

CITY OF WILLIAMS CITY COUNCIL

**ANNOTATED MINUTES
AGENDA ITEM**

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**SEPTEMBER 23, 2010
COUNCIL ACTION**

I. PROCEDURES:

- A. Call to Order Mayor Moore called the meeting to order at 7:00 p.m.
- B. Pledge and Invocation Glenn Cornwell led the pledge of allegiance, and Ruth Sanzari offered the invocation.
- C. Roll Call Mayor John Moore and Councilmen Don Dent (Vice-Mayor), Bernie Hiemenz, Bill Miller, Lee Payne, and James Wurgler were present and constituted a quorum. Councilman Frank McNelly arrived at 7:45 p.m. Present from City Staff were Acting City Manager/Finance Director Joe Duffy, Police Chief Herman Nixon, Public Works Director Glenn Cornwell, Building Inspector Tim Pettit, Water Superintendent Ron Stilwell, and City Clerk/Human Resources Director Susan Kerley. Present from the Chamber of Commerce was President/CEO Rhonda Rosinski.
- D. Approval of Minutes Councilman Wurgler moved to approve the minutes of September 9, 2010. Councilman Miller seconded, and the motion carried 5-0.
- E. Adoption of Agenda Councilman Miller moved to adopt the agenda. Councilman Hiemenz seconded, and the motion carried 5-0.

II. PRESENTATIONS:

- A. Presentation to the City of letter and plaque on behalf of the United States Department of Commerce – Economics and Statistics Administration/U.S. Census Bureau: Patricia Helgeson and Pimi Bennett.
Patricia Helgeson presented the plaque to Councilman Lee Payne. Pimi Bennett read a letter addressed to Mayor Moore from Cathy Lacey, Regional Director of the U. S. Census Bureau, thanking Mayor, Council and the City for partnering with the Census Bureau to achieve a complete and accurate census count in 2010.

III. PUBLIC PARTICIPATION: NONE

IV. CONSENT AGENDA ITEMS:

- B. Approval of Purchase Orders: J. Duffy
- C. Approval of Intergovernmental Agreement between Williams Unified School District and City of Williams for City Recreation Programs: G. Cornwell
- D. Approval of Intergovernmental Agreement by and between Williams Unified School District and City of Williams for School Safety Program (SRO): H. Nixon

Councilman Miller moved to approve the Consent Agenda items. Councilman Wurgler seconded, and the motion carried 5-0.

E. RECESS TO BOARD OF ADJUSTMENTS

Appeal by Greg Papas from administrative decision denying a fence permit at Jessica's Restaurant, 525 W. Route 66 (APN 201-04-008).

Councilman Miller made a motion to recess to Board of Adjustments, and it was seconded by Councilman Hiemenz.

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Building Inspector Tim Pettit explained that this was a resubmittal for a permit that was denied last December, and all safety issues have been addressed in the redesign of the fence. The purpose the fence will serve for the business is to upgrade the appearance of the business. Adjacent business owner (Highlander Motel), Fred Brane requested that the permit be denied for the following reasons:

- ❖ A fence between Jessica's Family Restaurant and the Highlander Motel would further hinder fire and rescue accessibility to the area on the SW corner of the block bordered by S. 6th Street and W. Grant, endangering people and property in the event of an emergency. Snow season with the alleys drifted shut would further hinder fire and rescue units.
- ❖ A fence would also inhibit the sanitation department in trash pick up for Jessica's Restaurant and 111 S. 6th Street.

Councilman Wurgler made a motion to approve the permit, and the motion was seconded by Councilman Hiemenz. A roll call vote was taken:

Vice Mayor Dent	<i>Yes</i>
Councilman Hiemenz	<i>Yes</i>
Councilman Miller	<i>No</i>
Councilman Payne	<i>Yes</i>
Councilman Wurgler	<i>Yes</i>

The motion carried 4-1.

Councilman Miller made a motion to reconvene to regular session, and it was seconded by Councilman Hiemenz.

RECONVENE TO REGULAR SESSION

V. NON-CONSENT AGENDA ITEMS:

- F. Discussion and decision regarding opening/closing of the Santa Fe Dam Park Area: C. Glassburn
- Mrs. Glassburn, Chairperson of the Parks and Recreation Commission, reported that the Commission recommended closing the road to vehicular traffic and allowing pedestrian/bicycle use only. Before reaching their recommendation. Commissioners all viewed the area and did research. There is a need to mitigate the fire rings and deposits of trash. When funds allow, consider having a caretaker to oversee the area. A question was posed: How do handicapped folks get in? Mrs. Glassburn responded that the area is not wheelchair accessible. It was pointed out that this is not a designated park, and there is no responsibility to make the area ADA compliant.
- Police Chief Nixon was asked if any calls were received on unlawful activities in this area. He reviewed the seven calls received from March 1, 2010, to today: two suspicious persons calls, one found vehicle, citizen assist at the lake, one drug arrest (marijuana), one transient camp, and shots fired that turned out to be fireworks.
- Several citizens spoke in support of closing the entry road, including Laura Duncan, Kali Kaliche, Ruth Sanzari, Allan Duncan, and Paul Robertson. They presented a variety of points:

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- ❖ Area above drinking water source and below fire-prone mountain not appropriate for roads.
- ❖ A petition containing 125 signatures in support of closing the road was presented.
- ❖ This is not a park, just a dug-out area.
- ❖ Where there is road access, there is more trash.
- ❖ Signage erected in the past has been consistently vandalized and removed.
- ❖ There is access on the 4th Street side for the elderly and handicapped, and we are surrounded by lakes where access allows driving right up to the shore.
- ❖ Allowing vehicular traffic presents unnecessary fire dangers.
- ❖ Before the road, this area was safe for hiking and fishing.
- ❖ Drinking alcohol leads to impaired judgment in making fires and discarding trash.
- ❖ If fire burns the face of the mountain, we may have a giant mud flow.
- ❖ Citizens have picked up lots of trash, including dirty diapers and fishing line. The situation is no longer tolerable.
- ❖ All speakers urged Council to close the entry road to vehicular access.

Police Chief Nixon noted that this is a recreation area, not a park, and even though it is within City limits, it is under Forest Service management. The City cannot enforce “no fires.”

Council members agreed that this was a tough decision. Councilman Dent summarized the situation by saying that this is City property and Forest Service land. There is great concern about fire on Bill Williams Mountain. On the other hand, to close the area to senior fishers and to families and others who use it correctly would be sad.

Councilman Miller made a motion to place a chain across the entry road with a sign that says “Service Road Only” for the next three months and monitor the activity. Councilman Wurgler seconded, and a roll call vote was taken:

Vice Mayor Dent	<i>No</i>
Councilman Hiemenz	<i>No</i>
Councilman McNelly	<i>No</i>
Councilman Miller	<i>Yes</i>
Councilman Payne	<i>No</i>
Councilman Wurgler	<i>Yes</i>

The motion was defeated 4 – 2. Council directed Staff to continue regular trash pick-ups.

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- G. Award of Bid for Kaibab National Forest Service Headquarters Building Roof – Bid Date September 16, 2010: G. Cornwell
- Public Works Director Glenn Cornwell explained that this building’s roof contains mildew, mold, and water damage from snow and rain. Two firms submitted proposals for shingle and metal roofs. Lower bids for both types were received from Liberty Roofing, LLC. \$75,000 was budgeted for this project; however, Joe Duffy said that \$200,000 is available in this building’s fund, and using more for the roof would just leave less to transfer into the General Fund. A metal roof would have a 50-year life rather than the 30-year life of a shingle roof.
- Councilman Dent made a motion to accept the bid from Liberty Roofing, LLC, for \$94,558.00 for a metal roof. Councilman Miller seconded the motion, and it carried 5-0.
- H. Discussion and authorization to publish Notice of Intention by the City of Williams to increase Electric Rates and Release Public Report: J. Duffy
- Acting City Manager Joe Duffy explained that if Council chooses to consider the matter of increasing electric rates, a specific process must be followed. First, notice must be published that Council is considering an electric rate increase. Then a public hearing could be scheduled as early as October 28th. Tonight’s question is should Staff proceed with the process? In 2018, the current electric contract with APS will end, and it is likely that electric costs will go up, perhaps as much as 30%.
- Councilman McNelly noted that we have infrastructure needs that have to be taken care of. Mayor Moore stated that he is against any rate increase at this time. Focused Future II, however, established a short-term goal of improving the infrastructure and adding a sub-station. Councilman McNelly made a motion to authorize Staff to follow the necessary process. Councilman Wurgler seconded the motion, and it carried 6-0.
- I. Discussion and decision regarding filling the City Magistrate Position: J. Moore
- Mayor Moore explained that the Justice of the Peace serves Coconino County, and the Magistrate serves the City of Williams. Tonight the process to select a Magistrate will be determined. One option would be to take applications. Another would be to find out if the Justice of the Peace-Elect, Rob Krombeen, would be interested in filling the Magistrate position as well. If he is interested, talks and negotiations could begin. According to City Code, the contract with the Magistrate should run for two years.
- Councilman McNelly made a motion that Council proceed with the process of talking and negotiating with Mr. Krombeen if he’s interested in the position. Councilman Dent seconded the motion, and it carried 6-0.

VI. *REPORTS AND INFORMATION ITEMS:*

- A. Mayor and Council
- Mayor Moore announced that on October 9th, Veterans will host a dinner and show at the Sultana to raise money for the Veterans’ Memorial. Also, he had a constructive meeting with the business district folks today.
- Councilman Miller inquired about when the work on the tunnel,

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authorized by a work order, would be completed. Joe Duffy responded that the project is scheduled to begin after completion of the golf season. Councilman Dent has been informed by Max Bishop, Director of the Senior Center, that use of Meals on Wheels has been dropping. A flyer will be mailed out with water bills to make the public aware of this service and will, hopefully, result in increased usage.

B. Staff Reports

Ron Stilwell, Water Superintendent, said that the recent problem with brown water has been fixed. Manganese levels were too high to be handled. As a result, some procedures will be changed, including more information given to the public.

VII. ADJOURN:

The meeting adjourned at 8:19 p.m.

Mayor John Moore

ATTEST

City Clerk

DRAFT