

**MINUTES**  
**TOWN OF QUARTZSITE**  
**REGULAR MEETING OF THE COMMON COUNCIL**  
**TUESDAY, FEBRUARY 10, 2015, 7:00 PM**

**CALL TO ORDER:** 7:00 p.m.

**INVOCATION:** The Mayor called for a moment of silence as no one answered to the call for a prayer.

**PLEDGE OF ALLEGIANCE:** Council Member Kelley led the pledge.

**ROLL CALL:**

**Present:** Mayor Foster, Vice Mayor Simpson, Council Member Kelley, Council Member Warner, Council Member Orgeron, Council Member Davidson, Council Member St. Germain.

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

**ANNOUNCEMENTS:** None

**CALL TO THE PUBLIC AND COMMUNICATIONS FROM CITIZENS:**

Jennifer Jones spoke regarding a Town Engineer's statutory responsibilities and the Council's fiduciary responsibilities. She suggested the Council instruct staff to put out a Request for Qualifications for a Town Engineer. She thanked the Council for appointing Patricia Ronan to the newest case Jennifer Jones has in Superior Court.

Terry Frausto suggested the Council look to making improvements to the Town, in the way of visual improvements and in the way of attracting more jobs to the community.

Janet Collier stated the free bus pass program is still going on and if anyone is interested in getting free bus passes to medical appointments, the pharmacy or the Senior Lunch Program, they should contact Town Hall (928-927-4333).

**CONSENT AGENDA:**

- 1-a. **LEDGER OF ACCOUNTS PAID – Consider approval of check series 38482 – 38542, totaling \$108,680.29.**
- 1-b. **MINUTES – Consider approval of the minutes of the Work Session of January 27, 2015; the Special Meeting of January 27, 2015; and the Regular Meeting of January 27, 2015.**

**Council Member Orgeron moved to approve the agenda as presented and Council Member Kelley seconded the motion.**

**Council Member Davidson pulled check numbers 38500, 38501, 38502, 38516, and 38535.**

**Council Member St. Germain pulled check numbers 38507, 38519, 38522, and 38529.**

The Mayor stated a motion was made and called for a second to the motion.

**Vice Mayor Simpson seconded the motion. The vote was unanimous. Motion Passed.**

Each pulled check was reviewed with Town Manager Miller.

Council Member St. Germain requested a list of how many vehicles the Town owns and leases. Regarding check number 38501 for Rotella Oil, Council Member St. Germain asked to be provided with the number of gallons purchased.

Mayor Foster asked Town Manager Miller to provide the Council with a memorandum confirming that the unleaded fuel represented in the breakdown for check number 38516, payment to Western States Petroleum, in the amount of \$3,572.70, went into the large tank at Public Works.

Council Member Davidson asked for a monthly report of liability insurance, indicating the cost for each department.

Council Member St. Germain spoke regarding check number 38507, in the amount of \$390.19, for mechanic supplies and services. He also spoke regarding small tools and equipment. He asked for an accounting and an inventory of the Town's tools.

Council Member St. Germain spoke regarding check number 38519, in the amount of \$1,115.59, for vehicle parts and supplies. He asked for a breakdown of what was purchased with this check and for which department.

Council Member Kelley advised that before she signs Town checks, she reads the invoices and if she has questions, she asks questions of the finance department.

Council Member St. Germain stated he does not like to spend the money without knowing what is bought.

The Mayor explained that the citizens benefit from the questions posed by the Council.

The question regarding check number Check 38529 for constable services was answered when Town Manager Miller explained the Police Department could not provide the service because of a potential conflict.

There was discussion regarding check number 38535 made out to pay REDW, LLC for sales tax consulting for the date range of 11/26/14 – 12/22/14, in the amount of \$2,314.75.

Town Manager Miller stated he will get clarification of the charges on the REDW, LLC invoice for check number 38535.

**Council Member Orgeron moved** to approve check numbers 38500, 38501, 38502, 38507, 38516, 38519, 38522 and 38529. **Council Member St. Germain seconded** the motion. The vote was unanimous. **Motion Passed.**

Town Manager Miller asked Council, in the future, to provide him with a couple of hours of lead time to pull all the information regarding any line items or invoices about which the Council may have questions. Town Manager Miller will bring the information to the Council meeting to answer the questions in public.

The Mayor called for Agenda Item 6 to be next on the agenda. The Mayor read the item aloud.

*MAYOR'S AUTHORITY - Discussion and possible action to immediately restore the authority to make and second motions, before the Council, to the Mayor; and to direct staff to prepare changes to the Town Code and Town Council Procedure Policy in support of this action for approval at the next meeting of the Council. Item requested by Mayor Foster.*

**Council Member Davidson moved** to approve what was read and **Vice Mayor Simpson seconded** the motion. The vote was **six ayes** and **one nay** by Council Member Orgeron. **Motion Passed.**

#### **ADMINISTRATIVE ITEMS:**

- 2. POLICE DEPARTMENT PRESENTATION AND DISCUSSION – Chief Renfro will make a presentation on current status of the Police Department and facilitate any discussion.**

Chief Renfro gave a PowerPoint presentation comparing statistics of 2013, 2014 and 2015 (to current). The review covered staffing; calls for service; citations and warnings; police reports generated and records requested; and types of calls for service – proactive and re-active.

The statistics for the types of calls for service were provided by the La Paz County Dispatch, stated Chief Renfro.

Chief Renfro spoke regarding the issue of overtime.

Chief Renfro spoke regarding the 2015 hiring process. He hopes that by the beginning of March, the Town will have two new officers.

Chief Renfro gave an outline of the current plan for the Quartzsite Police Department's future. He discussed reorganizing the department; outside services used by the QPD for standardization and fairness to make the department better; and making the department more efficient for the citizens.

Vice Mayor Simpson asked for a breakdown by month of when the calls come in; how many are during the busy season; how many are during the slow season; and what the calls represent. He also asked for an accounting of the percentage of time involved with those calls and the paperwork involved with each call.

Chief Renfro advised that fifty percent of a law enforcement officer's time is used to write police reports. The Chief explained the importance of those reports.

Chief Renfro spoke of more training for the officers in the future, when there are more officers to cover for those in training. There was discussion of assistance from the Sheriff's Department and DPS. The Chief advised that he meets with representatives from both of these law enforcement agencies on a regular basis and a relationship is being cultivated.

**3. REAPPOINTMENT TO THE PLANNING & ZONING COMMISSION - Consider the reappointment of David Collier of the Planning & Zoning Commission whose term expires March 1, 2015. Mr. Collier was appointed to the Commission by Council on November 25, 2014 and the position's new term would expire March 1, 2018.**

Mr. David Collier stated he had not yet attended a meeting (no meeting had been held since his appointment by Council in November of 2014).

Council Member Orgeron stated he thought that at the last meeting it was decided that these appointments were not to be made until there was a viable list of volunteers established.

There was discussion regarding Mr. Collier's seat on the Commission, one vacancy on the Commission, two applicants for that vacant seat on the Commission and an upcoming meeting with a public hearing regarding a zone change.

The Mayor asked Mr. Collier if he wished to make any statements. Mr. Collier said he would like to be on the Commission.

**Council Member Orgeron moved to reappoint Mr. Collier to the Planning & Zoning Commission. Council Member Kelley seconded the motion. The vote was unanimous. Motion Passed.**

**4. RESOLUTION 15-01 REGARDING HI JOLLY CEMETERY BOARD MEMBERS**  
**Discussion and possible action to adopt Resolution No. 15-01 setting an 'at-large' membership of the Hi Jolly Cemetery Board for the Town of Quartzsite.**

Discussion was held regarding the very specific and very hard to fill membership requirements of the original Hi Jolly Cemetery Board resolution (Resolution No. 06-08).

Mayor Foster asked that the resolution be modified to give preference to members of the organizations stated in the original resolution.

**Mayor Foster moved to approve the resolution with referenced amendment. Council Member Davidson seconded the motion. The vote was unanimous. Motion Passed.**

**5. REDUCTION IN TOWN STAFF – Discussion and possible action to direct the Town Manager to prepare a plan to reduce the number of employees by 10% by April 1, 2015. Item requested by Council Member Davidson.**

Council Member Davidson moved to approve the agenda item as read.

Council Member St. Germain stated work on the budget is needed.

Discussion ensued regarding summer staff reductions; current staffing of the Parks Department, the Utilities Department, the Police Department and the Public works Department. The goal of reducing the budget without losing the level of quality in the services that the Town provides was reviewed.

The Mayor stated the Council will ask for a reduction in force and a reduction of the budget.

Town Manager Miller stated budget discussions will begin in March.

Town Manager Miller asked the Council not to pass any motion regarding this item at the current meeting because these considerations should be part of the budget process that is beginning.

**Council Member Davidson withdrew his motion for now.**

**Council Member Warner moved to adjourn Item 5 of the agenda and Council Member Kelley seconded the motion. The vote was unanimous. Motion Passed.**

**6. MAYOR'S AUTHORITY - Discussion and possible action to immediately restore the authority to make and second motions, before the Council, to the Mayor; and to direct staff to prepare changes to the Town Code and Town Council Procedure Policy in support of this action for approval at the next meeting of the Council. Item requested by Mayor Foster.**

*The Mayor called for this Agenda Item to be held immediately after the Consent Agenda.*

**7. TOWN CODE AMENDMENTS – Discussion regarding updating the Town Code, recommendations of the Town Attorney and direction to staff regarding preparation of proposed amendments for future Council consideration.**

Town Attorney Goodwin discussed her memorandum dated February 10, 2015 that described the status of ordinances requested by the Council. She said that by the memorandum dated January 2, 2015, she provided recommendations for amendments to the Town Code. She said the existing Town Code is similar to the codes of other small communities but there are some updates that should be made. She described the ordinances that she has provided to the Town, including a panhandling ordinance among others. Town Attorney Goodwin requested guidance regarding the draft agenda format ordinance requested by the Council. She recommended a revision to the existing language related to public comment. The Council directed her to revise the draft ordinance to address the issues she raised.

**8. AMERICAN LANDS ACT – Discussion regarding the American Lands Act regarding transfer of public lands from the federal government.**

The Mayor explained the American Lands Act.

Proposed closing of the trails was discussed.

The Mayor directed Town staff to schedule a public hearing prior to the next Council meeting and to prepare a resolution for consideration by the Council to support the American Lands Act.

**9. EXECUTIVE SESSION**

- **An executive session 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 amendments to a Power Purchase Agreement for Wastewater Project with SunEdison Origination<sup>1</sup>, LLC that is the subject of negotiations.**
- **An executive session pursuant to A.R.S. § 38-431.03(A)(7) for discussions or consultations with designated representatives of the Town in order to consider its position and instruct its representatives regarding negotiations for the sale or lease of real property located at 560 Coyote Street, Quartzsite, AZ (APN 306-18-001A).**
- **An executive session pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney and in order to**

**consider its position and instruct the Town Attorney regarding the Town's position in pending litigation in the matter of Foster v. Town of Quartzsite.**

**Vice Mayor Simpson moved to adjourn the regular meeting to executive session and Council Member Davidson seconded the motion. The vote was unanimous. Motion Passed.**

**ADJOURN TO EXECUTIVE SESSION: 8:32 p.m.**

**RETURN TO OPEN SESSION: 9:54 p.m.**

**ROLL CALL:**

**Present:** Mayor Foster, Vice Mayor Simpson, Council Member Kelley, Council Member Warner, Council Member Orgeron, Council Member Davidson, Council Member St. Germain.

**10. TOWN ATTORNEYS' PERFORMANCE EVALUATION AND FEE REVIEW – Discussion and possible action regarding the Town Attorneys' performance and fees.**

The Mayor spoke regarding his prior requests to remove the politics from the Town Code. He spoke of a resolution passed in 2010, created in just two days, taking away his powers as Mayor. The Mayor asked why his requested updates seem to take longer.

Town Attorney Goodwin explained she had not clearly understood the direction of Council with respect to restoration of the Mayor's powers and she apologized. It was her understanding that the Council was going to review the Town Code at study sessions and would provide direction at that time for amendments. She said that in her January 2, 2015 memorandum, she pointed out some sections that need to be discussed and amended. She said she understands the Mayor's concerns and reviewed the issues, and she will prepare ordinances to amend the code regarding the Mayor's powers for consideration at the next meeting.

Town Manager Miller advised that due to a mishap in email communications, a memorandum providing a Town Code update, from the Town Attorneys dated January 2, 2015 was not received until February 10, 2015. This memorandum explains the need for further review. As Town Attorney Goodwin recommended during a previous agenda item, work sessions will aid in a consensus of policy.

**COMMUNICATIONS:**

**Reports from the MAYOR on current events.**

The Mayor spoke of his attendance of a BLM meeting with the trail riders. He plans to have a press conference regarding the economic impact to Quartzsite if the trails close.

**Reports from the COUNCIL on current events.**

Council Member St. Germain announced an upcoming Sock Hop. It will be a fund-raising event for the Quartzsite Food Bank, held on Friday, February 13, 2015 at 6:30 p.m.

**Reports from the TOWN MANAGER to the Council.**

Town Manager Miller updated the Council on the preparation of a new USDA Loan and getting new information to Council in short order.

**ADJOURNMENT:** 10:12 p.m.

**The Mayor moved to adjourn and Council Member Orgeron seconded the motion. The vote was unanimous. Motion Passed.**

**CERTIFICATION:**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of February 10, 2015, of the Town Council of Quartzsite, Arizona, held on February 10, 2015.

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

DATED this 24<sup>th</sup> day of February 2015



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Tina M. Abriani, Town Clerk

On behalf of the Common Council

Approved:



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Ed Foster, Mayor