** the motion. The vote was unanimous. **Motion Passed.**

8. CHIEF OF POLICE PROCESS - Discussion and direction regarding the interview and hiring process for the position of Chief of Police.

Town Manager Miller stated the Town has received a total of eleven applications for Chief of Police. The first official day of the review of applications will be on July 14, 2014, in order to decide who will be invited to interview.

Town Manager Miller listed the steps needed in the review and interview process.

- Paper screen and select candidates for interview
- Assemble an interview panel, schedule and conduct interviews
- Conduct reference checks for final candidates
- Discuss and recommend a final candidate
- Negotiate contract and identify start date
- Council approval of proposed contract

Town Manager Miller advised that at this time, he would like to begin assembling the interview panel. He will be asking the Arizona Chief of Police Association if there are any rural, small community Chiefs that would be willing to assist the Town on the panel to provide some of their expertise in the field.

Town Manager Miller stated he would appreciate if two members of the Town Council would agree to be on the interview panel. It will be a seven member panel.

Council Member Kelley, Council Member Timberlake and Council Member Orgeron each noted that they would like to be part of the interview panel.

Council Member Scott noted an election is coming up and no one knows who will be on the Council after the election. She expressed her concern regarding how fair it may be to a newly hired Chief of Police, if after he is hired, there is a change in the Council and either they or the public, by vote, should want to contract with the Sheriff's Department. She stated she is not expressing an opinion. She is only asking the Council to think about it and finances that may be involved. She asked if there is a reason that there is such a hurry to hire a Chief of Police before the election.

Town Manager Miller stated the Chief of Police would be in the same situation as the Town Manager. He advised this is an activity that has already been in process and he is simply trying to finish it in a timely manner. A number of issues continue to grow within the Police Department and he thinks a resolution to that is to have good leadership within that department. Waiting to hire a Chief of Police would have a negative impact on the Police Department, stated Town Manager Miller.

Council Member Orgeron stated he believes the Town should not wait to hire a Chief of Police.

Council Member Crooks stated she has been hearing that there are some morale issues at the Police Department. She suggested that the Town Council keep going forward in this process and that the Town Council has a duty to follow this process

Town Manager Miller stated the hiring process is a lengthy one and has been extended further than what one may consider the norm. He said the Town needs to support the Police Department moving forward.

Town Attorney Goodwin stated the Council Members that want to serve on the interview panel can be discussed now, but no appointment may be made.

Council Member Orgeron stated it should be up to the Town Manager to choose the Council Members to be on the hiring committee. He noted that Mayor Foster and Council Member Timberlake served on the previous panel. He stated that he has expressed his interest in being on the panel and so has Council Member Kelley.

Town Manager Miller stated he will send packets to the potentially seven member panel to get input and he will decide who moves on to the interview process.

Council Member Crooks and Council Member Kelley said to get on going on the process.

COMMUNICATIONS:

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

The Mayor stated it was a really good Fourth of July and the Town did well by the young people. He thanked the volunteer groups and stated they did very well.

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

Council Member Kelley stated the community did a fantastic job. She said it was the best the Town has had in years. She noted there were things to do that were free which brought out families. She advised she had the bake sale and met her goal and she had fun with the dunk tank. She informed everyone that every penny, all the candy and the gifts in the straw were donated.

Council Member Kelley reported that the fence at the waste water lift station is fixed.

Council Member Scott advised she will not be at the next meeting and may not be near a phone; so, she must miss the meeting.

Council Member Timberlake gave kudos to the Police Department for their efforts in trying repeatedly to save one man's life.

11. Reports from the TOWN MANAGER to the Council.

Town Manager Miller stated there are some leak issues in the Town Hall. The doorways were not addressed as part of the recent repairs to the Town Hall building.

Town Manager Miller stated the July 4th Town Celebration was wonderful and he was glad to be a part of it. He advised that some community members approached him to ask if the Town will do it again for the Labor Day weekend.

Town Manager Miller advised that on Friday, he and Billie Fowler, from the Town Library, went to the La Paz County Board of Supervisors meeting in Parker. They heard the presentation on the proposed library district.

Town Manager Miller noted it appears, as is currently proposed, the Board of Supervisors would act as the board of directors for the library district.

Town Manager Miller advised they are not proposing any additional locations; they would use the two county locations as well as the Parker and Quartzsite libraries as the total district. Parker and Quartzsite would have to enter into an agreement with the district to have some sort of partnership. They did discuss that there would be some opportunity to dictate terms between the Town and the district.

Town Manager Miller advised the Town would maintain control of its library. He advised that it is a taxing district proposing a property tax of approximately 33 dollars for

every 100,000 dollars of property owned. He said there was some discussion regarding the possibility that it may be a ballot issue.

Town Manager Miller stated it is an item that the Town needs to watch.

Council Member Crooks asked Town Attorney Goodwin if she had seen this type of district forming before. Town Attorney Goodwin advised that she will review the statute and report back.

Town Manager Miller advised he will provide weekly or at least by-weekly status updates in memorandum form regarding Town business to keep steady communication.

COMMUNICATIONS FROM CITIZENS

Jennifer Jones said now that the Council is married to the budget, and the budget includes the shifting of those HURF funds being billed to the Public Works Department for ten years back of alleged water use, she thought the Council should know she did reach out to Megan Smith at the Auditor General's Office (A.G.'s Office).

Ms. Jones asked Ms. Smith if the Auditor General had approved that use of HURF monies because she heard at a meeting that the public was told that was an approved way to do it.

Ms. Jones read aloud an email she received from Ms. Smith. The email advises the A.G.'s Office has not had any conversation with the Town of Quartzsite related to its planned use of HURF monies and has not approved any such plan.

Ms. Jones advises the matter be given further consideration, so as to not run afoul of repercussions.

ADJOURNMENT: 8:02 p.m.

Council Member Orgeron moved to adjourn and Council Member Timberlake 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 July 8, 2014, of the Town Council of Quartzsite, Arizona, held on July 8, 2014.

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

DATED this 22nd day of July 2014

Tina M. Abriani, Town Clerk

On behalf of the Common Council

Approved:

Ed Foster, Mayor

DRAFT