

CITY OF WILLIAMS CITY COUNCIL

WORK SESSION
AGENDA ITEM

PAGE 1

FEBRUARY 22, 2011
COUNCIL ACTION

I. PROCEDURES:

- A. Call to Order Mayor Moore called the meeting to order at 5: 02 p.m.
- B. Roll Call Mayor John Moore, and Councilmen (Vice Mayor) Don Dent, Bernie Hiemenz, Frank McNelly (late), Bill Miller, and James Wurgler were present and constituted a quorum. Councilman Lee Payne was absent. Present from City Staff were Interim City Manager/Finance Director Joe Duffy, Building Inspector Tim Pettit and City Clerk/HR Director Susan Kerley. City Attorney, Kellie Peterson, was present
- C. Adopt Agenda Councilman Miller moved to adopt the agenda. Councilman Dent seconded, and the motion carried 4-0.

II. WORK SESSION ITEMS

- A. Final review and discussion of the Employee Handbook: K. Peterson
- Kellie Peterson led the discussion by responding to nine questions that resulted from the last review of the draft document. Items 1 and 3-6 were typos that were corrected. Item 2 questioned the use of *City Officers* to describe a list of ten exempt positions in Section 1.02. Attorney Peterson said that this use was taken from City Code and will remain.
- Item 7 refers to Section 6.03 (E) Political Activity, noting that it does not address the status of employees who take an unpaid leave of absence, run for office, and are not elected. It asks if there are any restrictions on their return to their former positions. After discussion of this item, Attorney Peterson was asked to draft a policy in which specific terms for a leave of absence would be established when that leave was granted, acknowledging that under the Little Hatch Act, an employee cannot campaign while an active City employee. Attorney Peterson said that usually, the City Manager has authority over most exempt appointed employees. We could say that the City Manager can recommend to Council on extended leaves of absence for appointed employees. The Mayor asked Attorney Peterson to stipulate that City Council would make the decisions on leaves of absence for Susan (City Clerk/HR Director), Joe (Interim City Manager/Finance Director), and Herman (Police Chief). Attorney Peterson will draft some language for this section and will send it to Council members for their review.
- Item 8 refers to Section 6.05 (B) *The City prohibits the off-premises abuse of alcohol and controlled substances, as well as possession, use or sale of illegal drugs.* An employee questioned whether this should be restricted to when employees are on duty or on-call.
- Attorney Peterson pointed out that this gives a fair warning to employees that illegal activity that impacts the workplace is not condoned and discipline can result. It does not regulate all activity.
- Item 9 refers to Sections 7.01 (B) *All disciplinary actions involving suspensions without pay, demotions, or employee terminations require*

concurrence of the HR Director and the City Manager prior to discipline being administered; and 7.02 (G) Appeals by an eligible employee...must be submitted in writing to the City Manager...and (L) The City Manager's decision shall be final. The question raised is how can the City Manager hear an appeal without bias if they initiate discipline or concur that a specific disciplinary action should be taken? It would seem that they would be, in part, defending their own actions. Attorney Peterson said that the initial verbiage was based on Title 9 of City Code that says the City Manager has the final say; however, Title 2 says that the City Council has the right to ratify. She believes one more level is needed. Some options would be a full hearing before Council, Council's review of the written record, a Hearing Officer's written report to Council, or a Personnel Board made up of City employees. She recommends against City Council having a full hearing as it can be a logistical nightmare. A Personnel Board might not understand employee's conduct, needs of the City, or may be extremely sympathetic to an employee. She said that a hearing officer gives the best record to defend. It was agreed that a hearing officer would be the best choice if a process could be decided to choose an unbiased hearing officer. Attorney Peterson said that policy can set out that a hearing officer agreeable to the City and the involved employee could be selected from a list of three to four possibilities. Council cannot abdicate its authority to a hearing officer, but Council still makes the final decision. Attorney Peterson will draft a proposed policy that will include the requirement that a hearing officer would keep a written record of the proceedings.

B. Review and discussion of impact fees: J. Moore

Joe Duffy sent the following questions to Attorney Peterson for consideration: *Can the City postpone or reduce impact fees without a full-fledged study?* The response was "no." *Have other cities reduced or postponed fees?* Chino Valley reduced its fees to zero. Prescott increased its fees and rolled them back when the State imposed a moratorium on impact fees. *Would there be any liability to those who have paid the fees?* Maybe, if a change is made arbitrarily. She added that a pending bill before the State legislature would dramatically change impact fees, and it might be good to wait and see what the legislature decides.

Joe Duffy said that lobbyists are putting pressure on to itemize what impact fees can be charged for and for a study to be done every five years. We will be doing a study anyway. So, we may be in sort of a limbo for a while.

Councilman Miller asked if the moratorium allows a suspension of fees. Attorney Peterson replied that modifying the fees requires a study, but they can be decreased under the moratorium.

Councilman Dent said that a current study would change drastically from the 2004 study. The cost of the waste water treatment plant was

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projected at \$6 million, but \$12 million was spent for a projection of 6,000 in population. A new study should drop to about ½ that in population. New regulations will require a list of out-of-house people who could do a study. There have to be 90 days of public hearings and then 95 days until the new fees would be effective.

Economic Development Committee Chairperson, Rich Gorney, asked how long a study would take. Councilman McNelly said one would take at least six months. Rich Gorney asked how much has been collected in impact fees since 2004. Joe Duffy replied that probably about \$1 million, the biggest part coming from individual homeowners. Mr. Gorney said that it's hard to draw businesses here from developers and contractors. It's not an equal game when they can go elsewhere and make dollars.

Councilman Dent said he understands their situation; however contractors are going broke because of the economy, not because of impact fees. They don't help. He believes we need to do a study, but thinks we should have impact fees. He knows the population numbers and others need correction, and the infrastructure needs require correction. Once the population is adjusted, the needs will change.

Councilman Miller stated that he doesn't see the relevance of the number of baths or sinks to impact fees. We need to look at real services. He believes this will coincide with the decrease of projected population.

Mayor Moore outlined the three choices:

- ❖ Do a study after the legislature passes bills
- ❖ Do a study now
- ❖ Leave the fees as is and do nothing

Councilman Dent said that the City must select criteria. Every square foot built impacts the City whether occupied or not. The City chose the square footage method.

The Mayor said that in-house studies may have looked for income. Now, outside people may be required.

Mayor Moore asked City Clerk Kerley to put this item on Council's Agenda for March 10th.

III. ADJOURN:

Councilman Miller made a motion to adjourn, seconded by Councilman Dent. The meeting adjourned at 6:25 p.m.

Mayor John Moore

ATTEST

City Clerk

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January 18, 2011
COUNCIL ACTION

I. PROCEDURES:

- A. Call to Order Mayor Moore called the meeting to order at 5:00 p.m.
- B. Roll Call Mayor John Moore and Councilman Don Dent (Vice-Mayor), Councilmen Bernie Hiemenz, Frank McNelly, Bill Miller, Lee Payne, and James Wurgler were present and constituted a quorum.
Present from City Staff were Interim City Manager/Finance Director Joe Duffy, Public Works Director Glenn Cornwell, Building Inspector Tim Pettit, and City Clerk/HR Director Susan Kerley. Attorney Kellie Peterson was also present
- C. Adoption of Agenda Councilman Hiemenz made a motion to adopt the Agenda. Councilman Miller seconded, and the motion carried 6-0.

II. SPECIAL AGENDA ITEMS:

- A. Discussion regarding Employee Handbook
Mayor Moore led the discussion regarding the Employee Handbook, section by section. Questions were raised or comments made about the following sections:
 - 1.01 (C)
 - 2.01
 - 2.06
 - 4.03 (C)
 - 6.04 (C) 2.
 - 6.05 (D)
 - 6.05 (E)
 - 7.02 (A)
 - 10
 - 10.02.01
 - 10.03.01
 - 10.03.02
 - 11.02 (C)
 - 11.02 (G)Kellie Peterson will have the desired changes made and will email a copy of the final draft to Susan Kerley. A notice will go out in all employees' pay checks on 1.27.11 that a copy is available for review and questions. Then the document will go before Council for adoption on February 10, 2011.
- B. Discussion regarding the 2011 Project List
Joe Duffy explained that this is really the Public Works Project List, and it helps keep everyone on task. He believes this has fostered a good team effort and would like to continue the list for another year. Many items can be done for very little cost. He reviewed most line items and asked if Council wants to remove any items from this first

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draft of the Project List.

Councilman Hiemenz noted that we need crack sealing on the two main streets.

Joe Duffy pointed out that we need to hire more seasonal laborers this summer. One idea of consolidating Public Works here at City Hall is to be able to pull more people onto projects from various departments.

Councilman Miller asked that we make sure we are using the laborers we have. The perception from some citizens is of employees driving City vehicles around town or leaning on their shovels.

Councilman Payne asked if Marty Yerian could visit the baseball fields to see what needs to be done before spring.

Joe Duffy said that we may move the Maintenance Department up to the Water Department. Then we could get rid of the maintenance building at Cureton Park.

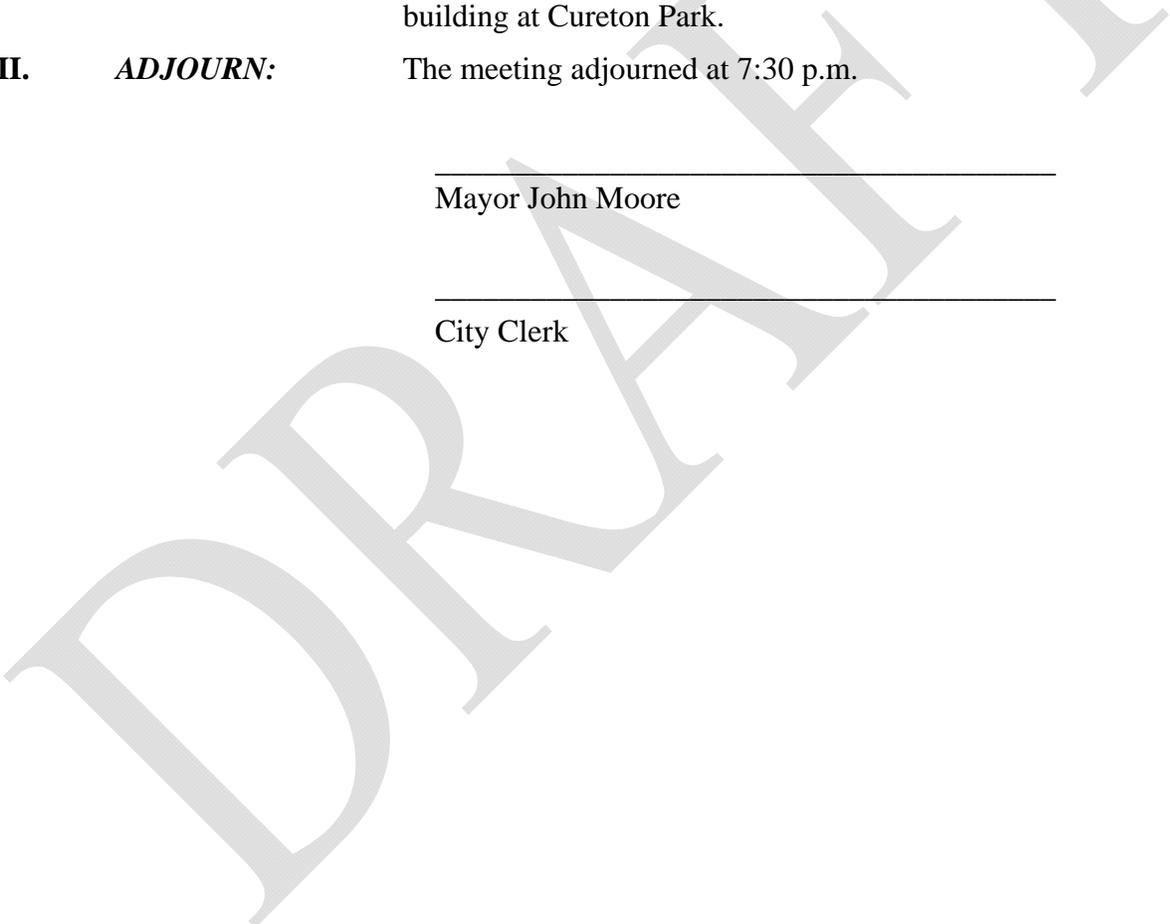
III. ADJOURN:

The meeting adjourned at 7:30 p.m.

Mayor John Moore

ATTEST

City Clerk



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FEBRUARY 10, 2011
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, Vice-Mayor Don Dent, and Councilmen Bernie Hiemenz, Frank McNelly, Lee Payne, and James Wurgler were present and constituted a quorum. Councilman Bill Miller was absent.
Present from City Staff were Interim City Manager/Finance Director Joe Duffy, Police Chief Herman Nixon, Public Works Director Glenn Cornwell, Water Department Foremen Billy Pruett and James Grantham, and City Clerk/Human Resources Director Susan Kerley.
Kellie Peterson, City Attorney from Mangum, Walls, Stoop & Warden was present.
- D. Approval of Minutes Councilman Dent made a motion to approve the minutes of January 13 and January 18, 2011. Councilman Wurgler seconded, and the motion carried 5-0.
- E. Adoption of Agenda Councilman Hiemenz made a motion to adopt the agenda. Councilman Dent seconded and the motion carried 5-0.

II. PRESENTATIONS:

- A. Swearing-In of City Magistrate, Rob Krombeen: J. Moore
Mayor Moore explained that the City has traditionally appointed the elected County Judge to serve as City Magistrate and has appointed Judge Krombeen to serve in this capacity. He then administered the Oath of Office to Judge Krombeen.
- B. Presentation by Grand Canyon Railway on future renewable energy projects: Morgan O'Connor, Environmental Affairs Manager
Mr. O'Connor passed out pamphlets to Council and Staff and introduced Bob Baker, General Manager of Train Operations along with Jeff D'Arpa, General Manager of Resort Operations. The feedback they've received from the community is that the solar panels they've installed so far look great. This will be Xanterra's ninth renewable energy project and is a joint project with Coca Cola. Coke awarded \$50,000 to Xanterra. Mr. O'Coor will be doing interpretie education with kids from high school on renewable energy. Their first project has been completed and they now need approval for 4,000,000 BTU solar thermal project to heat water for the Grand Canyon Railway Hotel. It is exciting to have the capital to move forward with renewable energy projects, and they hope their solar thermal project will be supported by the City.
Councilman McNelly: He thinks renewable energy is good as well as a means of conserving fossil fuels. He knows there are some risks because of the chemicals in solar panels Will Fire Department members be trained? Bob Baker: Yes, they will train Fire Department members.
Mayor Moore asked the representatives from GCR to give the City as much lead time as possible to work things out. Joe Duffy added that APS is working on policy and procedures.

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Mr. O'Connor said that they will have no batteries and no storage because they're a large consumer. This will just affect some usage.

Councilman Wurgler asked if there would be any meetings. Mayor Moore said that as soon as GCR has parameters defined, a work session will be scheduled.

Mr. O'Connor concluded by saying that they will be coming to Council with Project #2.

III. PUBLIC PARTICIPATION - NONE

IV. CONSENT AGENDA ITEMS:

C. Approval of Purchase Orders: J. Duffy

D. Approval of Check Register for month ending January 31, 2011: J. Duffy

Councilman McNelly asked several questions:

1. Is the legal work on the Stoneman easement done? Joe Duffy responded in the negative, and Attorney Kellie Peterson added that she could provide no update because other counsel in her office is handling the matter.
2. What is the BNSF lease payment? Joe Duffy said that it was the annual lease payment for the parking lot behind the Visitors' Center.
3. What was the Teflon paste? Billy Pruett said that it is used to seal pipes. Typically, just one item in a series shows on the check register. This included valves and other items as well.
4. What is the Purdy Subdivision engineering work? Joe Duffy explained that this was payment for all

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engineering for the month including reviewing the realignment of entrance into this subdivision which will be brought to Council soon for approval.

Councilman McNelly moved to approve the consent agenda items. Councilman Payne seconded, and the motion carried 5-0.

V. NON-CONSENT AGENDA ITEMS:

- E. Council may make a decision after hearing the presentation of recommendations on Cataract Lake Campground from the Parks & Recreation Commission: C. Glassburn, Chairperson
- Carol Glassburn asked for questions from Council. Councilman McNelly asked if the facility would be very available to City residents as well as those from other areas. Mrs. Glassburn said that the armadas would have to be reserved. The Commission recommends keeping the current rate of \$60/day. They believe that, if it is managed right, it could generate income. Some items need to be taken care of, including boat dock repairs, cinders for the campsites, and other minor repairs. They recommend a 10-day stay limit with campsites priced at \$15/day. They will have to meet some requirements from the County, including a job description for the campground host. Mrs. Glassburn added that who the campground host reports to is a "Joe question." Joe Duffy responded that Recreation Supervisor, Rose Newbold, and Public Works Director, Glenn Cornwell, would supervise this employee. Mayor Moore suggested that Mrs. Glassburn start with Human Resources and then Human Resources can go to the City Attorney if necessary. Mrs. Glassburn noted that it was passed sometime back that any money coming into Parks & Recreation goes back into Parks & Recreation. They will recommend any revenues generated by the campground go into reopening the pool.
- Councilman Wurgler made a motion to accept the Parks & Recreation Commission's recommendation on Cataract Lake Campground. The motion was seconded by Councilman Hiemenz, and the motion carried 5-0.
- F. Council may make a decision after hearing the presentation of
- Mayor Moore said that this could be approved in theory. Then Parks & Rec can come back with prices from quotes they receive. Joe Duffy commended the Commission for their consistency in the planned signage. Councilman Hiemenz stated that Council needs to talk about

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- recommendations on City Parks & Recreation Signage from the Parks & Recreation Commission: C. Glassburn, Chairperson
- this during budget sessions.
- Councilman Dent made a motion to approve the Parks & Recreation Commissions' signage plan in concept and to discuss the numbers in budget planning sessions. Councilman McNelly seconded this motion, and it carried 5-0.
- G. Appointment of Parks & Recreation Commissioner: J. Moore
- Jeff D'Arpa, General Manager of Resort Operations for Grand Canyon Railway, expressed interest and submitted an application for this position. He is active with Parks & Rec, particularly in the Skate Park. Brad Richmann submitted an application, but it came in after Council Agendas were published. Councilman Wurgler made a motion to appoint Jeff D'Arpa as Commissioner on the Parks & Recreation Commission. Councilman Hiemenz seconded the motion, and it carried 5-0.
- H. Council may make a decision after discussion of the donation of the old airport tower: G. Cornwell
- Glenn Cornwell introduced Steve Owens from Grants, NM, representing the Cibola County Historical Society. Mr. Owens that they have been laying the groundwork for an Aviation Historical Site. This will be the third year that volunteers have come from around the country for aviation archeology projects. They have been searching for one of the standard beacon towers used at every ten miles in the west and across the country from the 2910's to the 1960's. Since the beacons are very rare, the one from Williams would be a crucial piece of their aviation site, and they would acknowledge the donation by Williams with a plaque. Walt Eastland, Chairperson of the Airport Advisory Committee, said that the AAC's only caveat is that it should be maintained in its original form for its original purpose. AAC supports this donation unanimously. Councilman Dent asked if anyone had checked with Historic Preservation Commission. Joe Duffy responded negatively. Councilman Dent made a motion to donate the old airport tower to the Cibola County Historical Society after checking with the Historic Preservation Commission. Councilman McNelly seconded the motion, and it carried 5-0.
- I. Council may make a decision to adopt the revised Employee Handbook after discussion: K. Peterson
- Attorney Kellie Peterson said that she has incorporated all changes from Council's Work Session and has received a list of comments from Susan Kerley, most of which are typos. However, there are three outstanding issues. (SK passed to Council a list of corrections and questions on the employee handbook, resulting from employees' reviews of the draft and a final one by Susan Kerley.) Councilman McNelly asked for identification of the other issues so Council could determine if a Work Session is needed.
- Questions:
7. 6.03 (E) Political Activity – Does not address status of employee that

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takes unpaid leave of absence, runs for office, and is not elected. Are there any restrictions on their return to their former position?

8. 6.05(B) The City prohibits the off-premises abuse of alcohol and controlled substances, as well as possession, use or sale of illegal drugs. *Should this be restricted to when employees are on duty or on-call? Employee read it to mean that City could control his activities at any time. I (SK) understand it as referring to events where an employee represented by City; for example, if one attended a meeting or conference in another city.*

9. 7.01 (B) All disciplinary actions involving suspensions without pay, demotions, or employee terminations require concurrence of the HR Director and the City Manager prior to discipline being administered. And 7.02 (G) Appeals by an eligible employee...must be submitted in writing to the City Manager..."

7.02 (L) The City Manager's decision shall be final.

QUESTION: How can City Manager hear an appeal without bias if they initiate discipline or concur that a specific disciplinary action should be taken? It would seem that they would be, in part, defending their own actions.

Councilman McNelly suggested that, since questions 8 and 9 seem involved, a Work Session is needed.

Councilman McNelly made a motion to table this item until the Council meeting on March 24th, allowing time for a Work Session. Councilman Payne seconded the motion, and it carried 5-0.

J. Council may make a decision after discussing the possibility of issuing an RFP for a consulting firm to supervise the Water Plant and Wastewater Treatment Plant or hiring a Water Supervisor to do so:
J Duffy

Joe Duffy said that he believes this item is premature. Two long-term Water Department employees are serving as foremen and a consultant with SWI, Dave Monahan, is helping us see where we're at to get into compliance with ADEQ. Mr. Monahan believes the plants are being operated as efficiently as possible. Billy Pruett with 21 years of experience is focusing on the Waste Water Treatment Plant while James Grantham, recently promoted to foreman, is responsible for the operations at the Water Plant. Mr. Monahan is working with the staff and will have a plan to keep us in compliance going forward. He's cleaning up all the paperwork that was filed on wrong forms or not frequently enough. Joe Duffy has noted complete cooperation from members of the Water Department. There is a lot to fix so it won't be done overnight. He believes the current staff will have everything in order within six months. So far, he has seen a complete turnaround in productivity and attitudes.

Councilman Hiemenz said that he has complete faith in the two gentlemen who are running the department and doesn't believe anything needs to be done right now. Councilman Dent asked what he sees going

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forward. Mr. Duffy said that he believes there's a good chance we won't need a Water Superintendent or a consulting firm like SWI on an on-going basis, just sporadically.

Councilman Dent made a motion to take no action at this time. The motion was seconded by Councilman Hiemenz, and it carried 5-0.

- K. Council may make a decision after discussing whether or not to proceed with research into changing to a five-member City Council and four-year Mayor's term:
- B. Hiemenz

Mayor Moore asked Attorney Kellie Peterson how this should be approached. Ms. Peterson said that they must go through organizing documents – how it came about and what the limitations are and if it can be changed.

Councilman McNelly asked for the logic of the change and the advantages or disadvantages. Councilman Hiemenz said that he's always for less government and it could save a little money. Mayor Moore said he's personally not in favor of a four-year term right now. Councilman Dent said he does not want to spend money on legal fees to research this issue. He believes that with the seven people here to serve the community, they represent a cross-section and diversity of age, interests, etc. The public feels connection with some one of them.

Councilman Dent made a motion to deny authorization to the City Attorney to research this issue. This motion was seconded by Councilman McNelly, and it carried 4-1 with Councilman Hiemenz voting "no."

VI. REPORTS AND INFORMATION ITEMS:

- A. Mayor and Council Mayor Moor would like to take time at budget time to get a company to codify all Ordinances and Resolutions.
- B. Staff Reports Joe Duffy suggested a Work Session for February 22, 2011 at 5:00 p.m. to discuss the Employee Handbook changes and Impact Fees. Glenn Cornwell added, on behalf of the Water Department and other departments a "thank you" for Council's confidence. They now have one, unified Public Works Department.

VII. ADJOURN: The meeting was adjourned at 8:14 p.m.

Mayor John Moore

ATTEST

City Clerk

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Joe Duffy said that lobbyists are putting pressure on to itemize what impact fees can be charged for and for a study to be done every five years. We will be doing a study anyway. So, we may be in sort of a limbo for a while.

Councilman Miller asked if the moratorium allows a suspension of fees. Attorney Peterson replied that modifying the fees requires a study, but they can be decreased under the moratorium.

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Councilman Dent said he understands their situation; however contractors are going broke because of the economy, not because of impact fees. They don't help. He believes we need to do a study, but thinks we should have impact fees. He knows the population numbers and others need correction, and the infrastructure needs require correction. Once the population is adjusted, the needs will change.

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The Mayor said that in-house studies may have looked for income. Now, outside people may be required.

Mayor Moore asked City Clerk Kerley to put this item on Council's Agenda for March 10th.

III. ADJOURN:

Councilman Miller made a motion to adjourn, seconded by Councilman Dent. The meeting adjourned at 6:25 p.m.

Mayor John Moore

ATTEST

City Clerk

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**FEBRUARY 24, 2011
COUNCIL ACTION**

I. PROCEDURES:

- A. Call to Order Mayor Moore called the meeting to order at 7:00 p.m.
- B. Pledge and Invocation Tim Pettit led the pledge of allegiance, and Julia Glaab led the invocation..
- C. Roll Call Mayor John Moore and Councilmen Bernie Hiemenz, , Bill Miller, and James Wurgler were present and constituted a quorum. Councilmen Don Dent (Vice Mayor), Frank McNelly, and Lee Payne were absent. Present from City Staff were Interim City Manager/Finance Director Joe Duffy, Lt. Darrell Hixson, Building Inspector Tim Pettit and City Clerk/HR Director Susan Kerley. City Attorney, Kellie Peterson, was present.
- D. Approval of Minutes Councilman Wurgler moved to approve the minutes of February 10, 2011. Councilman Hiemenz seconded, and the motion carried 4-0.
- E. Adoption of Agenda Councilman Hiemenz moved to adopt the agenda with one change: the deletion of the last phrase of Item C *from R1-7 to CR (Commercial Residential)*. Councilman Miller seconded, and the motion carried 4-0.

II. PRESENTATIONS:

- A. Lions' Club Fun Run: George Wallace or Marvin Coolidge
No one from this organization was present.

III. PUBLIC PARTICIPATION:

Pat Carpenter, no address given, missed the last Council meeting when there was a discussion on the Water and Waste Water Treatment Plants. He said he respects Council's decisions but wants to know what tasks the person on retainer is performing and what he's being paid. He's curious to know if Council knows what they're doing and what's being charged. Council asked the City Attorney if they could enter into a discussion on this subject since it is not on the Agenda. Kellie Peterson responded that it is legal for Council to answer questions.

Joe Duffy said that Council was provided a letter showing what tasks Mr. Monahan (the consultant) will do and the charges and that the City anticipates an expenditure of \$10,000 to \$15,000 over the next several months.

Mr. Carpenter was told that he can make a public records request to see the logs for the Dogtown Wells and the SOPs on wells and water system in order to learn their status.

Gregg Brooks, 419 S. 3rd Street, complimented the City on its fantastic front line staff, Anna and Susan.

IV. CONSENT AGENDA ITEMS:

- B. Approval of Purchase Orders: J. Duffy

Councilman Wurgler moved to approve the consent agenda items, Councilman Miller seconded, and the motion carried 4-0.

C. CONVENE TO BOARD OF ADJUSTMENTS

Councilman Miller made a motion to convene to Board of Adjustments' Public Hearing. The motion was seconded by Councilman Wurgler, and it carried 4-0.

CONVENE TO PUBLIC HEARING

Building Inspector Tim Pettit explained that Mr. Bennett was requesting mixed use for the subject property. Legal requirements have been met through publication of notices, posting of the property, and mailing of 58 public notices, four of which were returned with no forwarding addresses.

Two neighbors spoke:

Gregg Brooks pointed out that his is the only house on the same block as the Old School. He has seen Mr. Bennett working on the building doing the things that needed to be done, Mr. Bennett has made himself available to answer any questions and has been a good neighbor. Mr. Brooks it is a positive move to take an old historic building to become a profitable business and a draw for the community. It is a unique historic property and Mr. Bennett is willing to maintain the historic aspects of the building.

Annette Satterlee, 225 W. Hancock, added that this property is no longer an eyesore. Its owner is working on it diligently. She believes mixed use is a benefit for the immediate neighborhood and for Williams and that living/working lofts for part of the building would be a great idea. She would like to have added to prohibited uses for the property a medical marijuana dispensary.

Councilman Miller made a motion to return to Regular Session. Councilman Hiemenz seconded the motion, and it carried 4-0.

V. NON-CONSENT AGENDA ITEMS:

D. Council man make a decision after discussion of the above-proposed Variance (01-11-Old School): J. Moore
Councilman Miller made a motion to approve the Variance on the Old School Building. Councilman Hiemenz seconded the motion, and it carried 4-0.

E. Award of Bid for HVAC Replacement Project – Energy Efficiency Block Grant #1016-10-64: G. Cornwell
Councilman Miller recused himself.
Joe Duffy explained that when stimulus money became available it was determined that the best use was to replace AC units and repair the roof on the City Hall building. Two bids were received, but both were late. So both were opened. One Source Mechanical bid \$58,941, and Air Doctors Solutions bid \$60,208. Staff recommends that the bid be awarded to One Source.
Kellie Peterson added that, since both bids were late, no one was left to object, and both bidders were treated fairly. Joe Duffy said a re-bid was not practical as these federal funds must be used quickly.
Councilman Hiemenz made a motion to approve the award of the bid to One Source Mechanical, and Councilman Wurgler seconded. The motion carried 4-0.

F. Council may make a decision after discussion of drainage issue at Brook Hollow: G. Cornwell

Joe Duffy noted that a complaint was received early last year from a property owner saying that storm water was eroding her property at 2616 Brook Hollow Drive during the monsoons, and remedial measures were taken. (A site visit did reveal that, indeed, the ditch was backing up and flooding the property in question. A review of the original drainage report indicated that two 24-inch CMP pipes were called for at that location. There was only one 18-inch CMP pipe installed.) It was determined that it had been under-engineered. Funds have been received from Coconino County Flood Control to cover the \$19,432 to increase the pipe volume by 4.52 square feet.

Mayor Moore added that he was troubled that we built a brand new road and didn't increase the size at that time.

Tim Pettit pointed out that last year's storm was an exceptional 500-year storm.

Councilman Miller made a motion to authorize the repair, and Councilman Wurgler seconded the motion. It carried 4-0.

G. Council may make a decision after discussion of guidelines for construction of a Medical Marijuana Ordinance: Kellie Peterson, Mangum, Wall, Stoops, and Warden

Mayor Moore said that there are still a lot of unresolved issues, and changes on a regular basis are occurring at the State level. We just want to get a sense of our direction.

Kellie Peterson added that the State has not finalized its rules, but it will start approving applications for dispensaries around mid-summer.

She explained that our process will be to draft an Ordinance and then hold public hearings before Council passes an Ordinance. She asked several questions of Council: Do you want to be as restrictive as possible or a bit more lenient? Do you want to allow medical marijuana to be grown and sold at the same location? How far away from churches, schools, and libraries should dispensaries be located? What square footage would be required for a dispensary? She asked Council for their questions.

Councilman Miller would like to see policies tightened against abuse and for the Police Department to be able to investigate abuses. Also, he would prefer a separate cultivation site that is supervised and managed.

Mayor Moore asked how restrictive the City could be. Kellie Peterson said that the City can restrict how close or far away from schools, churches, and libraries a dispensary might be located.

Gregg Brooks, who is with the Flagstaff Zoning Department, offered to provide what Flagstaff has been doing for the last few months. He added that 126 dispensaries will be licensed in Arizona.

Councilman Miller suggested scheduling a Work Session when more Council members are available. Mayor Moore stated that the law is pretty much in place; however, he believes we're premature and that it will encompass more than a single Work Session. Tonight, he would like to ask the Attorney to start researching and indicate some direction

and concerns.

Kellie Peterson added that, if they meet State requirements, there is no way to prevent their presence. Their location can be controlled through zoning, but they cannot be zoned out of existence. She believes the City needs to be ready when the State approves the first license.

Mayor Moore added that only non-profit organizations can have dispensary, and one local organization has made known its interest in doing so.

Mayor Moore made a motion, asking Attorney Peterson to start to prepare the most restrictive Ordinance possible. The motion was seconded by Councilman Wurgler, and it carried 4-0.

VI. REPORTS AND INFORMATION ITEMS:

A. Mayor and Council Mayor Moore attended a NACOG meeting this morning. Their April 6th Tourism Forum will be held in Williams, and all Council members will get invitations. NACOG is cutting 20%-45% of its budget. Revenue-sharing and grant programs will be reduced.

Councilman Miler said that the Airport Advisory Committee (AAC) is planning a Fly-In for May 7th and 8th. He announced that the Chamber of Commerce is sponsoring a Career Day at the High School on Thursday, March 3rd with 30 different professions to be represented. Its goal is to get junior high school kids thinking about potential career paths. Councilman Miller asked for the community's support of this event.

B. Staff Reports None

VII. ADJOURN: The meeting adjourned at 7:51 p.m.

Mayor John Moore

ATTEST

City Clerk

CITY OF WILLIAMS CITY COUNCIL

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MARCH 24, 2011
COUNCIL ACTION

I. PROCEDURES:

- A. Call to Order Mayor Moore called the meeting to order at 7:00 p.m.
- B. Pledge and Invocation Bob Herman led the pledge of allegiance, and Patty Williams offered the invocation.
- C. Roll Call Mayor John Moore, Vice-Mayor Don Dent, and Councilmen Bernie Hiemenz, Frank McNelly, Bill Miller, Lee Payne (late), and James Wurgler were present and constituted a quorum.
Present from City Staff were Interim City Manager/Finance Director Joe Duffy, Public Works Director Glenn Cornwell, Admin Assistant Pam Galvan, and City Clerk/Human Resources Director Susan Kerley. Kellie Peterson, City Attorney from Mangum, Wall, Stoops & Warden was present.
- D. Approval of Minutes Councilman Miller made a motion to approve the minutes of February 22 and 24, 2011, Councilman McNelly seconded, and the motion carried 5-0.
- E. Adoption of Agenda Councilman Hiemenz made a motion to adopt the agenda. Councilman McNelly seconded and the motion carried 5-0.

II. PRESENTATIONS:

- A. Friends of the Aquatic Center: Mike Dulay
This group made a proposal to extend the swimming season at the Aquatic Center from August 9th through September 5th. Mike Dulay explained that this proposal would be valid only if the summer swimming season from May 28th to August 6th survives the City's budget process. This proposal shows the cost of extending the season to be \$7,300 with Friends of the Aquatic Center paying \$5,000 and the Greater Williams Community Fund (unsecured) paying \$1,500, leaving the City's contribution at \$800. Friends of the Aquatic Center has organized and held fundraisers to support the pool. However, their goal is to find a sustainable solution to keeping the pool open year round.
- B. Lions' Club: Patty Williams and Marvin Coolidge
Patty Williams, President of Lions Club, said this group has planned a 5k/10k Fun Run on Labor Day on part of Route 66. They will need assistance from Public Works. They will host a pasta party the night before the race, and there will also be a rodeo in town that weekend. Registration is on-line only at www.virtualregister.com
Marvin Coolidge indicated that they're hoping for 200-500 runners. They will use funds raised for eyeglasses. The event should last only 1.5 hours with a 5K walk and a 10K timed run. Patty Williams noted that collection containers for cell phones, hearing aids and ink toner cartridges are in the Senior Center and City Library.

III. PUBLIC PARTICIPATION - NONE

IV. CONSENT AGENDA ITEMS:

- C. Approval of Purchase Orders: J. Duffy Councilman McNelly

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D. Approval of Check Register for month ending February 28, 2011: J. Duffy

moved to approve the consent agenda items. Councilman Miller seconded, and the motion carried 6-0.

V. **NON-CONSENT AGENDA ITEMS:**

E. Council may approve the Golf Outing Contract for Elephant Rocks Golf Course after review: B. James

For the past 20 years, there has never been a formal contract that goes to participating groups. They have had groups drop in size the day before an event and cost Elephant Rocks money. While they could have a stronger contract, Brian James believes this is a good place to start to encourage groups. This contract would apply to every group, including non-profit groups.

Councilman Dent made a motion to approve this contract for use at Elephant Rocks for group events. Councilman Hiemenz seconded the motion, and it passed 6-0.

F. Council may make a decision after reviewing the discussion of impact fees from its February 22, 2011, Work Session. Such a decision may direct Staff to proceed with updating the current impact fee study. J. Moore

Mayor Moore said that if Council wants Staff to pursue the impact fee study, then they need to Direct staff accordingly.

Rich Gorney, Realtor, said this discussion of impact fees started when Joe Duffy came to local real estate agents to recommend doing a second home program. The group feels that impact fees are way out of balance. This is because population numbers were projected higher than reality (6,000 population). He believes some potential buyers back off because of impact fees. He thought that the study necessary to change impact fees was started the day after the February 22nd Council Work Session. However, when he came into City Hall to inquire, he learned that the process had not begun, and it will take 90-120 days, which will mean the real estate season will be lost. The local real estate agents have formed a web site, like a small MLS with just Williams:

www.northernarizonarealestateagents.com

They need for the City to get the impact fee study done as quickly as possible.

The Mayor said that a couple of things come into play, one of which is that we don't know what the State will do about impact fees.

Councilman Miller added that we have a lot of restraints to get through this project:

- The budget process is coming up.
- We don't know what the State will mandate.
- Once it's begun, the process will eat up time.

Joe Duffy stated that one major component is what capital needs will be. Prior expectations were unrealistic. This part of the process represents about one-third of the process. If Council can do this part, then Staff can take these numbers and do the public part of the process. It takes 60 to

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90 to 120 days to get the public portion of the process done. This will be the #2 priority behind budgets.

Councilman Miller suggested meeting to identify capital needs and speed up the process.

Mayor Moore noted that the rumor that Kingman had put a moratorium on impact fees was incorrect. Chino Valley did a one-year moratorium.

Councilman Wurgler would like to include in a Work Session discussion of the way impact fees are paid. Now, impact fees are paid when the building permit is pulled. Can payment be postponed until a mortgage is secured? Kellie Peterson replied in the affirmative. However if this change were made, the City would still have to go through the public part of the process.

Councilman Dent agreed with Councilman Miller, saying that the first part of the process is to project population and identify capital needs. Council has Work Sessions during the first 60-90 days. At the same time, Council can discuss when the payments can be made.

Councilman Miller made a motion that Council schedule a Work Session to start the impact fee process. Councilman Dent seconded the motion, and it carried 6-0

Mayor Moore asked City Clerk to post notice for a Work Session on Thursday, March 31, 2011, at 5:00 p.m. for discussion of possible zoning and an ordinance on Medical Marijuana and on impact fees.

- G. Council may make a decision regarding repairs needed at the Williams Aquatic Center after discussion. G. Cornwell
Glenn Cornwell advised Council that there has been a pipe break at the Aquatic Center. White 2" x 4"s have turned gray and black with mold. Staff would like Council to agree to the direction they want to move. The professional advice and quotes they've received are outlined in their attached report on the Aquatic Center Attic Humidity and Mold. Councilman McNelly made a motion for Staff to move forward with the repairs. Councilman Wurgler seconded the motion, and it carried 6-0.

- H. Discussion and decision regarding liability, property, and vehicle insurance renewals on April 1, 2011: S. Kerley
Susan Kerley explained that the April 1st renewal with Travelers would represent an 11% increase over the expiring policy for an annual total of \$233,175. Part of this increase is due to moving from a zero deductible from a \$1,000 deductible. Travelers now offers a \$2,500 or a \$0 deductible. Councilman Dent mentioned that changes in automobile liability fees may account for some of the premium increase as well. He believes it's a good renewal and agrees with the zero deductible. It may save some money over the year.

Councilman Dent made a motion to renew with Travelers at \$233,175 for the year. The motion was seconded by Councilman Hiemenz, and it carried 6-0.

- I. Council may make
Councilman Dent explained that the idea for an outdoor, community

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a decision after discussion regarding the concept of a community stage and determination of potential locations for it: D. Dent

stage started with Dennis Johnson. The concept is to do the outside stage like the one in Luckenbach, Texas. This is not a project for the City to build but to go out and get donated labor and materials. He met with Kevin Young, President of Rotary to see if they might want to put their proposed gazebo in the same area. Maybe we could pave the area leased from the railroad. The idea is to get approval from Council so the project can be started.

Councilman Miller asked if a plot plan of the parking lot and stage is available to see the intended audience space. Glenn Cornwell will place a plan in Council members' mailboxes.

Councilman Dent suggested running underground wire and doing it right with electric and lights.

Councilman Miller said he would hope that Rotary will help make this a community project.

Chamber representatives believed this project to be a great idea. Jim Winbourn was asked by Mayor Moore if he would help with the landscaping. Mayor Moore believes we can get enough labor and materials donated to do the job and, hopefully, be able to pave the parking area. Councilman McNelly made a motion to develop the community stage. Councilman Wurgler seconded the motion, and it carried 6-0.

J. First reading of Ordinance No. 917, establishing a Court impact fee: S. Brownlee

Kellie Peterson advised Council that, according to Arizona Revised Statutes, the City must post a 60-day notice before Council can approve an ordinance that increases or establishes new charges. Council can do readings during the posting period, so Joe Duffy read Ordinance No. 917 in its entirety. It was suggested that the last paragraph be changed to just "operations," and the following line be added: "costs incurred due to credit card transactions."

K. Council may make a decision on adopting the Employee Handbook after reviewing the final changes: K. Peterson

Kellie Peterson said that this process was started about six months ago. Multiple meetings were held so that input from employees could be incorporated. Then, a draft was made available for any employee to review, and suggestions and questions were offered. A Work Session with Council members was held. At this point, she is ready to recommend adoption.

Mayor Moore said that all have done a lot of work. Councilman McNelly added that employees had the opportunity to review drafts and make comments so he believes we did due diligence.

Councilman McNelly made a motion to adopt the Employee Handbook, and the motion was seconded by Councilman Hiemenz. The motion carried 6-0.

VI. REPORTS AND INFORMATION ITEMS:

A. Mayor and Council **MAYOR:** On April 5th we will have a reception at the Holiday Inn and

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on April 6th, the Tourism Forum will be held at Lost Canyon.

COUNCILMAN DENT: He wanted to recognize Councilman Payne for being at this meeting: He just got back in town from fires and tonight is his wife's birthday.

COUNCILMAN MCNELLY: He has met a couple of times about the ballfields at Cureton Park. They've come up with a plan to make things better and then maintain them so they don't recede back into disrepair.

COUNCILMAN WURGLER: Tomorrow, there is a mixer at Pancho's. Meals on Wheels will be the beneficiary of the drawing. On Saturday, the Senior Center is putting on breakfast and a walk. For every dollar they raise, the national Meals on Wheels will contribute a matching dollar. Mayor Moore added that he had recently ridden with Meals on Wheels and finds it to be a great program.

B. Staff Reports

Joe Duffy mentioned that the Grand Canyon Railway requested a Work Session to discuss their next solar project.

Jan Shirley (Chamber of Commerce Executive Assistant) announced that Young Life at Lost Canyon is having a steak dinner and fundraiser on Sunday evening. Tickets are \$10.

VII. ADJOURN:

The meeting was adjourned at 8:06 p.m.

Mayor John Moore

City Clerk

ATTEST

CITY OF WILLIAMS CITY COUNCIL

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**MARCH 24, 2011
COUNCIL ACTION**

I. PROCEDURES:

- A. Call to Order Mayor Moore called the meeting to order at 5: 02 p.m.
- B. Roll Call Mayor John Moore, and Councilmen Bill Miller and James Wurgler were present. Councilmen Don Dent, Bernie Hiemenz, Frank McNelly and Lee Payne were absent.
Present from City Staff were Interim City Manager/Finance Director Joe Duffy, and City Clerk/HR Director Susan Kerley.
- C. Adopt Agenda *Mayor Moore said this was not required.*

II. WORK SESSION ITEMS

- A. Presentation by Kaibab National Forest Service regarding their plan for prescribed burns, deforestation, and protection for Williams should nearby fires erupt.
- Marty Schramm said that the Forest Service has committed money to start an environmental studies process, going out with different groups to get ideas on how to best manage Bill Williams Mountain. Council is the last group to meet. They hope to use folks from NAU to get research done. They had a public meeting a couple of weeks ago which about 15 attended. There were some common themes:
- Agree something needs to be done
 - Fuel wood gathering is important to local folks.
 - How does this fit with other Forest efforts?

This will be a separate effort. They want to consider some aspen regeneration. It will cost money to treat the Mountain now. The choice is to do that or treat major fires later.

She asked Council members: How would you like to see the Mountain and with what efforts?

Councilman Miller said he is looking for safety of the City and its watersheds up there. The City is a prime target - anything to eliminate this risk.

Mayor Moore said he saw the Mountain up close a while ago. He believes the Forest Service folks are the experts. He believes, either way, through man or Nature, the Mountain will be cleared. He thinks the City can be helpful with public relations to keep people informed.

Councilman Miller believes the biggest issue in the past has been smoke. We need to prepare folks to temporarily relocate if necessary. Another concern is getting people to a comfort level with burns getting out of control. Getting the word out a week or so in advance would be helpful.

Joe Duffy said he has noted thinning with piles left. Is there any method other than burning to get rid of the piles?

Paul ????? from the Forest Service showed maps indicating different types of treatment, based on different types of equipment available in each zone from ground-based harvesting with specialized equipment to helicopter logging which is very expensive. Cable logging is the

cheapest method in this area, but the only way to get to some areas is by helicopter.

Councilman Miller asked if they use a lot of private vendors, and the response was “yes.”

Mayor Moore said they’re talking about a bio mass plant down at Drake. Marty Schramm added that they want to have it up and running within a year which will be helpful for reforestation projects.

Marty Schramm said that while helicopter logging is very expensive, they can’t be afraid of that when they think about potential fires.

Major Moore said that we cannot delay – we’ve been talking about this project for 20 years.

Councilman Wurgler mentioned that, over the years, 17 different organizations in Flagstaff have had a lot written about their having separate agendas. They apparently found ways to work together.

Marty Schramm added that they’re still objecting to some projects but are all sitting at the table on forestation project. One group is adamant that any tree greater than 16” in diameter cannot be cut.l

Councilman Wurgler asked if the Forest Service has arrived at a ploan to initiate or to resolve? How do we move forward?

Marty Schramm said that the Forest Service needs the City’s support during their planning effort and implementation. Folks may not realize what the Mountain will look like if it is treated properly. Historic photos show tremendous open spaces on the Mountain. (She circulated some historic photos of Bill Williams Mountain in the early part of the 20th century.)

Mayor Moore asked what they need from the City – a letter of support. For now, they just need input to find out if there are other ideas to consider during their planning process.

Mayor Moore assured those from the Forest Service that the City supports their efforts.

III. ADJOURN:

The Work Session was adjourned at 6:40 p.m.

Mayor John Moore

City Clerk

ATTEST

CITY OF WILLIAMS CITY COUNCIL

**WORK SESSION
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**MARCH 31, 2011
COUNCIL ACTION**

I. PROCEDURES:

- A. Call to Order Mayor Moore called the meeting to order at 5: 01 p.m.
- B. Roll Call Mayor John Moore, Vice Mayor Don Dent and Councilmen Bernie Hiemenz, Frank McNelly, Bill Miller and James Wurgler were present. Councilman Lee Payne was absent.
Present from City Staff were Interim City Manager/Finance Director Joe Duffy, Public Works Director, and City Clerk/HR Director Susan Kerley.
Present from Mangum, Wall, Stoops, and Warden were Kellie Peterson and Jeff Dollins.
- C. Adopt Agenda Councilman Miller made a motion to adopt the Agenda. The motion was seconded by Councilman Hiemenz, and it carried 5-0.

II. WORK SESSION ITEMS

- A. Discussion and review of proposed Medical Marijuana Ordinance No. 916 with the City's Attorney (Mangum, Wall, Stoops, and Warden), City Council, and Staff. Jeff Dollins of Mangum, Wall, Stoops, and Warden had two suggested changes to Ordinance No. 916:
- Page 6, Item (7) (A). change "renewal of the City Business License" to "review of the City Business License."
 - Page 4, Item (5). (B).insert "500" as the square footage limit for the secure storage area.
- Mayor Moore said he has reviewed Ordinance No. 916 and finds this not much different than any other business venture. He believes the City must proceed as it would for a drugstore or grocery store. It comes down to a Conditional Use Permit. He commended the attorneys for doing a great job and including all current State laws.
- Attorney Dollins said he believes the Ordinance will allow an orderly process and adheres to State laws and strict rules. In Arizona there is a much more controlled and regulated environment than in other places.
- Councilman McNelly asked about the limitation of licensing of dispensaries to non-profit entities. Attorney Dollins replied that the entities would have to be organized as 501(c) (3) organizations.
- Attorney Dollins offered to bring their firm's tax expert, Kathy Munro, to address questions Council might have about non-profit and not-for-profit organizations. He said he was not aware of any requirements of local law enforcement agencies. They will be highly regulated businesses, and the regulation will be at the State level through licensing of doctors who write recommendations. The separation requirements are consistent with the State laws set for distances from schools and educational facilities.
- A member of the public noted that the only remaining issue seemed to be hours of operation. He suggested changing hours of operation from 8:00 a.m. to 6:00 to noon to 8:00 p.m. so working people could get in.

Attorney Lee Phillips introduced himself and three others. Mr. Phillips said he represents a number of groups that want to open dispensaries. He noted that the hours of operation in Flagstaff will be 8:00 a.m. until 7:00 p.m. and in Coconino County 8:00 a.m. until 8:00 p.m.

Council directed the Attorneys to make the changes to Ordinance No. 916 that Attorney Dollins suggested and to extend the hours of operation to 7:00 p.m.

I. B. Discussion regarding Impact Fee Public Report Update, including population projections, capital projections, and other items that may affect this report.

Mayor Moore did not believe a lot of time should be spent on this before the State takes action. He asked Joe Duffy and Kellie Peterson to discuss the alternatives.

Joe Duffy reviewed the packets he had distributed, beginning with the Annual Report. He said that Impact Fees were started in 2005, but that the City has had impact fees in the Water Department for years.

Mr. Duffy reviewed an agreement that was entered with the Grand Canyon Railway to build a road and improve the area around their business. Anything they built, they got credit for Impact Fees. Currently, there is a credit in the fund of \$610,776.00 for them to build a motel. Mr. Duffy said he doesn't know how to correct for that, since the motel was never built.

He then reviewed the timeline he had developed for constructing an Impact Fee Public Report Update. First, Council needs to project the population over the next ten years and estimate capital needs. They need to review and approve allocation methods. Mr. Duffy and Building Inspector Tim Pettit will need to update data.

Next will come the review of the first draft of the Report and publication of a Notice of Intention. After 60 days a public hearing is held. Once the new Impact Fees are adopted, 75 days must pass before they go into effect. It is a process that takes a lot of work, and Council needs to take the lead. In the short term, Council can be thinking of population estimates and commercial development.

Mayor Moore was concerned that if they pursue this process aggressively, the State will make changes. He felt the best thing to do as Council is to continue to investigate and determine what they want to do.

Councilman Miller stated that we are seven years into a plan developed in 2004 that has not come about. He asked how could what has already been done be justified. While there have been no gains in population but have a debt for the waste water treatment plant. It is almost cost-prohibitive for existing residents to put in a garage that doesn't impact anything. He would like to see Council take a look at capital improvement projects on the list and reach consensus.

Councilman Dent agreed with Councilman Miller. He said they need to start through the capital improvements list after the projected

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population and discuss allocations. Then, at least, they would be moving through this. He does not want to wait on the Legislature. The City would not be rewriting the Study but would be correcting the numbers to match reality.

Councilman Wurgler asked Council could put this into effect and the following points were made:

- ❖ Study Joe’s numbers and pencil in what you think.
- ❖ Review lists, note thoughts, and come to the table to reach consensus.
- ❖ If better ideas for allocation come up, bring them back.
- ❖ Things needing to be looked at include garages that seem to have no impact and rooms with fixtures that will have some impact.
- ❖ Sewage charges need to be adjusted on the commercial side as to what actual use is.
- ❖ If population projections reduce to 4,000 I ten years, capital needs will shrink. It will be helpful to prioritize future projects.

The Mayor and Council members agreed to study these documents and to discuss the issue on April 14, 2011, at the next regularly scheduled Council meeting.

III. ADJOURN:

Kent Jones, Chairperson of the Williams-Grand Canyon Chamber of Commerce’s Board of Directors, announced that an emergency Board meeting had been called for April 1st to ratify the selection of a new President/CEO made by the Selection Committee.

Councilman Dent made a motion to adjourn, seconded by Councilman Miller. The Work Session was adjourned at 6:16 p.m.

Mayor John Moore

City Clerk

ATTEST

CITY OF WILLIAMS CITY COUNCIL

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APRIL 14, 2011
COUNCIL ACTION

I. PROCEDURES:

- A. Call to Order Mayor Moore called the meeting to order at 7:00 p.m.
- B. Pledge and Invocation Chuck Vaughn led the pledge of allegiance, and Ruth Sanzari led 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 was absent.
Present from City Staff were Interim City Manager/Finance Director Joe Duffy, Police Chief Herman Nixon, Public Works Director Glenn Cornwell, and City Clerk/HR Director Susan Kerley. City Attorney, Kellie Peterson, was present.
- D. Approval of Minutes Councilman Wurgler moved to approve the minutes of March 24, 2011, and March 31, 2011. Councilman Dent 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 Police Chief Herman Nixon will present three commendations for a life-saving attempt to Guy Mikkelson, Scott Miller, and Sgt. Tad Wygal.
Chief Nixon explained that on January 15, 2011, a medical emergency call was received. On a City Street, a male was in cardiac arrest. Neighbors Guy Mikkelson and Scott Miller did CPR until they were joined by Police Sgt. Wygal, who continued life-saving measures until medical personnel arrived. Then the three gentlemen stayed with the family and consoled them. Chief Nixon presented framed commendations to all three, and they received a standing ovation.
- B Update on Xanterra's next solar project at Grand Canyon Railway: M. O'Connor
Bob Baker explained it is Xanterra's plan to install 228 solar panels on the Grand Canyon Railway depot roof, facing south at a low angle so they will be barely visible. This installation of solar panels will significantly reduce the Railway's gas consumption, and it will heat their potable water system. One other thing they're doing with this project is replacing their 15-year old boiler. They are looking at one powered by natural gas that offers a 6% reduction in electric consumption. When asked about the return on investment (ROI), Mr. Baker said that the generator has a two-year payback, but the solar ROI goes way out into the future, maybe as much as 12 years. Mayor Moore added that we should be grateful we have Xanterra in our community and appreciative of the money they pump into our community. He said the City will help in any way it can.

III. PUBLIC PARTICIPATION:

Paul (P.T.) Carter, President of Williams' Little League organization, told Council members that they will have a record-breaking number of kids participating this year, and, thus, additional fields are needed. Some of the existing fields are hazardous because of prairie dog holes, and there are too many teams for the number of fields in good repair. Mr. Carter asked about the possibility of creating a softball and Little League field by the golf course where

CITY OF WILLIAMS CITY COUNCIL

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COUNCIL ACTION

debris is collected. He said Larry Pittenger of LP's Excavating would volunteer to grade and smooth the area, and sod would cost approximately \$1,000. Mr. Carter pointed out that restrooms and running water are available. He is working with Home Depot to donate fencing. There is room for parking between the road and the fence, and a road could be run between the two proposed fields to create space for parking 40-50 cars.

Mayor Moore advised Mr Carter that Council could not make a decision at this meeting because the item does not appear on the Non-Consent Agenda. He then asked Joe Duffy the intended use for this land.

Joe Duffy said the land is intended for a new club house for the golf course, but he sees no problem in using it temporarily until the City is ready to build a club house.

Councilman Dent suggested that Golf Course Superintendent, Marty Yerian, could run a sprinkler system.

Mayor Moore added that the key word would be "temporary."

Councilman Miller asked if any areas closer to the freeway were available.

Mayor Moore said the Council will consider this matter as quickly as possible.

Mrs. Ruth Sanzari from Habitat for Humanity thanked Council for the use of the Rodeo Barn for their Opry. She added that, in less than a month, a new Habitat house will be started.

IV. CONSENT AGENDA ITEMS:

- B. Approval of Purchase Orders: J. Duffy
- C. Approval of Check Register for month ending March 31, 2011: J. Duffy
- D. Proclamation of Saturday, April 30, 2011, as Clean and Beautiful's Clean Up Day: J. Moore

Councilman Dent moved to approve the first two consent agenda items, B. and C. Councilman Wurgler seconded, and the motion carried 5-0.

The Proclamation was read by City Clerk Susan Kerley. Councilman Wurgler made a motion to issue this proclamation, and it was seconded by Councilman Miller. The motion passed, 5-0.

V. NON-CONSENT AGENDA ITEMS:

- E. Second reading of Ordinance No. 916, amending the City Code, Title 12, by adding regulations for regulating medical marijuana dispensary and medical marijuana

Councilman Dent made a motion to read this Ordinance by name and title only, and it was seconded by Councilman Hiemenz. The motion carried 5-0, and Ordinance No. 916 was read by name and title only by Joe Duffy.

CITY OF WILLIAMS CITY COUNCIL

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APRIL 14, 2011
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- H. Council may approve an Intergovernmental Agreement (IGA) between the City and the City of Flagstaff for use of Flagstaff's landfill for disposal of Williams' refuse: J. Duffy Joe Duffy explained that this IGA allows the City to transport our solid waste to Flagstaff. It is a ten-year Agreement with three five-year renewals. It allows us 25 years of use. Councilman Wurgler made a motion to approve the IGA, and the motion was seconded by Councilman Payne. The motion carried 5-0.
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- Glenn Cornwell reported that Staff was requesting approval of concept only for a long-term commitment and to allow Staff to review the Renaissance Faire's operational plan once a year. Among other items, they would like to review the fire plan and public access to the lake. Mayor Moore cautioned that a long-term commitment of a City park should be given a lot of consideration and discussion. Councilman Miller noted that he would like an escape clause, something to address sub-leasing to other vendors, and posting a bond for clean-up. Councilman Dent pointed out that if a fire starts, the Park is closed, and he believes the City needs to talk to the Forest Service. Councilman Miller made a motion to table this item until the next Council meeting on April 28, 2011. It was seconded by Councilman Hiemenz and carried 5-0.
- K. Council may make a decision after discussion regarding parking improvements at Rodeo Grounds for the 2011 HOG Rally: G. Cornwell
- Glenn Cornwell reported that the Harley Owners' Group requested a more stabilized parking area. He would like to provide a secondary approach by scarifying the area. This might improve the area for little cost. If it becomes too rainy, the City could go back to Plan A, replacing the gravel for \$7,000. Councilman Payne made a motion to grade and compact the parking area the best that we can without spending additional money. The motion was seconded by Councilman Miller, and it carried 5-0.
- L. Council may make a decision after discussion regarding downtown parking and signage: J. Moore
- Mayor Moore offered some background on the current parking situation: The City put signs up that read, *No Parking 2:00 a.m. – 6:00 a.m.* so the street sweeper and snowplow operators would have access to curbs. The signs were perceived by some to mean *No Parking*. Later, the Police Department received calls about cars parked in No Parking Zones. The Police Department issued citations. There was no ordinance to support the signs other than for snow removal. So, the signs were removed. Public Participant Gerald "Buck" Williams added that parking downtown is a problem. The Grand Canyon Hotel owners said they would ask customers to park on the side street and in the rear of the Hotel. Sometimes, guests travel to the Grand Canyon and leave their cars parked for several days. He believes the signs need to be put back up to give the street sweeper and snowplow operators the chance to work. If there is no ordinance supporting the signs, Council needs to make one. Police Chief Herman Nixon said that if parking signs are up, they need an ordinance to enforce parking regulations. Their calls for service are up by 100% while their personnel is down by 40%. The bottom line for the Police Department: If Council passes an ordinance, the Police

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Department will enforce it.

Councilman Dent suggested two actions:

- Get an ordinance in place;
- Get a sign design to make certain it doesn't appear that the town is inhospitable.

Councilman Wurgler would like to see the bridge, "Parking Permitted" except for limited hours.

Public Participant Chuck Vaughn noted that, when the signs citing an ordinance appeared, the parking situation got better.

Mayor Moore said that the City is in the process of developing new traffic ordinances and suggested that this issue be addressed in conjunction with that project.

Attorney Kellie Peterson said that an ordinance that just addresses parking regulations could be drafted and returned before the next Council meeting on April 28th.

Councilman Wurgler made a motion instructing the City's Attorney to draft an ordinance to coincide with the existing signs, prohibiting parking from 2:00 a.m. until 6:00 a.m. daily.

Public Participant Amy Fredrickson of the Grand Canyon Hotel added that she understands the need for street sweeping; however, she would like it at a time other than 4:00 a.m.

Councilman Hiemenz seconded the motion, and it carried 5-0.

M. Discussion regarding proposed changes to *Chapter 6.10 – Animals* (City of Williams' Codes):
K. Peterson

Attorney Kellie Peterson said that she had updated some language and definitions as well as incorporating fees into the ordinance and adding a definition for "barking," giving the City the right to approach dog owners. For example, "vicious" is defined as a dog needing a muzzle.

Excessive barking between 11:00 p.m. and 6:00 a.m. would be prohibited, but the question of duration of barking arose. Councilman Miller said that barking for five minutes might be an alarm about a disturbance while barking for thirty minutes might be excessive.

Attorney Peterson emphasized that it is necessary to set objective criteria so it can be enforced.

Chief Nixon said that Leah Payne does a great job and saves money for us. She has a lot of common sense and works well with people. She has taken only 10 dogs to Flagstaff since last October and has found homes for 28 dogs.

Leah Payne noted that there is one major change under licenses. She included an early registration discount: From January 1 through March 31 for altered dogs the fee would be discounted from \$10 to \$5. The fee would be increased for unaltered dogs from \$10 to \$25.

Attorney Peterson received clarification from Council to leave the no

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Currently the Police Department responds to barking dog calls that cannot be received from anonymous callers. The caller (victim) must appear in Court.

Council asked Attorney Peterson to prepare an ordinance so they can get it in place and come back to correct anything that proves to be problematic. The first reading of the ordinance is scheduled for April 28, 2011.

N. **CONVENE TO EXECUTIVE SESSION**

The City Council may vote to enter Executive Session pursuant to Arizona Revised Statute 38-431.03.(A)(1), which will not be open to the public, to consider the Police Chief's request for vacation hours payout. No final action shall be taken in Executive Session.

RECONVENE TO REGULAR SESSION

- O. The City Council may vote to authorize the vacation hours payout as discussed in Executive Session: J. Moore
- Councilman Miller made a motion to grant payout of 80 vacation hours for Police Chief Nixon for additional public safety services provided by the Chief to supplement vacancies in his department. Councilman Wurgler seconded this motion, and it carried 5-0.

VI. **REPORTS AND INFORMATION ITEMS:**

- A. Mayor and Council: Councilman Miller reminded that a Fly-In and Railroad Day will be held on May 7th. There will be a shuttle from the airport to town. Kiwanis will be making lunch, and the Boy Scouts will cook breakfast.
- B. Staff Reports: Joe Duffy said a couple of issues will be up for discussion at the next meeting: Determining if water will be sold to the wind farm company; review and approval of fireworks for July 4th.

VII. **ADJOURN:**

Councilman Dent made a motion to adjourn, seconded by Councilman Wurgler. The meeting adjourned at 9:01 p.m.

Mayor John Moore

ATTEST

City Clerk

CITY OF WILLIAMS CITY COUNCIL

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APRIL 14, 2011
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I. PROCEDURES:

- A. Call to Order Mayor Moore called the meeting to order at 7:00 p.m.
- B. Pledge and Invocation Chuck Vaughn led the pledge of allegiance, and Ruth Sanzari led 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 was absent.
Present from City Staff were Interim City Manager/Finance Director Joe Duffy, Police Chief Herman Nixon, Public Works Director Glenn Cornwell, and City Clerk/HR Director Susan Kerley. City Attorney, Kellie Peterson, was present.
- D. Approval of Minutes Councilman Wurgler moved to approve the minutes of March 24, 2011, and March 31, 2011. Councilman Dent seconded, and the motion carried 5-0.
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Paul (P.T.) Carter, President of Williams' Little League organization, told Council members that they will have a record-breaking number of kids participating this year, and, thus, additional fields are needed. Some of the existing fields are hazardous because of prairie dog holes, and there are too many teams for the number of fields in good repair. Mr. Carter asked about the possibility of creating a softball and Little League field by the golf course where

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APRIL 14, 2011
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cultivation
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CITY OF WILLIAMS CITY COUNCIL

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APRIL 14, 2011
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- B. Staff Reports: Joe Duffy said a couple of issues will be up for discussion at the next meeting: Determining if water will be sold to the wind farm company; review and approval of fireworks for July 4th.

VII. **ADJOURN:**

Councilman Dent made a motion to adjourn, seconded by Councilman Wurgler. The meeting adjourned at 9:01 p.m.

Mayor John Moore

ATTEST

City Clerk

CITY OF WILLIAMS CITY COUNCIL

WORK SESSION
AGENDA ITEM

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APRIL 21, 2011
COUNCIL ACTION

I. PROCEDURES:

- A. Call to Order Joe Duffy called the meeting to order at 4: 01 p.m.
- B. Roll Call Mayor John Moore (not present), Vice Mayor Don Dent and Councilmen Frank McNelly (arrived late), Bill Miller, Lee Payne and James Wurgler were present. Councilman Bernie Hiemenz was absent. Present from City Staff were Interim City Manager/Finance Director Joe Duffy, and Administrative Assistant Pamela Galvan. Present from Williams Unified School District Board, were Superintendent Steve Hudgens and Business Manager John Livingston; Principal for Williams Elementary/ Middle schools Rachael Savage arrived late. Also present was Mike Vahan, financial advisor.
- C. Adopt Agenda Councilman Miller made a motion to adopt the Agenda. The motion was seconded by Councilman Payne, and it carried 4-0.

II. WORK SESSION ITEMS

- A. Presentation by members of the Williams Unified School District Board regarding a proposed school bond issue.
- Mr. Hudgens opened the discussion by passing out a “Proposed Bond Election Capital Improvements” list, noting the various areas of needed improvements. Hudgens spoke of how the school district is to represent the bond issue and how Mr. Vahan and his company would advise on how to get the information out to voters.
 - Mr. Vahan gave us a brief background on himself and the investment banking firm he is represents. He spoke of assisting the district with their needs and narrowing down the costs. His part will include coordinating or forming a political action committee/citizens committee and provide the district with tools to be able to present this to the public. No fee if the bond issue doesn’t get passed.
 - Mr. Hudgens proceeded to go over each item from the capital improvements list. There was much discussion about roof repair/replacement and how in the past no contractors would give an actual quote to repair the roof. Mr. Livingston said he would be obtaining (2) quotes from contractors. Mr. Duffy requested that a structural engineer oversee the project. Councilman Miller noted that we have to show the roof is essential at this time, not something to be put off. Show how it has failed and how it can be fixed. Councilman Dent noted that the roof was an issue last time with voters because of the lack of information on cost of repair. He also mentioned the desire to hire local construction versus contractors from the Phoenix area. Mr. Livingston noted that once we get a licensed contractor to give us an actual cost we will bid out the work. Mr. Duffy again mentioned having a

CITY OF WILLIAMS CITY COUNCIL

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structural engineer look at this project; Mr. Livingston agreed,

- Councilman Wurgler expressed the need for an exact amount to repair/replace the roof. It is noted that Core construction and Dewith construction will provide exact costs. Mr. Vahan stated that they would be coming out this Tuesday the 29th and would provide such costs on or around the 15th of May.
- WEMS Cafeteria: briefly mentioned.
- WHS Gym: may cost less to build new building because of mold etc.
- WEMS Facilities: will tie 4 & 5 together; baseball field on corner of 7th
- Bus barn: move entire facility to city shop location; Duffy suggested to use property by shop; able to use fuel system too.
- Busses: add to items 4 & 5.
- Security/Surveillance System: deplorable especially the elementary schools’.
- Refurbish WEMS Auditorium: discussable item; seating dangerous; remove back row.
- Technology: computers in elementary school old. Mr. Duffy pointed out that funds going to upgrade computers may not be a good idea because of the rapid change in technology.
- Equipment: could generate revenue by selling ad time on both marquees.
- Mr. Hudgens closed with “the time is now”; these changes will provide safety for the students and provide much- needed improvements to the schools.
- Mr. Hudgens suggested a field trip for the community to see the need.
- Councilman McNeely questioned if we can get the bond at half the requested amount. Heard that funds were not set for specific repair. Mr. Hudgens responded with “items are earmarked.”
- Councilman McNelly mentioned the baseball park. Mr. Hudgens stated we will have a cost break out before we vote. Councilman Miller brought up the important issue of prairie dogs and their residency. It was noted the cost to remove them would be \$30,000.00. This led into a discussion about additional fields that are infested with prairie dogs and the need to remove them. Mr. Livingston will get price quote for their ratification; we need to note the success Ash Fork High school has had with the installation of AstroTurf for their field. Mr. Payne stated that people want to see where their tax dollars are going. If the numbers can be provided to the Council, then Council can

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**WORK SESSION
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provide the voters with current information, stressing the help it will provide our youth by repairing our fields; there is a need to get the community on board.

- Mr. Dent wants support of the Board to push the need to change, which led to discussion on “who” can push the ballot issue.
- Mr. Hudgens thanked Mr. Duffy for the opportunity to come and get support from the city.

III. ADJOURN:

Councilman Miller made a motion to adjourn, seconded by Councilman McNelly. The Work Session was adjourned at 5:16 p.m.

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APRIL 28, 2011
COUNCIL ACTION

I. PROCEDURES:

- A. Call to Order Mayor Moore called the meeting to order at 7:00 p.m.
- B. Pledge and Invocation Kent Jones led the pledge of allegiance, and Ruth Sanzari led the invocation..
- C. Roll Call Mayor John Moore and Councilmen Don Dent (Vice Mayor), Bernie Hiemenz, Frank McNelly, Bill Miller, Lee Payne and James Wurgler (late) were present and constituted a quorum. Present from City Staff were Interim City Manager/Finance Director Joe Duffy, Police Chief Herman Nixon, Public Works Director Glenn Cornwell, Building Inspector Tim Pettit, Recreation Supervisor Rose Newbold, and City Clerk/HR Director Susan Kerley. City Attorney, Kellie Peterson, was present.
- D. Approval of Minutes Councilman Miller made a motion to approve the minutes of April 14, 2011, and April 21, 2011. Councilman Hiemenz seconded, and the motion carried 5-0.
- E. Adoption of Agenda Councilman Hiemenz made a motion to move Item B from the Consent Agenda to become the first item in the Non-Consent Agenda Items. The motion was seconded by Councilman McNelly, and it carried 5-0. Councilman Miller made a motion to move Item K up to the top of the Non-Consent Items Agenda so those who attended because of this item would be free to leave the meeting earlier. Councilman McNelly seconded this motion, and it carried 5-0. Councilman Hiemenz made a motion to adopt the Agenda with these two changes. Councilman Payne seconded, and the motion carried 5-0.

II. PRESENTATIONS - NONE

III. PUBLIC PARTICIPATION:

IV. CONSENT AGENDA ITEMS:

- A.. Approval of Purchase Orders: J. Duffy
 - B. Council may award a bid for Bid #11-202 for 35 Golf Carts: J. Duffy. *This Item was moved to the Non-Consent Agenda.*
- Councilman Dent made a motion to approve the first Consent Agenda item, A., Councilman Payne seconded, and the motion carried 6-0. *Item B. was moved to the Non-Consent Agenda.*

V. NON-CONSENT AGENDA ITEMS:

- B. Council may award a bid for Bid #11-202 for 35 Golf Carts: J. Duffy
- Mr. Duffy explained that two bids had been received. Staff recommends approving the 2012 Yamaha bid. Thirty of the old carts were purchased in 1999. They are at the point where they need replacing or rehabilitating. The Golf Committee has recommended going from 85 to 60 carts. Carts generate revenue. Good quality carts

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COUNCIL ACTION

will pay for themselves. Councilman Wurgler made a motion to award the bid to Suncor Industries, dba Desert Golf Carts, for 35 2012 Yamaha Golf Carts for \$103,667.90. Councilman Hiemenz seconded the motion, and it carried 6-0.

K. Council may make a decision on the construction of a practice field at Elephant Rocks Golf Course after discussion: J. Moore

A letter from Brian James, Chairperson of the Golf Committee, who was unable to attend this Council meeting, was read. Mr. James made several points:

- Fear that golfers will not return if subjected to noise from a baseball field.
- Golf Course crew is already short-staffed and cannot keep up the desired quality of maintenance of the golf course.
- Golfers hit balls into the proposed baseball field area which would be a safety concern.
- Failure to understand why City would risk the loss of income from the golf course if play there is compromised.
- Believes other good locations in town are available that would allow the kids to walk or to bike to games.

Then members of the public, Ed Czech, Danielle Worthington, Patty Williams, Linda Czech, Steven Strom and Oscar Fredrickson spoke.

Their points included:

- Belief that Bill Gary donated the proposed property specifically for construction of a club house for the golf course.
- When those living in the quiet neighborhood purchased their property, they were not aware this would become a sports arena. Why take away revenue produced for the City by the golf course and replace it with a non-revenue producing facility?
- It was stated that the City is currently working with the County on a park. We could include a baseball field if the project could wait for a bit.
- One resident of the area said that they bought property there because the neighborhood land would have a club house. She asked for time to contact everyone in Highland Meadows subdivision to make them aware of the opportunity to speak to Council on the issue.
- The neighbor living in the only house by the proposed area for the ball field believes that such an addition would not elevate the neighborhood and sees a mismatch between golf and baseball.

Mayor Moore said that the President of the local Little League organization at the last Council meeting gave a presentation for a temporary ball field. Some Council members looked at the proposed

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PAGE 3

APRIL 28, 2011
COUNCIL ACTION

site, and it looked pretty bad. The rumor circulated that the building of the ball field had already started.

Councilman Miller said that the City of Williams needs a sports complex. Even though he is not a golfer, he finds golf and baseball to be incompatible. He would like to see the City take more effort and find a different location. Councilman Miller made a motion to table this item until May 26, 2011, for more research. Councilman McNelly seconded the motion, and it carried 6-0.

V. CONVENE TO PUBLIC HEARING

This will be the second of two publicly noticed Hearings for the consideration of Ordinance No. 916, An Ordinance of the Mayor and Council of the City of Williams, Arizona, Amending the City Code Title 12 by Adding Regulations for Regulating Medical Marijuana Dispensary and Medical Marijuana Dispensary Offsite Cultivation Locations

Councilman Dent made a motion to convene to public hearing, and it was seconded by Councilman Miller. The motion carried 6-0.

Mayor Moore said that the State mandated to Cities that locations must be made available. Tonight is the second Public Hearing to review the changes recommended by Planning and Zoning.

Buck Williams, Chairman of the Planning and Zoning Commission said that the State prohibits cities from passing ordinances to prevent facilities. If you put down a map, there is no place in town for such a facility with the separation requirements shown in the earlier draft of Ordinance No. 916. For this reason, Planning and Zoning decreased or eliminated some of the separation requirements. Attorney Peterson added that she thought the changes would be just fine.

Building Inspector Tim Pettit pointed out that requirements for a Conditional Use Permit must be met before a facility could open.

Councilman McNelly noted a correction on page 2, *Medical Marijuana Facility*, first sentence: change "matter" to "manner."

RECONVENE TO REGULAR SESSION

Councilman Miller made a motion to reconvene to regular session, and Councilman Hiemenz seconded this motion. It carried 6-0.

- C. Council may adopt Ordinance 916, the Medical Marijuana Dispensary Ordinance, after its second Public Hearing and Third Reading: J. Moore
Attorney Peterson pointed out that most changes are minor. However, a couple of changes from the last draft allow cultivation site and facility together, delivery could be offered, and distance restrictions were changed.
Ordinance No. 916 was read by name and title only by Joe Duffy.
Councilman Miller made a motion to adopt Ordinance No. 916 with the latest changes. Councilman Hiemenz seconded the motion, and it carried 6-0.
- D. Council may adopt Ordinance No. 917, establishing a Court Processing
Joe Duffy read Ordinance No. 917 by name and title only. Councilman Dent made a motion to approve this Ordinance, and it was seconded by Councilman Hiemenz. The motion carried 6-0.

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- Fee after its third and final reading:
J. Moore
- E. Council may adopt Ordinance No. 918, regulating parking for the purposes of snow removal and street cleaning: J. Moore
Joe Duffy read Ordinance No. 918 by name and title only. Councilman Wurgler made a motion to adopt Ordinance No. 918, and it was seconded by Councilman Payne. The motion carried 6-0.
- F. Council may adopt Resolution No. 1267, declaring as a public record “Revised Title Six Chapter Ten of the Williams City Code” : J. Moore
Mayor Moore said that this is the “Animal Ordinance.” Attorney Peterson explained that there are two ways to put an Ordinance into effect: One is legislative style; the other is by Resolution. Joe Duffy read the Resolution by name and title only.
Councilman Dent made a motion to approve Resolution No. 1267, and it was seconded by Councilman Miller. The motion carried 6-0.
- G. Introduction and first reading of Ordinance 919, amending Title 6, Chapter 6.10 – Animals: K Peterson
Joe Duffy read the Ordinance by name and title only. The second reading is scheduled for May 12, 2011.
- H. Council may recommend an application for temporary extension of premises/patio permit by Cruisers’ Route 66 Café LLC, 233 W. Route 66, Williams, AZ 86046, for the State Hog Rally after discussion: S. Kerley
John Peasley, owner of Cruisers’, explained that he is moving the stage to the south side of the street aimed toward the Railway to decrease the volume of music floating uphill into residential areas. He expects this to be a much better event than last year’s and has huge plans to get the Hog Rally back year after year. For this event, he plans a single entrance/exit and security personnel.
Councilman McNelly made a motion to recommend the application for temporary extension of premises/patio permit. It was seconded by Councilman Hiemenz, and it carried 6-0.
- I. Council may recommend an application for
John Peasley explained that he is moving his gift shop over, adding in another 20-30 seats for dining. His updated floor plan now includes the additional building that is connected to his current premises.

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- permanent extension of premises by Cruisers' Route 66 Café LLC, 233 W. Route 66, Williams, AZ 86046, for addition of a gift shop after discussion: S. Kerley
- J. Council may make a decision regarding fireworks for July 4th after discussion: J. Moore
- K. Council may make a decision on the construction of a practice field at Elephant Rocks Golf Course after discussion: J. Moore
- L. Discussion, review and possible decision regarding the Nuisance Abatement Program T. Pettit/LaNita Ellico
- M. Discussion and
- Councilman Dent made a motion to recommend this application for permanent extension of premises, and Councilman Wurgler seconded the motion. It carried 6-0.
- Fire Chief Jeff Dent pointed out that smaller shells will require a smaller area, and the Fire Department is fine with shooting smaller shells. An Incident Action Plan is in place, and they would cancel the fireworks if windy conditions exist. The location they proposed is approximately 15 acres of vacant property owned by the City just north of I-40 on Airport Road.
- Joe Duffy added that the City has a credit from the fireworks company that can be used to purchase the shells. Now, they are making only 4" and 6" shells. One key thing is that if fireworks on the 4th of July had to be cancelled, they could be rescheduled for Labor Day.
- Councilman Wurgler made a motion to approve fireworks for the 4th of July, and it was seconded by Councilman Miller. The motion carried 6-0.
- Item moved up on Agenda – see Page 2.
- Building Inspector Tim Pettit said that they are having lots of activity and introduced LaNita Ellico who will be working in the abatement program for a few months. She is going to all businesses and houses, street by street. She is giving people 15 days or more to correct problems. If she feels a good faith effort is being made, she will give an extension. If they are not complying, she issues a citation. She is working with Clean & Beautiful to help those who need assistance.
- Police Chief Nixon explained that LaNita will be a police officer after she attends academy in August. She has a degree and has been a Spanish teacher.
- Public Works Director Glenn Cornwell showed four examples of

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- decision regarding downtown parking signs – design and verbiage: G. Cornwell
- parking signs. Councilman Dent asked if the applicable ordinance number must be on the sign to enforce. Chief Nixon said that handicapped signs must contain the applicable ordinance number. Attorney Peterson cautioned that she is working on an ordinance and the numbers might change. Attorney Peterson will work with Chief Nixon on the distance required between the signs.
- Councilman Wurgler made a motion to approve the big sign with “no parking” in little letters. Councilman Miller seconded the motion, and it carried 6-0.
- N. Council may make a decision after discussion of a request by Mark Worden to use Buckskinner Park for the Annual Renaissance Faire beginning in 2012: Glenn Cornwell (*Tabled from 4.14.11 Council meeting*)
- Public Works Director Glenn Cornwell recommended that Council table this item until May 12, 2011.
- Councilman Dent made a motion to table this item until Council meeting of May 12, 2011. Councilman Miller seconded the motion, and it carried 6-0.
- O. Council may make a decision regarding rehabilitation issues at the Aquatic Center after discussion: G. Cornwell
- Recreation Supervisor Rose Newbold said that after doing research for a solution of the moisture issues, they obtained opinions of professionals. Staff recommends proposals by Service Master, Energy Seal Corp., Walker Glass, Timber Ridge Roofing and 1 Source Heating and A/C. She then introduced Manny Arroyo, owner of 1 Source Refrigeration and Heating, who told Council members that he has donated 31 hours of manpower since March on investigation of the Aquatic Center. He cited breached walls as the cause of problems with the H Pack System and design flaws as the cause of other issues. He emphasized that air movement in the building is crucial so he would like to revamp the HVAC and air movement system. The estimate, combining the services of the above-named companies, totals \$43,967.79 with potential costs of another \$14,000 for hibernation over next winter.
- Councilman McNelly made a motion to accept this proposal, and it was seconded by Councilman Wurgler. The motion carried 6-0.
- Mayor Moore instructed Attorney Peterson and Joe Duffy to work on pursuing recovery for some of the repair/replacement expenses from the architects and engineers who originally designed the aquatic center.
- P. Council may make a decision to allow water sales for
- Joe Duffy noted that there is not a lot of demand for water from commercial users outside the City. The proposed wind farm is estimated to be a \$200 million project. They would need 150,000 – 200,000 gallons of water each day. Our reservoir is full and we have a

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contractors
outside the City
Limits: J. Duffy

new waste water treatment plant. We would have the contractors install stand pipes at their expense and use Airport Road and Pronghorn Ranch Road to avoid the City's streets. If the Golf Course runs out of water, they have the option to blend with Cataract Lake water. These water sales could offer us an economic shot in the arm by generating \$300,000 - \$500,000 in cash.

Councilman Dent pointed out that this would provide an opportunity to get money to put back onto street repairs and maintenance.

Councilman McNelly made a motion to move forward with water sales at a rate to be determined with proceeds used to repair streets.

Councilman Wurgler seconded the motion, and it carried 6-0

Q. Council may
make a decision
on water rates for
effluent water
sales: J. Duffy

Skipped – See Item P.

R. Council may
approve payment
to Dan Barnes for
damages to Old
Smokey's
Restaurant and
resulting claim
from 2010 rain
storms that the
City's liability
insurance did not
cover: S. Kerley

Susan Kerley reported that Old Smokey's 2010 claim totals \$4,698.

The City filed the claim with Travelers Insurance who denied payment of the claim.

Mayor Moore asked if anyone had questions for Dan Barnes. Dan Barnes wanted to provide his history: He said that 3-4 years ago, the City paid \$3,000 to \$4,000 for other flooding claims. He said that there was a ditch between Safeway and the Senior Center that has been removed. In so doing, the City allowed the flow of water to be diverted. He continued: When the Safeway parking lot was designed, it flows northeast to dump water in the front door of Smokey's. Each property should retain its own water. The primary source of the flooding is Safeway's parking lot, sucking water off Grant Street. Mr. Barnes said he could no longer do business because the Health Department was about ready to shut him down. He believes the City allowed some stuff to happen instead of addressing the problem. He believes the City is aware because it paid his claim one time before.

Glenn Cornwell said that a ditch has been put by 5th Street to drain water to Cataract Creek. Public Works is trying to move the driveway at Safeway to the east. They have given plans to Safeway to review. He estimates it will be 2-3 months before going out to bid. The City has the plans but is still working out the dollars.

Councilman Wurgler asked if the City is allowed to question the judgment of our insurance company.

Councilman Dent replied that questioning the insurance company will not get us anywhere. All the insurance company has to prove is past flood issues. The owner had the option of purchasing flood insurance.

Mr. Barnes said he was told to submit his claim to the City. If it was

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COUNCIL ACTION

under \$5,000, it would be paid by the City. He did not know it would go to the insurance company. He asked Joe Duffy if that was what he told him.

Mayor Moore asked if there's no problem with Safeway, why are we fixing it. Glenn Cornwell explained that the City is trying to prepare for higher year events above the average or normal 25-year storms.

Councilman Dent asked Attorney Peterson if the City were to pay this claim, would we be opening ourselves up to other claims. Her response was "yes." She asked that, if this were ever done, to get a release agreement. She pointed out that it is a bad precedent to disagree with your insurance company.

Mr. Barnes pointed out that a precedent has already been set. Councilman Dent replied that the insurance company paid the earlier claim; the City did not.

Oscar Fredrickson stepped forward to say that he is next in line if Dan Barnes is awarded his claim. When the City did an overlay, they did not mill the gutter, and water from the alley behind the Grand Canyon Hotel goes into its basement. Councilman Miller asked if the basement were flooded when he bought the building. Councilman Dent stated that all buildings downtown flood every spring from groundwater.

Councilman Dent made a motion to ask Travelers to review the claim, making certain they understand the claim and to review the outcome in an Executive Session. Councilman Wurgler seconded the motion, and it carried 6-0.

- S. Council may approve the formation of an ad hoc committee, the Mayor's Youth Advisory Group, after discussion:
J. Moore

Mayor Moore said that he has wanted to form this group for several years. He and City Clerk Susan Kerley met with a group of seven young people, and their next organizational meeting is scheduled for Monday, May 2nd at 7:00 p.m.

Councilman McNelly made a motion, authorizing and offering support for this ad hoc committee. Councilman Hiemenz seconded the motion, and it carried 6-0.

VII. REPORTS AND INFORMATION ITEMS:

- A. Mayor and Council None

- B. Staff Reports Attorney Peterson announced that she or a member of her firm will spend approximately one day a month at City Hall, beginning next Tuesday from 8:00 a.m. to 12:00 p.m.,.

VIII. CONVENE TO EXECUTIVE SESSION – 9:15 p.m.

Councilman Hiemenz made a motion to convene to Executive Session, and it was seconded by Councilman Miller. The motion carried 6-0.

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The City Council may vote to enter Executive Session pursuant to Arizona Revised Statute 38-431.03.(A)(7), which will not be open to the public, to discuss with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property.

RECONVENE TO REGULAR SESSION

Councilman Wurgler made a motion to reconvene to Regular Session, and it was seconded by Councilman McNelly. The motion carried 6-0.

Council reconvened to Regular Session at 9:29 p.m.

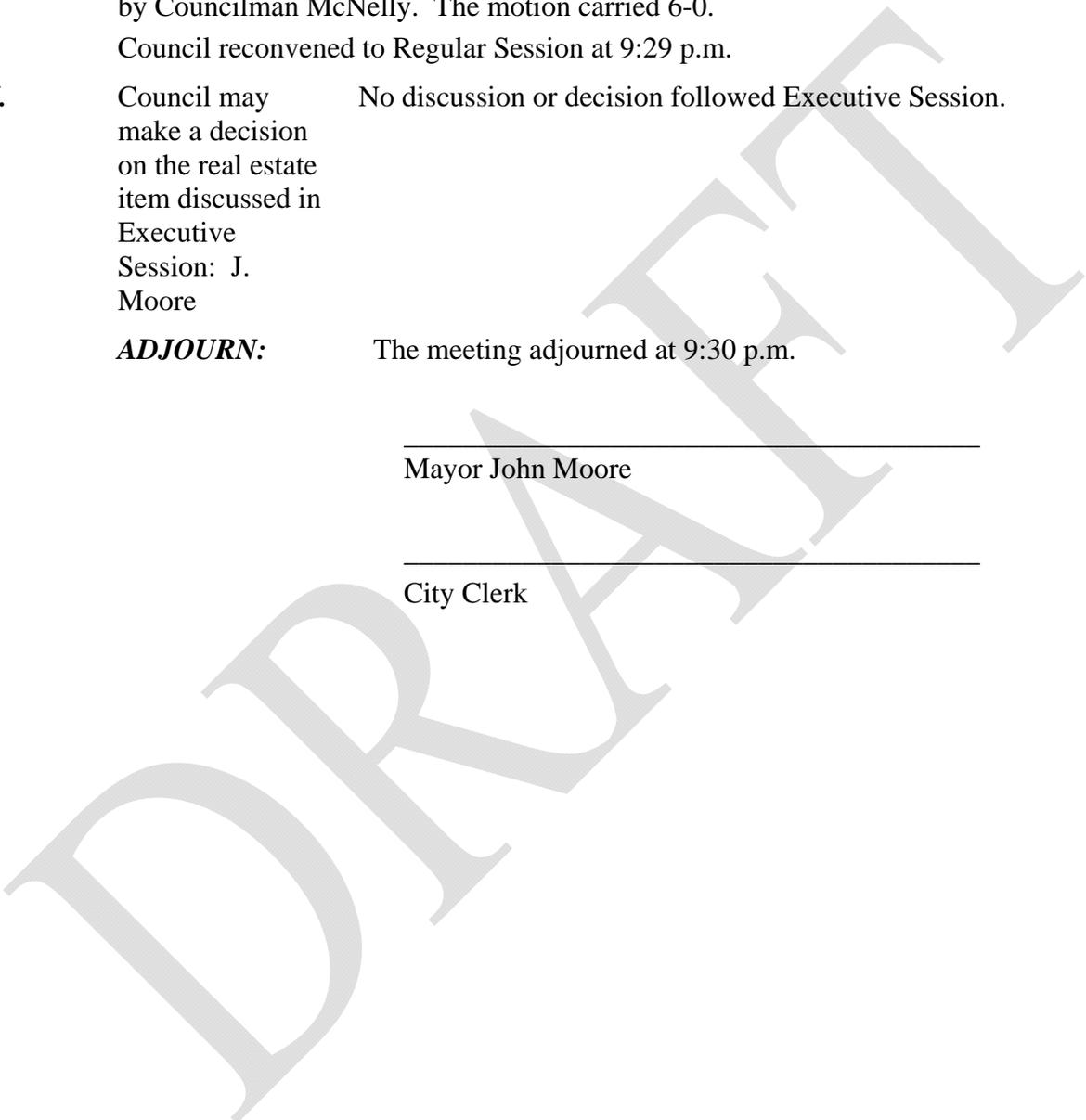
- IX.** Council may make a decision on the real estate item discussed in Executive Session: J. Moore
- No discussion or decision followed Executive Session.

ADJOURN: The meeting adjourned at 9:30 p.m.

Mayor John Moore

City Clerk

ATTEST



CITY OF WILLIAMS CITY COUNCIL

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AGENDA ITEM**

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**MAY 12, 2011
COUNCIL ACTION**

I. PROCEDURES:

- A. Call to Order Mayor Moore called the meeting to order at 7:00 p.m.
- B. Pledge and Invocation Judge Rob Krombeen led the pledge of allegiance, and Ruth Sanzari led the invocation.
- C. Roll Call Mayor John Moore and Councilmen Don Dent (Vice Mayor), Bernie Hiemenz, Frank McNelly, Bill Miller, Lee Payne and James Wurgler (late) were present and constituted a quorum. Present from City Staff were Interim City Manager/Finance Director Joe Duffy, Police Chief Herman Nixon, Public Works Director Glenn Cornwell, City Clerk/HR Director Susan Kerley, and Administrative Assistant, Pamela Galvan. City Attorney, Kellie Peterson, was present.
- D. Approval of Minutes Councilman Dent made a motion to approve the minutes as presented, and the motion was seconded by Councilman Miller. The motion carried 5-0.
- E. Adoption of Agenda Councilman Miller made a motion to approve the agenda, and it was seconded by Councilman Hiemenz. The motion carried 5-0.

II. PRESENTATIONS - NONE

III. PUBLIC PARTICIPATION:

- Chuck Vaughn, Chairperson, Northern Arizona Barbeque Festival, announced that this year's event, "Turn Up the Heat," will be held the first Saturday before the 4th of July.
- Laura Duncan came to thank everyone at the City for the signage put up at Santa Fe Dam.
- Ruth Sanzari shared her concerns with water sales to developers.
- Jim Lara handed out some information on wind energy to the council.
- Lisa Lovell inquired on the number of gallons developers would be obtaining.
- Kathy Lara is concerned about the impact on the city with water sales to developers.

IV. CONSENT AGENDA ITEMS:

- B. Approval of Purchase Orders: J. Duffy

- C. Approval of Check Register for the month ended April 30, 2011: J. Duffy

- D. Proclamation of May 15-21 as Emergency Medical Services (EMS) Week; J. Moore

- Joe Duffy read the proclamation.
- Paramedics from Lifeline and Sheriff's Department were introduced.

Councilman Miller made a motion to approve B. Purchase Orders, C. the check register for the month ended April 30, 2011, as well as, D. the proclamation. Councilman Wurgler seconded the

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MAY 12, 2011
COUNCIL ACTION

motion. The motion carried 6-0.

V. *NON-CONSENT AGENDA ITEMS:*

- E. Discussion and decision regarding waiving Habitat for Humanity building fees: J. Duffy
- Joe Duffy opened the discussion, going over the building fees.
 - Ruth Sanzari read a letter, requesting the city to waive the fees.
 - Joe Duffy gave the total of \$7,043.91 that will be waived.
- Councilman McNelly made a motion to waive the fees and it was seconded by Councilman Wurgler. The motion carried 6-0.
- F. Council may approve effluent water rate after discussion: J. Duffy
- Joe Duffy pointed out that 400,000 gallons per day are piped and used by the Golf course.
 - He suggested a rate of \$12.00 per thousand gallons to start.
 - \$20.72 per thousand is the standpipe rate.
 - Councilman McNelly inquired on the possibility of selling the filtered water. The consensus was “no.”
 - There was discussion of selling raw water for concrete use.
 - Vice-Mayor Dent noted that 17 million gallons of effluent water sales was not much, considering when lakes are full, we will lose more than that in evaporation. We may generate more than \$100,000.00 in water sales and with the sales, we could improve our roads.
 - Joe Duffy will watch water sales and limit them if necessary.
 - Vice-Mayor Dent spoke of water sales in Flagstaff being \$2.50 per thousand, but semis may not want to travel the distance.
 - It was confirmed that the sales will be of effluent and raw water only.
- Councilman Wurgler made a motion for the rate of \$12.00 per thousand gallons and it was seconded by Councilman Heimenz. The motion carried 6-0.
- G. Second of three readings of Ordinance 919, amending Title 6, Chapter 6.10 – Animals: K Peterson
- Councilman Wurgler made a motion to read both name and title only; it was seconded by Councilman Heimenz. The motion carried 6-0.
- Joe Duffy read the ordinance by name and title only.
- H. Introduction and first reading of Ordinance No. 921, regarding any unnecessary,
- Kellie Peterson opened with an explanation that it is in draft format at this time. Changes can be made up until it is adopted.
 - Councilman Miller inquired on the residential area being

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**MAY 12, 2011
COUNCIL ACTION**

excessive, or
offensive noise
which disturbs the
peace or quiet of
any
neighborhood: K.
Peterson

defined.

- Ms. Peterson noted it is defined by zoning.
- Councilman Miller added that we need to keep it simple. The real issue is with the hours and how they impact the hotels. (There are 14 hotels on Route 66)
- Councilman Miller expressed his concern over the number of individuals we have during the summer and the 2:00-6:00 a.m. noise ordinance. 10:00 p.m. is a reasonable hour to drop the noise; there has been no cooperation in the past. He is sympathetic to hotel owners whose guests were expecting a good night's sleep. He thinks by 10:00 p.m. at night the noise should be taken inside. He suggested changing the time in the commercial area to accommodate our guests.
- Councilman Wurgler agreed to 10:00 p.m. for both commercial and residential areas.
- Ms. Peterson noted that a 10:00-12:00 range is most consistent.
- Attorney Tevis Reich representing the Motel/Hotel industry (Econo Lodge) believes this is a good ordinance with a good start, but the hours are of concern. He spoke of a need for balance for families and hotels. He spoke of ordinance article 6-12.01. It refers to residential only but it should apply to both residential and commercial areas. He spoke further on the purpose of a noise ordinance. It is regarding how noise is emitted; and how there is a loophole in being able to play for say 13 minutes, take a break for 5 minutes only to start playing again. It is an ambiguous term. The immediate premise needs greater detail. He noted how the public and law officials (officers on the street) need to thoroughly understand the ordinance. How quiet hours should allow you to go to sleep; henceforth "no" sound being emitted to bother others. The ordinance is a good start but needs greater definition.
- Mayor Moore stated he was "confused"; he felt that the immediate premise was well defined by high court.
- Mr. Reich doesn't feel it is, that it can be interpreted in various ways.
- Councilman Wurgler referred to page 2, item 2. He asked Mr. Reich if he agreed with it.
- Councilman Wurgler asked to hear from Chief Nixon about the Police Department enforcing the ordinance.
- Chief Nixon stated that we will not make everyone happy

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COUNCIL ACTION

but will try to do our best. Bar owners depend upon the music. Hotel owners want guests to get a good night's sleep. What is a reasonable person's expectation?

- Councilman Wurgler asked if it is fair to say that if we put a 10:00 p.m. limit on them, we can come back and visit it again.
- Mayor Moore thinks a 12:00 midnight would serve hotels' interests.
- John Peasley came forward stating he thinks 2:00 a.m. is too late and 10:00 p.m. is too early; that midnight is reasonable. He agreed with the Mayor.
- Councilman Miller noted that there is no hotel near Mr. Peasley.
- Vice-Mayor Dent noted that foreign visitors eat late (9:00 to 10:00) and this will affect them.
- John Peasley has the largest outdoor seating area.
- Councilman Wurgler asked if it is necessary for the volume to stay the same. Can it be reduced at 10:00 p.m.?
- Chief Nixon noted that Council needs to understand that if hotel owners complain and a citation is written, they must go to court.
- Vice-Mayor Dent doesn't like having to involve the government more than necessary. He believes the only way to enforce levels is with a decibel meter. Cities using them are having problems. He looked at four different websites' comments and saw one comment about noise- not specifically music. Everybody will have a different opinion. Officers will have to make a judgment call. There is no easy answer.
- Mayor Moore asked to talk to the attorneys. He gave an example of noise bothering a guest, guest complains to management, and then leaves town. Can the owner complain on behalf of guest?
- Mr. Reich replied "yes," the impact still is present.
- Mayor Moore feels that time frame is what we need to talk about.
- John Holst noted the town is growing and the entertainment is better; however, the problems lie with the bars blasting loud music late into the night to attract visitors to their bars.
- Mike Cowen recalled when people came and stayed because they had to. He has been here 35 years. He recalled a time when semis traveled on Route 66 24 hours a day and you

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heard jake brakes over music. We have 15 vacant buildings. Williams has changed to a place that people come to for an experience. We need to keep entertainment going.

- Hugo explained his frustrations with upset guests, and stated that 12:00 midnight is too late.

Councilman Wurgler made a motion for the quiet time 12:00 a.m. to 6 a.m. Councilman Dent requested it be for both residential and commercial. Councilman McNelly seconded the motion.

Roll Call Vote: Mayor Moore, Yes, Vice-Mayor Dent, No, Councilman McNelly, Yes, Councilman Payne, Yes, Councilman Hiemenz, Yes, Councilman Miller, No, and Councilman Wurgler, Yes. Motion to table first reading until May 26, 2011. Councilman Wurgler made a motion and Councilman Hiemenz seconded. The motion carried 4-2.

- John Holst asked for clarification on no limits till midnight.
- Mayor Moore stated that there is a big issue with time frame.
- Gloria Rodriguez stated there is a lot more than giving a refund. Corporate gets involved if there are problems. If adopted, how does it affect residential/commercial areas?
- Ms. Peterson not intent – overall ordinance applies all the time.
- Councilman Payne is amazed at what we go through, the business owners help each other all the time. It's a shame we come to this point to control. Sometimes the music is too loud.

No first reading of Ordinance No. 921 was given.

I. Approval of the Technical Assistance Contract with NACOG for the administration of the City's two Community Development Block Grant Contracts: J. Duffy

- Joe Duffy opened with noting \$7,000 to \$15,000 is in line with all previous Community Development Block Grants.

Councilman Dent made a motion to approve the Technical Assistance Contract and Councilman Payne seconded. The motion carried 6-0.

J. Council may make a decision after discussion of a request by Mark

- Joe Duffy noted that Kellie Peterson has the draft agreement 99% complete. She recommended tabling until May 26, 2011. Councilman Wurgler made a motion to table this item until May 26th,

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Worden to use Bucksinner Park for the Annual Renaissance Faire beginning in 2012: Glenn Cornwell (*Tabled from 4.14.11 and 4.28.11 Council meetings.*)

and Councilman Miller seconded. The motion carried 6-0.

K. Council may make a decision after discussion of an upgrade proposal for the replacement of obsolete card readers at the water loading station: J. Duffy

- Joe Duffy opened the discussion by saying that the current card system has become obsolete; there are no parts available.
- He recommends going to a system where users can be identified. This will eliminate the machine at Safeway and change the cost at City Hall. Option A card system will be provided at no cost with no out-of-pocket cost. Cards are good for 5 years. Customer puts their card in, enters their security code and debit/credit card in for payment.
- The existing agreement with the Havasupai may not take on additional water clients.
- Joe Duffy recommends Option B card system.
- Councilman Hiemenz asked if this keeps people off the system who don't use credit cards.
- Councilman Miller inquired on the number of Williams' residents that are not allowed to buy water. Also, will the agreement with the Havasupai affect water sales with contractors?
- Ruth Sanzari noted some residents in the City of Williams haul water and asked how credit card will use impact the discounted rate for locals.
- Joe Duffy stated that each user's ID will determine their rate.

Councilman Wurgler made a motion to purchase Option B and Vice-Mayor Dent seconded. The motion carried 6-0.

VI. REPORTS, CURRENT EVENTS AND INFORMATION ITEMS

A. Mayor and Council

- Mayor met with the superintendent of schools regarding the ball field. Councilman Payne, Mayor Moore and Chief Nixon will meet on Monday and get started.
- Councilman Miller stated the Fly-In was a success with hopes of building on it next year.
- Councilman Wurgler mentioned that we are neglecting the

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potential for marketing Kaibab National Forest.

B. Staff Reports

- Joe Duffy reminded everyone of budget meetings on the 17th and 19th. Staff Day is on Thursday May 26th.
- Susan Kerley noted Open Enrollment for insurance on Monday, May 16th and Tuesday, May 17th.

VIII.

ADJOURN:

The meeting adjourned at 8:34 p.m.

Mayor John Moore

ATTEST

City Clerk

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May 17, 2011
COUNCIL ACTION

I. PROCEDURES:

- A. Call to Order **Mayor Moore** called the meeting to order at 5:00 p.m.
- B. Roll Call Mayor John Moore, Councilmen Don Dent (Vice-Mayor), Bernie Hiemenz, Bill Miller, Lee Payne, and James Wurgler were present and constituted a quorum. Councilman Frank McNelly was absent.
Present from City Staff were Interim City Manager/Finance Director Joe Duffy, Fire Chief Jeff Dent, Public Works Director Glenn Cornwell, Street Superintendent Hoch Ortiz, Shop Superintendent Sheldon Johnson, Sanitation Superintendent Doug Owens, Maintenance Superintendent Gene Owens, Recreation Supervisor Rose Newbold, and City Clerk/Human Resources Director Susan Kerley. Judge Rob Krombeen from the Magistrate Court was present.
- C. Adoption of Agenda **Councilman Lee Payue** moved to adopt the agenda. **Councilman Bill Miller** seconded, and the motion carried 4-0.

II. WORK SESSION ITEMS

- A. Fiscal Year 2011/2012 Budget Review **Joe Duffy** offered information on each of the following areas:
Budget Overview:
This, hopefully, will be a year of healing. Some minor fine tuning needs to be done, like transferring funds from BBB, and moving money around, in order to begin the process of building cash over the next several years. Credit goes to the department heads who have sacrificed and have done all they could to save money.
Fire:
Jeff Dent, Chief, Williams Volunteer Fire Department reviewed the situations that threw the department over budget this year: Needed training opportunities came up unexpectedly. Accounts receivables for around \$10,000 remains uncollected. The jaws of life broke on a call, and it had to be replaced. The fire station is being redone because of storm damage.
We have applied to FEMA but have not received funds. We could collect \$100,000 later.
Chief Dent continued: A lot of materials were used on two HAZMAT calls. Next year it is critical to get the repeater fixed for approximately \$10,000. This has to be done before 2012 to keep the current FCC license. This is the only unusual item for next year. Down the road, they will need to replace Engine #5. They need something to help with recruiting. More training is involved and more is asked of new recruits. One idea is to pay them per call, like \$15. This was the first year in approximately fifteen that the Fire Department has been over budget.
Golf Course Fund:

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There are no major capital expenditures. We are holding off on hiring seasonal employees until play begins.

Marty Yerian, Golf Course Superintendent, pointed out that they are running way behind on replacing equipment and that there is lots of good, used equipment available now for deeply discounted prices. Things will reach a point where approximately \$300,000 worth of existing equipment can't be used anymore. He would like to get a set amount of cash for the next two to three years so he can go out and purchase good used equipment.

We have put \$25,000 into the budget for this purpose for the next five years. The other capital item is roofing at the club house. The plan is to replace it in September after the monsoons.

Sanitation:

Only benefits and workers' comp are up. Capital items have been taken from Impact Fee Funds: \$18,000 for refuse containers and \$10,000 for roll-offs. We have budgeted for two more 40-yard roll-offs.

Magistrate:

Their only capital request is \$1,500 for a copy/fax/printer. This year, they have been paying for a part-time court clerk from the Court Enhancement Fund and JCEF. They determine how these funds are spent after getting approval from the Supreme Court.

Judge Krombeen explained that the part-time clerk has very limited access to computer programs because the Supreme Court says employees have to be "permanent" to gain authorization. They have been sending her to training. They have tried to come up with solutions to sustain her position and to make it full-time. The Court is trying to recover fairly old debts using skip tracing techniques. However, the full-time employee, Shana Brownlee, does not have time to pursue this along with her other responsibilities, but they are trying to collect debts owed to the City. They are trying to use new strategies to collect fines. Along with these things they are doing to help provide financial solutions, they will pursue collecting the \$600,000 Reuter debt.

Keep the part-time employee status quo for six months to see if revenues are growing.

Street Department:

Recommendation is not to fill the vacated position because of the reduction in HERF funds. We are trying to use part-time maintenance employees to help with Street Department projects. More was added in engineering, and a portion of materials was coded to Impact Fee funds. We would like to use up Impact Fee funds over the next few years and want to use some to purchase materials for street repairs. Our biggest major need right now is roads. The Street Department has done a remarkable job.

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Central Garage:

Sheldon Johnson, Shop Superintendent, stated that they want to share a mechanic with the Water Department. If we have a one-ton boom truck, one person can change out pumps. Such a truck would come in handy at the Garage and the ponds. He has seen a 1994 model on Craig's List for less than \$10,000. The Mayor suggested that he get on that right away because of safety concerns.

Sheldon is doing a remarkable job.

Sheldon reported that one garbage truck (Heil) has been out to that company. They had it for two months and could not fix it. It is back and is "sort of" working. Heil no longer supports the computer system in this truck. Sheldon asked Council to consider a new loader as it is hard to get parts for our 1990 loader. This is a key piece of equipment in snowstorms.

The dozer (Caterpillar) is worn out.

Councilman Dent suggested the City should find used equipment while it is still available at discounted prices.

Sheldon's homework is to get prices.

Recreation:

We are keeping the operating expenses the same with the only increase being in natural gas. We will have to do a \$3,000 study to remediate lead at the shooting range. Some agencies in town have pitched in \$500 each to cover this expense.

Rose Newbold, Recreation Supervisor, said that she is looking for ways to offer programs. \$13,500 was received in grants this year – some for youth programs, some for high school programs, and some for adults. The Community has stepped up to support the recreation programs: Camp Civitan is feeding the kids at the summer rec programs.

Rose rents all the City's facilities and works with the Chamber on events in addition to all her other responsibilities. You don't see all the work she's done.

Pool:

Rose Newbold reported that the repair job at the pool is coming along. The contractor is telling her they're on time for the scheduled opening on May 28th.

One change was made to the budget: Anna Curry, one of the pool coordinators, was transferred to the front desk at City Hall. Her salary has been moved to Administration's budget.

Maintenance:

One seasonal worker has been added, and one seasonal employee will be designated to maintain the Little League fields. One seasonal employee

will be shared with the Golf Course. The Maintenance Department has run over budget because they have been asked to do more this year than was projected. An increased amount will be charged to the Forest Service because they require more attention while the Visitors' Center will remain the same.

Gene Owens, Maintenance Superintendent said that all lights at the horse stalls had to be replaced, and lights downtown were replaced also. He hopes to save a lot of money through using a local contractor.

Senior Center:

No changes.

Visitors' Center:

Increased wages in budget to reflect the expenses. We finished the new entry doors. The Forest Service is paying \$5,000 extra each year to keep up with maintenance on the building.

Forest Service Building Fund:

We threw \$50,000 at the roof. After this, the fund will raise a lot of cash for the City. There should be a positive cash flow of about \$100,000 each year.

General Administration:

Salaries are up because of transferring the cost of employees who were transferred to Administration from Finance and Pool. Salaries now represent two Administrative Assistants, City Clerk/Human Resource Director and 75% of a City Manager's salary. \$10,000 has been placed in a contingency fund; \$3,000 for computer software; and \$9,000 in north side sewer payments. We have experienced a decrease in legal fees.

Finance:

Audit proposals for next year will be brought to the May 26th Council meeting. \$2,500 has been allotted for a sales tax audit and \$1,500 for computer equipment, just in case something breaks.

Planning:

Essentially, the Planning Department has been eliminated.

Airport:

The Airport's maintenance has been kept about the same. The process for obtaining federal government's approval to use airport property for non-aviation-related purposes is ongoing. Fuel sales are running \$4,000 - \$5,000 each year.

Glenn Cornwell, Public Works Director, added that due to 2010-2011 budget cuts, funds usually received were swept. The runways are cracking and will need to be brought up to acceptable levels.

Building:

This budget remains the same as last year with \$3,000 for towing and

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abatement.

Library:

Last year they had County equity funds that picked up Andrea's (Andrea Dunn, Librarian) salary. We paid only for part-time employees. The County pays for books, and the fund still keeps building.

Mayor & Council:

When salaried employees received a 5% decrease in pay, Mayor and Council took a voluntary reduction of \$200/month in their monthly stipends. When the salaried employee's salaries were restored by the 5%, Mayor and Council's stipends were not restored. The budget will include restoration of Mayor and Council's stipends by the amount they were reduced. Otherwise, this budget will be pretty much the same.

III. ADJOURN:

The meeting adjourned at 6:55p.m. after a motion was made by Councilman Hiemenz and seconded by Councilman Dent.

Mayor John Moore

ATTEST

City Clerk

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May 19, 2011
COUNCIL ACTION

I. PROCEDURES:

- A. Call to Order Mayor Moore called the meeting to order at 5:00 p.m.
- B. Roll Call Mayor John Moore and Councilmen Don Dent (Vice-Mayor), Bernie Hiemenz (late), Bill Miller, Lee Payne, and James Wurgler were present and constituted a quorum. Councilman Frank McNelly was absent.
- Present from City Staff were Interim City Manager/Finance Director Joe Duffy, Public Works Director Glenn Cornwell, Police Chief Herman Nixon, Water Department Supervisors Bill Pruett and James Grantham, Wastewater Operator Kathy Fuller, and City Clerk/Human Resources Director Susan Kerley.
- From the Chamber of Commerce, Kent Jones, Judy Lollich, Jim Winbourn, Carol Glassburn, Goia Goodrum, and Jan Shirley were present.
- From Main Street Association, David Haines and Kim Kadlitz were present.
- C. Adoption of Agenda Councilman Miller moved to adopt the agenda. Councilman Lee Payne seconded, and the motion carried 4-0.

II. WORK SESSION ITEMS

- A. Fiscal Year 2011/2012 Budget Review
- Joe Duffy offered information on each of the following areas:*
- Police Department:**
- We budgeted \$1.5 million, but it will be around \$1.4 million.*
- Capital items include:*
- *computer software*
 - *paying off final lease-purchase agreements on vehicles*
 - *additional computers – just in case of failure*
- Chief Nixon explained that the Humane Society in Flagstaff billed the City for \$16,000 for taking 26 animals last year, coming to about \$600 per dog. Yavapai County, Yuma and others contract with cities for dogs at \$75 each. They are trying to get a back-up solution to take dogs to Yavapai. The Department is asking for a breakdown of costs from the Humane Society, but the organization has not been particularly cooperative. They would like to work with Robyn Eckels to get a facility in town.
- We have no written contract with the Humane Society in Flagstaff.*
- We did agree to use a piece of City land for such a facility.*
- Mayor Moore suggested offering a match of \$10,000 to Robyn's group when they have \$10,000 for the facility.
- We would like to add a new entry on the east side of the police station along with a public restroom this year. The current entry on the north*

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side of the building is unsafe. The current lobby might be used for office space. The current front door would become an emergency exit.

Water Department:

The Water Superintendent's position was vacated this year. Bill Pruett and James Grantham are co-supervising the Department. One Maintenance Worker I position has been left unfilled, and we have budgeted to fill it later into the summer. Salaries are split 50/50 between the Water Department and the Wastewater Department. The benefits are kept in the Water Department's budget. The Department ran over in supplies and services, because the prices of chemicals have been high along with electricity for the wells which has been adjusted. They are doing everything possible not to spend money, but it has been a necessity to hire a professional to help catch up on all reports.

Bill Pruett and James Grantham reported on their capital needs:

- They need a valve for the Water Plant to help control the flow. The current valve has lots of fluctuation and can be viewed as a safety issue.
- The entry to the Water Plant should be paved because they're experiencing problems with delivery trucks sliding off this road into the bar ditch. Often the trucks are carrying chemicals.

We may do overlay this summer and tie paving of the entry into that. Included in the budget is \$14,000 for a new water sales card system. Money to pull pumps and check their condition will be taken out of Impact Fees. A company from Oklahoma will pick up the pumps on Monday and will call with their estimate to recondition them on Friday.

Wastewater Department:

This Department is quite a bit over budget this year: Electricity, repairs and maintenance, and small tool purchases have been high. \$70,000 a year is spent to get rid of the sludge. We have bought two roll-offs so we can haul it ourselves. Tipping fees should be less than \$200 per load.

Bill Pruett reviewed capital items:

- Lab equipment – we are short on some items.
- Lift truck with a boom to split between the Shop and Water Departments.
- Cover for effluent sampling to remove employees and samples from the elements. Something like a small, metal building would work.
- Gas chlorine system.

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Kathy Fuller pointed out that some of this year's expenses have been necessary to come into compliance with State permits. The Health Department dictates what testing equipment we must have when they do their annual inspections.

Tourism Promotion:

Judy Lollich, Treasurer for the Williams-Grand Canyon Chamber of Commerce reviewed their budget:

- It encompassed \$10,000 for the Cavalry Band that they have redirected to Tourism.
- They are researching better ways to spend marketing funds.
- They have included the part of the City/Chamber Agreement in which the Chamber oversees the Main Street Association so they have included the \$20,000 Main Street budget.
- The \$20,000 will be spent in tourism marketing – details to be provided by MSA.
- FAM Tours have increased.
- In order to push funds into tourism marketing, they have been extremely cautious and conservative with their Overhead Budget.
- Salary increase is based on the President/CEO's contract.
- They plan to send the CEO for tourism/marketing training.
- She believes they have done a good job this year in preparing a conservative budget with a focus on marketing and tourism.

Goia Goodrum, President/CEO, offered these comments:

- The display boards they brought and set up showed a representative sampling of last year's ads.
- A new tourism website is available:
www.experiencewilliams.com
- They want to market to international markets.
- They continue working with Grand Circle.
- They are looking at a regional partnership with the Grand Canyon Chamber and Flagstaff Visitors' Center, along with Cliff Castle Casino, Cottonwood, Camp Verde, and Page.
- They are budgeting so that she may attend more conferences on tourism.
- They will remain politically active.
- They will continue to support the Main Street Association and its activities.
- They will focus on staff training, social media, and creating package deals.

Chamber of Commerce:

Kent Jones, Chairperson, reviewed Economic Development:

- The key element is the five-year strategic plan, developed by Williams Focused Future II.
- Carol Glassburn is working on the Recreation Development piece of the Plan along with Marty Schramm of the Kaibab National Forest Service. The Forest Service hopes to create bike paths at Bill Williams' Mountain. Susan Kerley is working on a community calendar and a Cultural & Heritage committee.
- Advancing business development through the construction of Morse Blvd. (Rodeo Road); working closely with NACOG
- NACOG Tourism Round Up met here last April, thanks to the Mayor's efforts.

Judy Lollich noted that Main Street is not included in the \$298,000 but has its own line item on the first page. They took the gunfight funds and rolled them into the one-figure amount. They will be \$60,000 short next fiscal year.

The BBB (Bed, Board, and Booze) Fund has increased over the last two years from \$644,000 to \$687,000.

Mayor Moore suggested that he would like to watch their budget over the next year and believes that an increase may be in order next year.

Carol Glassburn will make an effort with the Forest Service to market their activities.

Main Street:

Mayor Moore recommended not funding the Main Street Association.

Judy Lollich said that the Chamber has a contract with the City that identifies Main Street Association as a responsibility of the Chamber. So, they will need to have a new Agreement to relieve them of that responsibility. However Council wishes to handle this matter is fine with the Chamber. Right now, the Chamber passes on any profits from Main Street events to the Main Street bank account; however, the Chamber absorbs any losses from the Main Street events.

Mayor Moore pointed out that for the annual amount funded to Main Street Association, he believes the City has not been getting any bang for the buck. He asked several questions of David Haines and Kim Kadlitz, who represented Main Street Association, including whether or not they agreed that this group has not done much for the last seven to eight years.

David Haines said he would agree, except for the last two years in which they have spent a great deal of time on creating and reviewing

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the proposed Main Street Ordinance. Also, he pushed for the annual barbeque as a fund raiser to get additional funds for MSA. They're proposing to do a mini-grant process for small amounts for businesses. Kim Kadlitz added that MSA in conjunction with the Historic Preservation Commission redid the Historic Walking Tour brochure. They got seven new brass plaques for historic buildings. They provided a one-half day seminar for a charge of \$10 for local businesses on social media.

Councilman Miller asked what benefit would there be for MSA to be a separate entity from the Chamber of Commerce.

Kim Kadlitz replied that as a (c) 3, they can do different things from the Chamber as a (c) 6. He believes the Chamber's primary focus is to build tourism for its members, while Main Street's function includes improving the physical appearance of the town.

Councilman Miller asked if MSA could be effective as an organization without being supported by the Chamber with its staff and support services.

Kim Kadlitz replied that, if the current MSA were dissolved and reorganized, it could work under the Chamber.

Councilman Dent reviewed some of MSA's positive points over the years:

- Renderings of downtown buildings' facades were done by George Ottwell of Prescott.
- MSA can get grants not available to the Chamber.
- It is important for us to be part of National Main Street.

Councilman Miller expressed that he would like MSA and the Chamber to figure out ways of working together.

Believes separating the entities might be healthy.

Councilman Dent explained that MSA was put together with the Chamber to start with because of staff and support. They can't afford staff people for both separate organizations. He believes there is a difference in what they should be doing and what they are doing.

Mayor Moore suggested that the two organizations continue on as they are for now and leave the \$20,000 for MSA in the Chamber's budget..

Grants Fund:

This page is not accurate. Joe Duffy will bring it up to date and email it to Council members.

Recreation Facilities:

This is the other half of the BBB funds. \$15,000 has been included for an electrical panel at Cureton Park, money for ball field improvements, and a transfer of \$100,000 to Golf Course acquisition,

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\$30,000 to pave the parking lot around the Visitors' Center. There will be a transfer of \$25,000 for tower rental for one more year.

Flood Control:

Some work around Smokey's, 8th and 9th Street is planned. \$95,000 a year is received from the County. \$225,000 will be in the fund at the end of the fiscal year, and it must be used for drainage. The pile of money is building up and is being used for cash flow right now.

Capital Projects Fund:

The balance of GADA funds of \$523,000 gives us cash solvency, but it has to be used for road work.

Electric System:

Everything is the same as this year with no major capital expenditures. We're probably not going to spend a lot other than for repairs. Calculated expense of moving the electrical operation elsewhere. The City could lease the valuable downtown space and, perhaps, accomplish some economies.

Councilman Dent agreed that they don't need to be in a prime location; however, they have to keep a crew here. If we move them from the current building and lost jobs, it would not be worth it.

Plans to push for an electric rate increase.

Buy-In Fee Fund:

Of the \$689,000 balance, \$600,000 is a credit for the Grand Canyon Railway that can be left there until it is used by GCR.

From this fund, we would like to pay three debt service payments for one year only; pay for the lease-purchase of SCBA units for the Fire Department; purchase \$50,000 of materials for the Street Department this year and next year; cover the pool repairs; and finish up the surface at the Rec Center.

We would like to purchase chairs for Council Chambers, pay for the Police Department remodel and the lift station repairs. Note that the Northside Sewer District is just about paid off. When the owners make their final payments, approximately \$140,000 will be in the account, including interest and penalties. He would like to use up these funds for the right purpose. He proposed that in the current "in fill zone," builders of residential properties pay only one-half of the impact fees.

Personnel Summary:

Nothing has been added to the budget for cost-of-living increases. If we did a 1% increase, it would run around \$31,000 while a \$.50/hour increase would be \$78,000. This would be a little over 2% which would help offset the upcoming 1.5% increase to employees from Arizona State Retirement System (ASRS). Employees are coming up with ideas on how to do more with less and are cooperating with other

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departments. A \$.50 increase seems appropriate.

Debt Service Fund:

The WIFA bonds will be paid off in five years. The last big payment on the NDA bond will be made this year. We would like to use \$540,000 in reserves to pay off.

Property Tax:

We recommend keeping the tax levy the same. The total amount collected, approximately \$533,000, will stay the same.

III. ADJOURN:

The meeting was adjourned at 7:39 p.m. after a motion by Councilman Wurgler and a second by Councilman Dent. The motion carried 5-0.

Mayor John Moore

ATTEST

City Clerk

CITY OF WILLIAMS CITY COUNCIL

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MAY 26, 2011
COUNCIL ACTION

I. PROCEDURES:

- A. Call to Order Mayor Moore called the meeting to order at 7:00 p.m.
- B. Pledge and Invocation Kohl Nixon 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, Frank McNelly, Bill Miller, Lee Payne, and James Wurgler were present and constituted a quorum.
Present from City Staff were Interim City Manager/Finance Director Joe Duffy, Police Chief Herman Nixon, Public Works Director Glenn Cornwell, and City Clerk/HR Director Susan Kerley.
City Attorney Kellie Peterson and Attorney Brandon Cavanaugh were present.
- D. Approval of Minutes: May 12, May 17, May 19, 2011 Councilman McNelly made a motion to approve the minutes with one correction: On May 12, 2011, Item H, Ordinance 921 was introduced, but no first reading was done. Councilman Wurgler seconded the motion, and it carried 6-0. (*Notation made on minutes of May 12, 2011 that no first reading of Ordinance No 921 was given.*)
- E. Adoption of Agenda Councilman Wurgler made a motion to adopt the agenda, and it was seconded by Councilman Hiemenz. The motion carried 6-0.

II. PRESENTATIONS - NONE

III. PUBLIC PARTICIPATION:

IV. CONSENT AGENDA ITEMS:

- B. Approval of Purchase Orders: J. Duffy Councilman Dent made a motion to approve the purchase orders as presented. Councilman Hiemenz seconded the motion, and it carried 5-0. Councilman Miller abstained.

V. NON-CONSENT AGENDA ITEMS:

- C. Council may make a decision after discussion of a request by Mark Worden to use Buckskinner Park for the Annual Renaissance Faire beginning in 2012: Glenn Cornwell noted that, after reviewing the Agreement prepared by the City's Attorney, the City would be offering a fee reduction of \$450 the first two years, \$250 for years three and four and \$250 each year for an additional five years. There would also be some extra expense to the City. He stated that the Agreement calls for 24/7 fire truck presence which, from his standpoint, would be inadequate to marginal. The Parks and Recreation Commission has reviewed and approved the Agreement
Mark Worden said that he has offered a contribution to the Fire
G. Cornwell (*Tabled*)

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*from 4.14.11,
4.28.11, and 5.12.11
Council meetings)*

Department to cover expenses. He has had a discussion with Fire Chief Dent who was unable to attend this meeting. Councilman Dent said his concern is keeping the Park open when the Forest is closed due to fire or fire danger.

Attorney Peterson pointed out that indemnification is part of the Agreement, and an insurance policy is required of them.

Mark Worden offered a brief overview of the project. Since 2002, he has been putting on Renaissance Faires. He and his wife, Carla, are continuing the Faires without the former partners. Packets he distributed to Council members include comments on the quality of the Faires. Their ultimate goal is to have a hard site for multi-week Faires where they would expect an attendance of 50,000 to 100,000. They do not expect more than 500 people the first year and up to 1,000 the second year at Buckskinner Park.

He said that if approval from the City is forthcoming within the next 1.5 months, it would be workable.

Mayor Moore noted that the City needs to look at their Conditional Use Permit with the Forest Service. He thinks that it includes a stipulation that the Park closes when the Forest closes. He asked Mark Worden if they had completed a preparedness plan to which the answer was, "no."

Joe Duffy itemized three needs: A fee schedule for the Fire Department; a security fee schedule from the Police Department; and discussion with the Forest Service.

Mark Worden noted that they preferred Cataract Lake with the fall back location as Buckskinner Park. Councilman Dent asked if there were an issue with Buckskinner Park, could it be taken back to the Parks and Recreation Commission to have Cataract Lake as the fall back location.

Joe Duffy replied that a major redo of Cataract Lake begins next year. After that is completed, Mark Worden would need to make an agreement with the County.

Councilman Wurgler made a motion to instruct Staff to gather the necessary information, noted above, and to report at the first Council meeting in July (July 14, 2011). Councilman Hiemenz seconded the motion, and it carried 6-0.

D. Update and discussion on new Impact Fee laws: K. Peterson

Attorney Kellie Peterson review her handout, *Steps to Amending Development Fees*: There can be no changes to fees without going through the study process. There is no point to doing this under the old laws and re-doing it under the new laws. The shortest timeline for adopting a plan is 120 days. Once development fees are approved, 75 days must pass before they become effective. The City would had to have completed a plan by May 21, 2011, for it to be

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effective January 1, 2012. All 10 of our current categories fit the new guidelines except sanitation and general development fees. The fees can only be spent for the same category for which they were collected.

Mayor Moore suggested that there is time to look at this and that Council should move on to the next item.

- E. Council may make a decision after discussion on whether to expand the Impact Fee “Infill Zone”: J. Duffy

Joe Duffy explained that this applies to the old, historic part of town to encourage purchase of lots. We have had some construction but not as much as had been anticipated. Now, there are empty lots in subdivisions, too. The idea is to expand the Infill Zone to cover all of the residential areas of the City. The City would cut Impact Fees in half to encourage residential development.

Councilman Hiemenz asked Attorney Peterson asked if it is legal to create a new, modified fee through creating or expanding the Infill Zone.

Councilman Dent noted that the City would not be changing its Impact Fees but would be doubling the Zone.

Attorney Peterson said that this is an administrative ordinance not a legal ordinance and the City could proceed.

Councilman Miller made a motion to expand the Infill Zone to cover the entire City. Councilman Hiemenz seconded the motion, and it carried 6-0.

- F. Council may make a decision on the construction of a practice field at Elephant Rocks Golf Course after discussion (*tabled from 4.28.11*): L. Payne

Councilman Payne reported that he and the Mayor looked at this site, and he talked with Joe Duffy concerning the possibility of ball fields at the school and trying to jump over hurdles that project might present.

Joe Duffy said that the school needs to bring a proposal to Council. Their plan is to remove the existing field, grade the area, put in a new surface and install synthetic turf. This would result in two Little League-size fields, and it would give us four fields within a few blocks of each other. It will be necessary for the School Board’s bond to pass to fund this long-term plan. The vote on the bond does not come up until November

Whether or not the area at the Golf Course is used for a practice area, the City will clean it up. The question is whether we irrigate it and plant grass. The development and use of the area is up to Council.

Councilman Miller pointed out that the City accepted the donation of this land under the condition that it would be used as part of the Golf Course. He asked if Council would be acting ethically if they encourage other organized sports to use the land and if it would be an injustice to owners in the area and the developer who donated the land.

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Councilman Wurgler reviewed a sample motion that included just grass and no fencing to coincide with Highland Meadows' guidelines. He pointed out that the grass at the Golf Course is an added attraction to the area.

Joe Duffy requested a decision prior to irrigation of the area as teams cannot play on grass maintained with effluent water.

Councilman Dent said that Marty Yerian, Golf Course Superintendent, can grow grass with effluent water and then switch to fresh water to maintain it.

Councilman McNelly said there is always a shortage of practice fields. People got the idea that the intent was for more than a grassy field. This will not change the plan for a clubhouse in the future. Tonight they can limit the area to just grass with no bases, fences, or backstops.

Property owner at Highland Meadows, Linda Czech, asked if letters from owners were forwarded to Council Members, and the response was "yes."

Public Participant Ruth Sanzari asked what's wrong with using fields at the High School. Councilman Dent invited here to drive by the High School fields any night. Other teams have no place to practice.

Councilman Wurgler made a motion to plant and maintain grass in the area with no lights, bleachers, backstops or parking. Councilman Miller seconded the motion, and it carried 6-0.

- G. Council may approve an Intergovernmental Agreement between the Arizona Department of Transportation and the City of Williams for performance of National Bridge Inspection Standards (NBIS) on public bridges: G. Cornwell

Glenn Cornwell explained that the City has 13 structures, including culverts and bridges, that need to be inspected at \$600-\$800 each, every other year. This Agreement waives these fees. Staff asks for approval for the continuation of this Agreement so inspections will be done and the fees will be waived. A Staff member accompanies the inspector on these inspections.

Councilman McNelly made a motion to approve this Agreement, and it was seconded by Councilman Dent. It carried 6-0.

- H. Council may make a decision to award the bid for Annual Audit Service for the City of Williams for Fiscal Years 2011

Councilman Wurgler reported that the City received five proposals for auditing activity. The proposals were reviewed and rated by three Council members. They recommended Hinton, Burdick, Hall & Spilker, PLLC of Flagstaff for a total of \$84,300 for the three year period.

Councilman Wurgler made a motion that the City accept the proposal

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through 2013: J. Wurgler

from Hinton, Burdick,, Hall & Spilker, PLLC. The motion was seconded by Councilman Payne, and it carried 6-0.

I. Third of three readings of Ordinance 919, amending Title 6, Chapter 6.10 – Animals: J. Moore

Councilman Dent made a motion to read Ordinance 919 by name and title only. Councilman Hiemenz seconded the motion, and it carried 6-0.

Joe Duffy read the Ordinance by name and title only.

Councilman Miller made a motion to adopt Ordinance No. 919. Councilman Dent seconded the motion, and it carried 6-0.

J. First of three readings of Ordinance No. 921, regarding any unnecessary, excessive, or offensive noise which disturbs the peace or quiet of any neighborhood: J. Moore

Kellie Peterson explained that the changes made to the draft of this Ordinance were based on discussions with Police Chief Herman Nixon. She shortened the factors for officers to consider, making it easier for enforcement.

Councilman Miller stated that he would like to see the quiet time amended from midnight to 11:00 p.m. as a compromise between hotel owners and restaurant owners.

Hugo of Econo Lodge said he would also like to see this change in the quiet time.

Motion #1: Councilman Miller made a motion to change the quiet time from midnight to 11:00 p.m. to 6:00 a.m. Councilman Dent seconded this motion, and a roll call vote was taken:

Mayor Moore	No	Vice Mayor Dent	Yes
Councilman Hiemenz	No	Councilman Miller	Yes
Councilman McNelly	No	Councilman Payne	No
Councilman Wurgler	Yes		

The motion did not carry, 3-4.

Police Chief Nixon noted that no distinction was made between commercial and residential areas. He thinks quiet time in residential areas should extend from 10:00 p.m. to 6:00 a.m.

Motion #2: Councilman McNelly made a motion to change Ordinance No. 921 to read that residential areas' quiet time should be 10:00 p.m. to 6:00 a.m. Councilman Hiemenz seconded this motion, and a roll call vote was taken:

Mayor Moore	Yes	Vice Mayor Dent	Yes
Councilman Hiemenz	Yes	Councilman Miller	Yes
Councilman McNelly	Yes	Councilman Payne	Yes
Councilman Wurgler	Yes		

The motion carried, 7-0.

Councilman McNelly recalled that there have been lengthy discussions about the street sweeper creating noise in the early morning hours. He suggested broadening the definition to include normal municipal operations.

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Motion #3: Councilman McNelly made a motion to include routine maintenance activities, such as street sweeping, trash collection, etc., as exempted activities. Councilman Hiemenz seconded the motion, and it carried 6-0.

Kellie Peterson will come up with the appropriate language for the changes to the Ordinance before the next meeting.

Motion #4: Councilman Dent made a motion to have the first reading of Ordinance No. 921 by name and title only. Councilman Payne seconded the motion, and it carried 6-0.

Joe Duffy read the Ordinance by name and title only.

- K. Council may make a decision on a recruitment plan for City Manager or City Administrator after discussion: J. Moore

Mayor Moore explained that Joe Duffy's intent is to return to full-time Finance Director's duties as soon as he can. He said that Council would do a preliminary discussion of how it wants to approach the recruitment of a City Manager.

Councilman Hiemenz suggested that, whenever we go out for advertising, it should be strong on public works.

The Mayor said that, according to City Code, the title is "City Manager." If "City Administrator" is to be used, this would have to be changed. Also, Council needs to think about salary.

Councilman Wurgler asked Susan Kerley if this comes under the HR umbrella. Susan Kerley replied that normally that would be the case. Council would express their readiness to fill this position and its requirements of the successful candidate, and Ms. Kerley would respond with the appropriate information, including a revised position description, requirements, suggested salary range, sample ads and where they might be placed, and a timeline for the recruitment process.

Mayor Moore instructed HR Director Susan Kerley to research and come back to Council with her thoughts and the appropriate processes, including the minimum qualifications and pay range.

Councilman Dent said that if the ads get out by July 1st and applications are reviewed and narrowed down in August, it could be October 1st or later before the position is filled.

Mayor Moore said that Ms. Kerley knows the procedures to research and follow up and asked her to proceed.

VI. REPORTS AND INFORMATION ITEMS:

- A. Mayor and Council None
- B. Staff Reports Joe Duffy said that Staff Work Day was cancelled for today because of high winds.

VII. EXECUTIVE SESSION:

Councilman Wurgler made a motion to convene to Executive Session, and it was seconded

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by Councilman Miller. The motion carried 6-0.

Pursuant to A.R.S. #38-43103 (A) (7), Council and City Attorneys discussed potential settlement of claim for the Dan Barnes/Old Smokey's damage claim

RECONVENE TO REGULAR SESSION

Councilman Miller made a motion to return to regular session, and it was seconded by Councilman Wurgler. The motion carried 6-0.

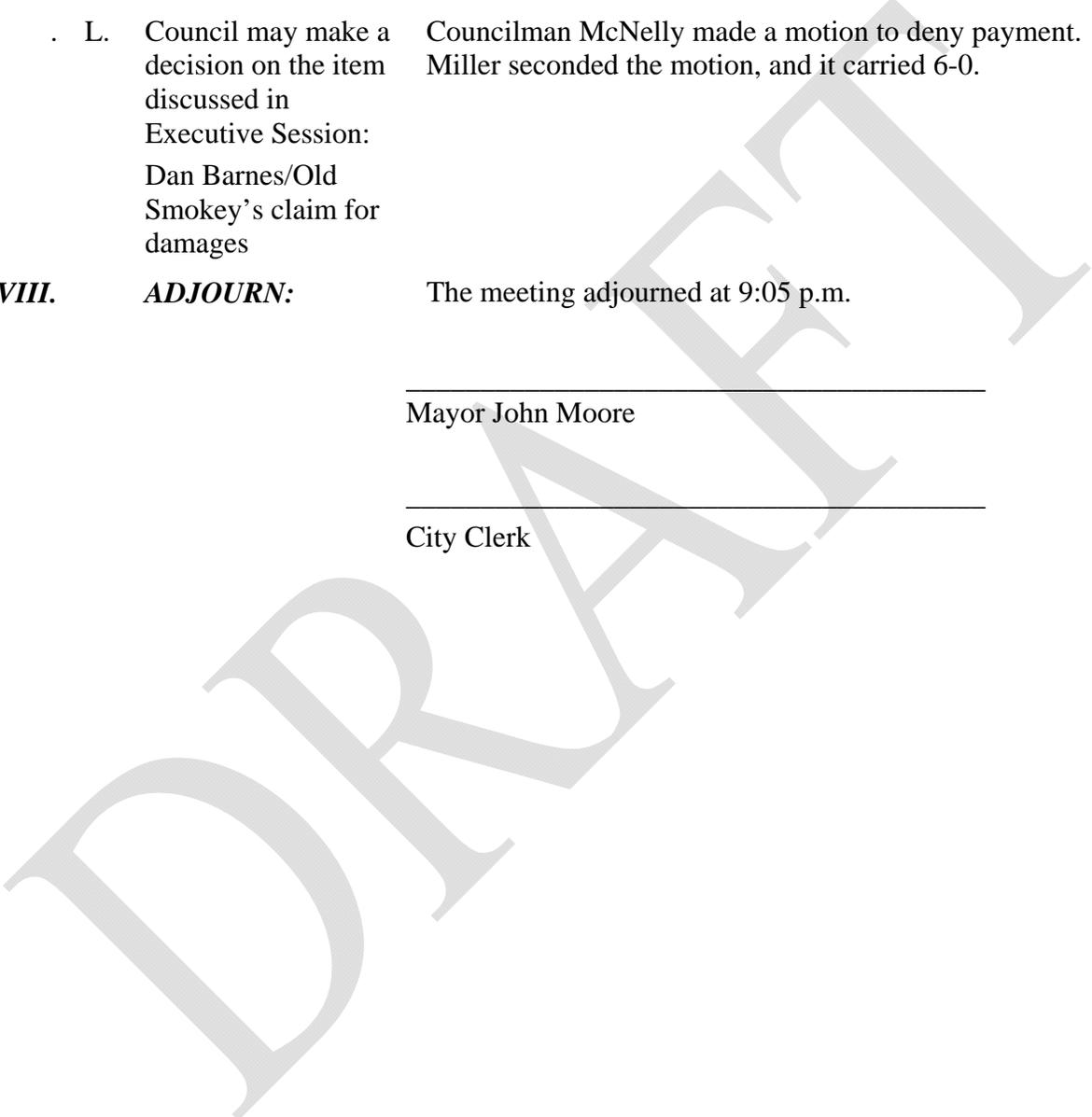
- . L. Council may make a decision on the item discussed in Executive Session: Dan Barnes/Old Smokey's claim for damages
- Councilman McNelly made a motion to deny payment. Councilman Miller seconded the motion, and it carried 6-0.

VIII. ADJOURN: The meeting adjourned at 9:05 p.m.

Mayor John Moore

City Clerk

ATTEST



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**JUNE 09, 2011
COUNCIL ACTION**

I. PROCEDURES:

- A. Call to Order Mayor Moore called the meeting to order at 7:00 p.m.
- B. Pledge and Invocation Mayor Moore led the pledge of allegiance, and Glenn Cornwell offered the invocation.
- C. Roll Call Mayor John Moore and Councilmen Don Dent (Vice-Mayor), Bernie Hiemenz, Frank McNelly, Bill Miller, and James Wurgler were present and constituted a quorum. Lee Payne was not present. Present from City Staff were Interim City Manager/Finance Director Joe Duffy, Police Chief Herman Nixon, Public Works Director Glenn Cornwell, and Administrative Assistant Pamela Galvan.
- D. Approval of Minutes: May 26, 2011 Councilman McNelly made a motion to approve the minutes and Councilman Miller seconded the motion, and it carried 6-0.
- E. Adoption of Agenda Councilman Miller made a motion to adopt the agenda, and it was seconded by Councilman Hiemenz. The motion carried 6-0.

II. PRESENTATIONS – NONE

III. PUBLIC PARTICIPATION: The Mayor inquired if anyone needed to participate at this time with something not presented on the agenda; there was no response.

IV. CONSENT AGENDA ITEMS:

- A. Approval of Purchase Orders: J. Duffy Councilman Wurgler made a motion to approve the purchase orders and Check Register as presented. Councilman Hiemenz seconded the motion, and it carried 6-0.
- B. Approval of Check Register for the month ended May 31, 2011: J. Duffy

V. NON-CONSENT AGENDA ITEMS:

- C. Council may make an appointment to the Historic Preservation Commission: J. Moore
- Mayor Moore spoke about Mike Besler and how he felt he would make a good addition to the Historic Preservation Commission.
- Councilman McNelly made a motion to approve the appointment of Mike Besler to the Historic Preservation Commission. Councilman Wurgler seconded the motion, and it carried 6-0.
- D. Council may make a decision to adopt the tentative 2011-2012 Budget: J. Duffy
- Joe Duffy noted this is the last step in adopting the budget for the physical year 2011-2012. Joe Duffy spoke briefly regarding a few changes they had discussed in the budget hearings. The tentative budget tonight will set the maximum amount Williams can spend next physical year.
 - There will be another Budget hearing after it is published; there will still be an opportunity to make changes, but we cannot increase the budget more than we adopt as a tentative budget tonight.

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- Joe Duffy recommended adopting the budget for 2011-2012 at \$18,505,000, which is a 4% decrease from last year.

Councilman Miller made a motion to approve the tentative budget. Councilman Wurgler seconded the motion, and it carried 6-0.

E. Second of three readings of Ordinance No. 921, regarding any unnecessary, excessive, or offensive noise which disturbs the peace or quiet of any neighborhood: J. Moore

- Councilman McNelly addressed Chief Nixon regarding the verbiage in the ordinance. Would like it to read “areas of primarily residential curfew 10 to 6” be used. Chief Nixon agreed to the wording.

Councilman McNelly made a motion to read by title and name only. Joe Duffy read Ordinance No. 921 by name and title only.

F. First reading of Ordinance No. 922, regulating traffic and parking within the City of Williams: imposing penalties, repealing conflicting ordinances, and amending Title Six Chapter Two of City Code: J. Moore

- Mayor confirmed that the Police Chief has reviewed the ordinance.
- The Chief stated that with a few adjustments it is otherwise satisfactory to him.

Councilman Wurgler made a motion, seconded by Councilman Dent, for the first reading to be read by title and name only.

Joe Duffy provided the first reading of Ordinance No. 922 by name and title only.

G. Review of City Manager job description, suggested timeline for recruitment/hiring, and proposed advertisements: J. Moore

- Mayor began discussion with noting that he had spoken to Ms. Kerley regarding the timeline.
- Councilman McNelly inquired on the different ad sizes.
- Joe Duffy explained the difference of ad location and the various need.
- There was discussion of additional “wording in the ad” as well as requirements of residency.
- Councilman McNelly inquired if we have to stay on the timeline.
- Councilman Dent spoke of cost to run the ad in large publications.
- Mayor Moore noted we don’t want to lose qualified candidates.
- Mayor Moore noted that Susan Kerley will be present with council members during the interview process.

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- The number of council members present during the process was discussed.
- Councilman Dent pointed out that he wants to go through all the resumes himself; Councilman Heimenz agreed.
- Mayor Moore spoke of background checks.
- Councilman Dent noted that Joe Duffy, too, should be involved in the interview process because of his experience having been the interim City Manager.
- Mayor Moore suggested that Susan Kerley should proceed with the hiring process.

VI. REPORTS AND INFORMATION ITEMS:

- A. Mayor and Council Mayor Moore will not be attending the next meeting on the 23rd of June. Councilman Wurgler stated he, too, would not be attending the next meeting.
- B. Staff Reports Chief Nixon noted the grant for \$20,000.00 has been received, and they will now be applying for a \$50,000 grant. They will be testing the radio system this weekend at the Hog Rally.
- Gioa Goodrum, President/CEO of the Williams-Grand Canyon Chamber of Commerce stated we should be noticing “hogs” in town. They expect 600 to show this year for the rally, down from last years count of 800.

VIII. ADJOURN: The meeting adjourned at 7:21 p.m.

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JUNE 23, 2011
COUNCIL ACTION

I. PROCEDURES:

- A. Call to Order Vice Mayor Dent called the meeting to order at 7:00 p.m.
- B. Pledge and Invocation Councilman McNelly led the pledge of allegiance, and Ruth Sanzari offered the invocation.
- C. Roll Call Vice Mayor Don Dent and Councilmen Bernie Hiemenz, Frank McNelly, Bill Miller, and Lee Payne were present and constituted a quorum. Mayor John Moore and Councilman Jim Wurgler were not present.
Present from City Staff were Interim City Manager/Finance Director Joe Duffy, Building Inspector Tim Pettit, and City Clerk/HR Director Susan Kerley. City Attorney Kellie Peterson and Chamber of Commerce President/CEO Goia Goodrum were also present.
- D. Approval of Minutes: June 9, 2011 Councilman Miller made a motion to approve the minutes. Councilman Hiemenz seconded the motion, and it carried 4-0.
- E. Adoption of Agenda Councilman McNelly made a motion to adopt the agenda, and it was seconded by Councilman Miller. The motion carried 4-0.

II. PRESENTATIONS – NONE

No presentations were scheduled; however, District Ranger of the Kaibab National Forest, Marty Schramm brought an important announcement: The Forest Service is implementing Stage II Fire Restrictions effective Saturday, June 25, 2011, at 8:00 a.m. She explained some of the items included in the Stage II Restrictions:

- No campfires allowed
- No use of chain saws between 11:00 a.m. and 8:00 p.m.
- No use of explosives
- Use of fireworks always prohibited
- No welding with open torches

The Bill Williams Mountain watershed is closed. No roads or trails around the Mountain will be open. The decision to move to Stage II Fire Restrictions was not easy; however, winds, dryness and what's happening with fires in southern Arizona had to be considered. For current and projected weather conditions, go to the Forest Service's website.

Joe Duffy answered a couple of questions: Buckskinner Park is already closed. Weather will impact whether fireworks occur on the 4th of July. The decision will be made on the 4th.

- ### **III. PUBLIC PARTICIPATION:**
- The Vice Mayor inquired if anyone needed to participate at this time with something not presented on the agenda; George Arend responded. He represented a group of City residents of Golden Meadows Trail along with some who are County residents. The group would like to know what annexation would cost. All want City water, some desire natural gas and sewer service as well. Most want all three services. From discussion with Joe Duffy, Mr. Arend learned that one way to handle payment for access to

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these services would be to add charges to property taxes so that payment would be made annually over a period of time. Mr. Arend wanted to start the process and do it in the least possible amount of time. There are 14 homes in his area. Dennis Nelson believes that 10-12 residents in his area would be interested in this possibility. Mr. Arend and Mr. Nelson will meet with Joe Duffy on Tuesday to discuss the process.

IV. CONSENT AGENDA ITEMS:

- A. Approval of Purchase Orders: J. Duffy
 - B. Request for City's sponsorship of the Labor Day Rodeo in the amount of \$1,400, which would equal waiver of the fees for use of the Rodeo Grounds: J. Duffy
- Councilman McNelly made a motion to approve the purchase orders as presented and waiver of the first year's fees of \$1,400 for the Labor Day Rodeo. Councilman Miller seconded the motion, and it carried 4-0.

V. NON-CONSENT AGENDA ITEMS:

- C. After reviewing the Application for Extension of Premises/Patio Permit for Twisters 50's Soda Fountain, Council may make a recommendation to the Arizona Department of Liquor Licenses & Control: S. Kerley
- Susan Kerley explained that the process for recommending an Extension Permit has changed. Now, the local governing body has the opportunity to recommend or not recommend an application. It is then sent to the Arizona Department of Liquor Licenses and Control for their approval. The recommendation or lack thereof is not binding on the Department's decision.
- Councilman Miller made a motion to recommend the application on the condition that fencing surrounds the patio permanently. Councilman Hiemenz seconded the motion, and it carried 4-0.

- D. Council may make a decision after discussion of Historic Preservation Commission's recommendation on community stage next to the Babbitt-Polson Warehouse on Railroad Avenue behind the Chamber of Commerce: T. Pettit
- Tim Pettit said that a group desiring to erect a community stage is looking for Council's approval to carry out this project. Dennis Nelson, organizer of the effort, was available to take questions. Members of the group include Carol Glassburn, and Mike Cowen who volunteered to donate some rustic lumber for the project. They will be meeting with contractors next Wednesday to get the cost for materials. They have spent time with the Historic Preservation Commission to assure that the proposed design would be compatible with the historic Warehouse. The lettering on the east end of the Warehouse is fading and a shade structure is needed to protect it. The roof for the stage would do double duty. The intent is to build the stage cost effectively and donate it to the City to be managed by the Recreation Department.

Councilman Dent pointed out that the idea is based on a community stage in Luckenbach, Texas. The stage would be used for any performances, and the building already has power. It is centrally located.

Councilman McNelly asked if there are any concerns with the railroad being right there.

Joe Duffy noted that the property adjacent to the Visitors' Center

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parking lot is leased from BNSF Railroad, and it needs to be paved in the future. Councilman Dent suggested that landscaping and lighting could also be added.

Councilman Miller expressed his concern about how events and spectators might impact the Visitors' Center parking.

Councilman McNelly made a motion to approve the Historic Preservation Commission's recommendation and to pursue a materials list. Councilman Payne seconded the motion, and it carried 4-0.

- E. Council may make a decision after presentation and discussion of various drainage projects to be completed next fiscal year: G. Cornwell

Richard Aldridge, City Engineer for 17 years, reviewed several drainage projects that the City might undertake with Coconino County flood control money of approximately \$150,000. One phase would include working from up the hill down toward 6th Street to get more water to Cataract Creek. The corner of 7th Street and Route 66 is a low point.

He has identified the need for a valley gutter at 9th Street and Grant and a valley gutter at 6th Street. The 8th Street phase would include a retention basin. The 7th Street area is a bigger project with interceptors to catch water into a 36" culvert. At 7th Street and Route 66 a catch basin is needed so water won't pond as much.

All these projects add up to about \$150,000. Now is a good time to do the work because most bids are coming in at 40% under the usual bids.

There will be time for business owners to comment and make suggestions as it would be two months before any of the projects would be shovel ready and another 60-90 days for construction time.

Councilman Miller made a motion to go forward with the projects as presented. Councilman McNelly seconded the motion, and it carried 4-0.

- F. Discussion and possible action regarding approval of motion supporting the City of Douglas' proposed Resolution to the League of Cities and Towns Resolution Committee regarding State reductions in Highway User Revenue Funds (HURF): J. Moore
Model Motion (from City Attorney): I move that the City join in

HURF is traditionally allocated to Cities, but the Fund was robbed by the State. In 2008, Williams received \$382,000. Receipts for 2011-2012 are projected at only \$300,000. Joe Duffy noted that so far, every city in the state is supporting this Resolution so that lobbyists representing the League of Arizona Towns and Cities can support it at the State Legislature.

Councilman Miller made a motion to support this Resolution. It was seconded by Councilman Payne, and it carried 4-0.

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and support the Resolution from the City of Douglas, Arizona, to the League of Cities and Towns Resolution Committee regarding the reduction in Highway User Revenue Funds (HURF) from the State to Arizona's Cities and Towns and asking the State to restore such funds to 2008 levels.

- G. Third of three readings of Ordinance No. 921, regarding any unnecessary, excessive, or offensive noise which disturbs the peace or quiet of any neighborhood: J. Moore
Councilman Hiemenz made a motion to read the Ordinance by number and title only. Councilman Miller seconded the motion, and it carried 4-0. The Ordinance was read by number and title by Joe Duffy.
Councilman McNelly made a motion to approve Ordinance No. 921. The motion was seconded by Councilman Payne, and it carried 4-0.
- H. Second of three readings of Ordinance No. 922, regulating traffic and parking within the City of Williams: imposing penalties, repealing conflicting ordinances, and amending Title Six Chapter Two of City Code: J. Moore
Councilman Miller made a motion to read the Ordinance by number and title only. Councilman Payne seconded the motion, and it carried 4-0. Joe Duffy read the Ordinance by number and title only.
Ordinance No. 922 will have its third and final reading on July 14, 2011.

VI. REPORTS AND INFORMATION ITEMS:

- A. Mayor and Council
Councilman Miller noted that May's Fly-In was a success, and the Airport Advisory Committee plans to repeat the event next year. He expressed their appreciation for the City's help in arranging the school bus shuttle between town and the Airport.
- B. Staff Reports
Joe Duffy said that the Street Department will be painting red stripes, washing the streets and getting ready for the 4th of July.
Susan Kerley reported that ads for the City Manager position have been placed and, so far, 14 resumes have been received from various parts of the country.
Goia Goodrum reminded that the Planes of Fame Museum will host a Fly-In this weekend. Several events are scheduled for the July 4th

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weekend, including a sanctioned barbeque, parade, and barn dance, so if fireworks cannot be held due to weather, there will still be plenty to do.

VII. CONVENE TO EXECUTIVE SESSION – 7:55 p.m.

EXECUTIVE SESSION

Pursuant to A.R.S. 38-431.03 Council will discuss or consult with designated representatives of the public body and the City's attorneys in order to consider its position and instruct its representatives regarding negotiations for the purchase of real property.

RECONVENE TO REGULAR SESSION – 8:09 p.m.

NON-CONSENT AGENDA ITEMS

- I.** Council may make a decision on the above-referenced item discussed in Executive Session: J. Moore
- Councilman McNelly made a motion to authorize Joe Duffy to secure appraisals on the subject property and a parcel belonging to the City as well. Councilman Miller seconded the motion, and it carried 4-0.

ADJOURN: The meeting adjourned at 8:10 p.m.

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JULY 14, 2011
COUNCIL ACTION

I. PROCEDURES:

- A. Call to Order Mayor Moore called the meeting to order at 7:01 p.m.
- B. Pledge and Invocation Chief Nixon led the pledge of allegiance, and Ruth Sanzari offered the invocation.
- C. Roll Call Mayor John Moore and Councilmen Bernie Hiemenz, Frank McNelly, Bill Miller, James Wurgler and Lee Payne were present and constituted a quorum. Don Dent (Vice-Mayor) was not present. Present from City Staff were Interim City Manager/Finance Director Joe Duffy, Police Chief Herman Nixon, Fire Chief Jeff Dent, Public Works Director Glenn Cornwell, and Administrative Assistant Pamela Galvan. City Attorney Kellie Peterson was also present.
- D. Approval of Minutes: June 23, 2011 Councilman McNelly made a motion to approve the minutes, and Councilman Miller seconded the motion. It carried 6-0.
- E. Adoption of Agenda Councilman Miller made a motion to adopt the agenda, and it was seconded by Councilman Hiemenz. The motion carried 6-0.

II. PRESENTATIONS

- A. Recognition of three firefighters who are receiving their State Certification for Fire I & II: Cory Henson, Nicole Raycraft, and Justin Sandoval
- Mayor Moore spoke of how proud it made him feel when our City of Williams' officers and fire department personnel dress in their class A uniforms.
 - Jeff Dent, Fire Chief, recognized that out of 15 members in the Ponderosa Fire Department class, ours finished in positions one, two and three. They are all certified in an 8-hour course, and we are very proud of their accomplishment.
- B. Presentation by *Friends of the Pool*: Mike Dulay
- Mayor Moore recognized the Friends of the Pool and pointed out their contribution to obtaining funds for the pool.
 - Mike Dulay presented on behalf of the Friends of the Aquatic Center a check in the amount of \$5,500.00 to the City of Williams/ Mayor Moore and, in addition, a check for \$300.00 for the "free swim day", August 13, 2011.
 - Councilman Miller commented that the City receives complaints from time to time and how refreshing that the Friends of the Aquatic Center did something about a town issue; and he thanked them.
- C. Arizona Municipal Power Users (AMPUA) deliver the "History of Public Power in Arizona": Michael
- Mr. Curtis invited the Council to attend their annual summer dinner in Flagstaff on July 25, 2011.
 - Mr. Curtis noted how the City of Williams owns its electrical system; how we have the capabilities to do things as a municipal electric supplier.
 - Mr. Curtis briefly explained the literature he handed out and

CITY OF WILLIAMS CITY COUNCIL

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COUNCIL ACTION

Curtis

what it contained. He noted that it is produced monthly.

- Mr. Curtis stated they work at the legislature; work with many energy entities in the state, as well as in Washington D.C. and regionally.
- Reminder that in the next year, year and a half Hoover Power Energy is going to come up; in 1946 Arizona became entitled to Hoover property. He went on to explain what that meant. Cities, towns and co-ops have been precluded from having an equal and equitable share of electricity from Hoover Power. He will keep us apprised of the progress; we can make our own minds up about what we want to do. That's what AMPUA looks out for.
- Councilman McNelly spoke of the wind project north of town, asking if the organization would consider and recommend dealings with wind or solar power. Mr. Curtis said they could guide and be of assistance if needed.

III. PUBLIC PARTICIPATION: The Mayor inquired if anyone needed to participate at this time with something not presented on the agenda; there was no response.

IV. CONSENT AGENDA ITEMS: Councilman Wurgler made a motion to approve the purchase orders and Check Register as presented. Councilman McNelly seconded the motion, and it carried 6-0.

D. Approval of Purchase Orders: J. Duffy

E. Approval of Check Register for the month ended June 30, 2011: J. Duffy

V. NON-CONSENT AGENDA ITEMS:

F. Approval of Resolution #1268, adopting the budget for fiscal year 2011/2012: J. Duffy

- Joe Duffy noted the last three things that need to be done to wrap up the budget year 2011/2012. On June 23rd we adopted the tentative budget and then we published it in the paper giving the public notice of what we are doing and tonight we will adopt it officially with 1268.
- The Mayor asked if anyone had any questions.

Councilman McNelly made a motion to approve Resolution #1268 adopting the fiscal year budget 2011/2012. Councilman Payne seconded the motion to adopt, and it carried 6-0.

G. Approval of Resolution #1269, approving the Expenditure Limitation of \$18,505,000 in fiscal year 2011/2101: J.

- Joe Duffy went over the Resolution.
- Councilman McNelly noted that last year we approved we can not spend anymore than what is approved. Joe Duffy confirmed "yes" that is correct. We do have a \$5,000,000.00 buffer in the grant fund for emergencies.

Councilman Wurgler made a motion to adopt Resolution #1269. Councilman McNelly seconded the motion, and it carried 6-0.

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Duffy

- H. Discussion and decision regarding the primary property tax rate and levy for Fiscal Year 2011/2012 (roll call vote required): J. Duffy

- Joe Duffy noted the assessed value in Williams has gone down and explained the trend of the property tax rate. The city has not increased the primary tax rate in the past three years. Increase will be from 1.1633 to 1.2778 this year; bottom line is it will actually tax the community the same as it did last year. Most people are going to see a small tax decrease from the City. Next year we will look at it again.

Councilman McNelly made a motion to approve the property tax rate for Fiscal Year 2011/2012, and it was seconded by Councilman Wurgler.

Mayor Moore asked for a vote:

Councilman McNelly: Aye Councilman Wurgler: Aye

Councilman Payne: Aye Councilman Miller: No

Councilman Heimenz: Aye

The motion carried 4-1.

- I. Discussion of Congressional and Legislative Redistricting for the State of Arizona and the county of Coconino: D. Dent

- Mayor Moore led the discussion in Councilman Dent's absence.
- Councilman Hiemenz expressed his dislike of possible splitting of the City of Williams into North and South.
- Councilman McNelly questioned the boundaries.
- Kellie Peterson noted that is not actually splitting the town. The City limit itself was within the district and then the outlying area is north. Those are not necessarily statutory requirements, just directives for goals. The County will be holding community forums at which we will have an opportunity to be heard.
- Councilman Hiemenz noted that the County Board decides the boundaries. They vote on it, and it is final.
- Mayor Moore stated that the Council needs to look out for the City of Williams; we need to voice our opinion.
- Councilman Wurgler inquired if anyone has had any conversations with Matt Ryan to get any feedback regarding the redistricting.
- Mayor Moore inquired if it would affect the school districts.
- Kellie Peterson responded that it would not affect the school districts.
- Councilman Wurgler asked for clarification of the map.
- Robert Patricca inquired as to the voting locations and if in

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anyway it would change.

- Mayor Moore asked to have Kellie, Joe, Don Dent and Lee Payne get together next week at some point and study the redistricting closely and try to provide a recommendation for the City of Williams, unless they prefer it be tabled.
- Councilman Payne inquired as to a time line.
- Councilman Miller liked the Mayor’s idea to put together a committee to go over this item.
- Mayor Moore asked Joe Duffy to handle.
- Mayor Moore explained that this was the third and final reading.
- Kellie Peterson had a comment on section 6-2.21: There is a comment she had (input on fines) that is in the draft. She will make sure to strike it from the final record.
- A motion was made by Councilman McNelly to read Ordinance No. 922 by name and title only.
- Joe Duffy read it by name and title only.

J. Third of three readings of Ordinance No. 922, regulating traffic and parking within the City of Williams: imposing penalties, repealing conflicting ordinances, and amending Title Six Chapter Two of City Code: J. Moore

Councilman Payne made a motion to approve Ordinance No. 922. Councilman Miller seconded the motion. The motion carried 6-0.

K. Review and possible approval of proposed Fire Department fees: J. Dent

- Jeff Dent discussed the rates and the last time they were raised in 1986. Other department charges were reviewed with Council and the need for changes, noting that increases are due.
- Joe Duffy noted for clarification that when customers are billed the City receives the charges for the engines at the public rates and the monies collected are put into firemen’s retirement funds for them; no direct compensation is made to individuals.

Councilman McNelly made a motion to approve the rate increase as discussed. Councilman Hiemanz seconded the motion. The motion carried 6-0.

VI. REPORTS AND INFORMATION ITEMS:

A. Mayor and Council

- Mayor Moore mentioned the water issue and its widespread effects on the City; people are coming later this week to discuss. May call a special Council meeting next week.
- Joe Duffy would like a couple of the council members to attend the meeting at the water plant on Tuesday the 19th with a representative from CDG Environmental.
- Mayor Moore would like this handled as quickly as possible.

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**JULY 14, 2011
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Councilman McNelly and Councilman Hiemenz will attend the meeting on Tuesday.

B. Staff Reports

- Joe Duffy inquired as to who might attend the summer dinner with AMPUA.
- Jeff Dent, Fire Chief, invited council to attend the September officers' meeting.

VIII. ADJOURN:

Councilman McNelly made a motion to adjourn the meeting. Councilman Payne seconded the motion. The motion carried 6-0. The meeting adjourned at 7:44 p.m.

DRAFT

CITY OF WILLIAMS CITY COUNCIL

**REGULAR MEETING
JULY 14, 2011
7:00 P.M.**

**CITY COUNCIL CHAMBERS
113 S. FIRST STREET
WILLIAMS, ARIZONA**

AGENDA

PURSUANT TO A.R.S. #38-431.02, NOTICE IS HEREBY GIVEN TO THE MEMBERS OF THE CITY COUNCIL AND THE GENERAL PUBLIC THAT THE CITY COUNCIL WILL HOLD A MEETING OPEN TO THE PUBLIC **THURSDAY, JULY 14, 2011, AT 7:00 P.M.** IN THE CITY COUNCIL CHAMBERS, 113 S. FIRST STREET, WILLIAMS, ARIZONA. THE COUNCIL WILL DISCUSS AND MAY TAKE ACTION ON THE FOLLOWING MATTERS:

I. PROCEDURES

- A. Call to Order
- B. Pledge of Allegiance and Invocation
- C. Roll Call

_____ Mayor Moore	
_____ Vice-Mayor Dent	_____ Councilman Hiemenz
_____ Councilman McNelly	_____ Councilman Miller
_____ Councilman Payne	_____ Councilman Wurgler

- D. Approval of Minutes: Date
- E. Adopt Agenda

II. PRESENTATIONS

- A. Recognition of three firefighters who are receiving their State Certification for Fire I & II: Cory Henson, Nicole Raycraft, and Justin Sandoval
- B. Presentation by *Friends of the Pool*: Mike Dulay
- C. Arizona Municipal Power Users (AMPUA) deliver the “History of Public Power in Arizona”: Michael Curtis

III. PUBLIC PARTICIPATION

The Council cannot act upon items presented during the public participation portion of the agenda. Individual Council members may ask questions of the public or may respond to any criticisms, but the members are prohibited by the open meeting law from discussing or considering the items among themselves until the time that the matter is officially placed on the agenda. The open meeting law does, however, allow the City Council to ask staff to review a matter or ask that it be placed on a future Council agenda.

An individual person has a five-minute time period to speak. If a person has a written presentation that requires more than five minutes to present verbally, he should indicate the estimated time required on the sign up sheet. The presiding officer may grant additional time if the agenda for the meeting is not too full. A registered spokesperson for a recognized community organization shall be afforded ten minutes provided other members of the same organization agree before hand to withhold their individual comments on the same subject.

CITY OF WILLIAMS CITY COUNCIL

**REGULAR MEETING
JULY 14, 2011
7:00 P.M.**

**CITY COUNCIL CHAMBERS
113 S. FIRST STREET
WILLIAMS, ARIZONA**

AGENDA

IV. CONSENT AGENDA ITEMS

- D. Approval of Purchase Orders: J. Duffy
- E. Approval of Check Register for the month ended June 30, 2011: J. Duffy

V. NON-CONSENT AGENDA ITEMS

- F. Approval of Resolution #1268, adopting the budget for fiscal year 2011/2012: J. Duffy
- G. Approval of Resolution #1269, approving the Expenditure Limitation of \$18,505,000 in fiscal year 2011/2012: J. Duffy
- H. Discussion and decision regarding the primary property tax rate and levy for Fiscal Year 2011/2012 (roll call vote required): J. Duffy
- I. Discussion of Congressional and Legislative Redistricting for the State of Arizona and the County of Coconino: D. Dent
- J. Third of three readings of Ordinance No. 922, regulating traffic and parking within the City of Williams: imposing penalties, repealing conflicting ordinances, and amending Title Six Chapter Two of City Code: J. Moore
- K. Review and possible approval of proposed Fire Department fees:
J. Dent

VI. REPORTS, CURRENT EVENTS AND INFORMATION ITEMS

- A. Mayor and Council
- B. Staff Reports

VII. ADJOURN

CITY OF WILLIAMS CITY COUNCIL

**ANNOTATED MINUTES
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**JULY 19, 2011
COUNCIL ACTION**

I. PROCEDURES:

- A. Call to Order Mayor Moore called the meeting to order at 12:00 p.m.
- B. Roll Call Mayor John Moore, Vice Mayor Don Dent and Councilmen Bernie Hiemenz, Frank McNelly, Bill Miller, Lee Payne and James Wurgler were present and constituted a quorum.
Present from City Staff were Interim City Manager/Finance Director Joe Duffy, Public Works Director Glenn Cornwell, Billy Pruett and James Grantham from the Water Department, and City Clerk/HR Director Susan Kerley.
- C. Adoption of Agenda Councilman Miller made a motion to adopt the agenda, and it was seconded by Councilman Hiemenz. The motion carried 6-0.

II. SPECIAL AGENDA ITEMS

- A. Discussion and decision regarding CDG Environmental's proposal to acquire and install a chlorine dioxide system to treat City's water for iron and manganese:
J. Duffy
Joe Duffy said there have been significantly high levels of iron and manganese in the water in the last few weeks. This morning Councilmen Hiemenz, McNelly, and Wurgler met with Joe and Mr. Gregory at the water plant. Joe introduced Dean Gregory, a representative from CDG Environmental.
Mr. Gregory noted that the site looks amenable to their system. Chlorine Dioxide would seem to be the best treatment. The CDG system is safe with several interlocks, and there is some safety monitoring required. His overall assessment is that their system will work.
Mayor Moore asked how soon a system could be installed.
Dean Gregory said they can begin installation on August 1. It will take three days for installation and training. He will be here with their systems installation engineer for training staff.
Brad Olsen of Days' Inn brought a used water filter and a bottle of discolored water. He said that filters normally last about a year, but this one had been in place only a short time. Dean Gregory identified the appearance of manganese in the bottle of water.
Joe Duffy added that this is a problem the community has had for years. He is pretty confident this system will work. In other years, we have mixed well water with ground water so the problem has not been as bad. This year, the Dogtown well was not available.
Councilman Wurgler made a motion to purchase the CDG Model GS-20 Gas:Solid™. Councilman Hiemenz seconded the motion, and it carried 6-0.

VIII. ADJOURN:

Councilman Payne made a motion to adjourn the meeting.
Councilman Wurgler seconded the motion. The motion carried 6-0.
The meeting adjourned at 12:25 p.m.

CITY OF WILLIAMS CITY COUNCIL

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**JULY 19, 2011
COUNCIL ACTION**

DRAFT

CITY OF WILLIAMS CITY COUNCIL

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JULY 28, 2011
COUNCIL ACTION

I. PROCEDURES:

- A. Call to Order Mayor Moore called the meeting to order at 7:00 p.m.
- B. Pledge and Invocation Dennis Nelson 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, Frank McNelly, Bill Miller, Lee Payne, and James Wurgler were present and constituted a quorum.
Present from City Staff were Interim City Manager/Finance Director Joe Duffy, Police Chief Herman Nixon, Public Works Director Glenn Cornwell, Water Department Supervisor Billy Pruett, and City Clerk/HR Director Susan Kerley.
City Attorney Kellie Peterson and Gioia Goodrum, Williams-Grand Canyon Chamber of Commerce President/CEO were present.
- D. Approval of Minutes: July 19, 2011, and July 14, 2011 Councilman McNelly made a motion to approve the minutes as presented. Councilman Miller seconded the motion, and it carried 6-0.
- E. Adoption of Agenda Councilman Dent made a motion to adopt the agenda, and it was seconded by Councilman Hiemenz. The motion carried 6-0.

II. PRESENTATIONS

- A. Presentation regarding WUSD Bond Election: Tristan Heisley and Becky Nelson
Tristan Heisley offered a Power Point presentation covering *What is a bond? and Benefits of the Bond*. He pointed out that kids deserve better, safer facilities, and the bond can help provide this. Uses of the bond proceeds at Williams Elementary-Middle School would include ridding the ball field of prairie dogs and installing a synthetic field, an access lane going all the way around the school to provide a much safer circulation of vehicles, a bus barn reconfiguration that would allow driving buses through the barn rather than backing them into it, and strengthening the steel in the auditorium roof. Uses of the bond proceeds at Williams High School gymnasium would include eliminating the vapor problem between the ceiling and the roof, remodeling the boys' and girls' locker rooms and showers, constructing new public restrooms and concession area, correcting safety issues and bringing the stage area into ADA compliance along with replacing the stage curtains, installing energy-efficient fixtures, and refinishing the wood floor. District-wide projects would include installing security technology, and purchasing five new buses. The bond would cost an annual, average tax of \$32.00.

III. PUBLIC PARTICIPATION: None

IV. CONSENT AGENDA ITEMS:

- B. Approval of Purchase Orders: J. Duffy Councilman Wurgler made a motion to approve the Consent Agenda items as presented. Councilman Miller seconded the motion,
- C. Request for waiver of Rodeo Grounds' fees for Arizona Junior Rodeo Association, September 10th and 11th.

CITY OF WILLIAMS CITY COUNCIL

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COUNCIL ACTION

and it carried 6-0.

V. *NON-CONSENT AGENDA ITEMS:*

- D. Discussion and decision on Ordinance No.923 regarding the levying of taxes on the assessed valuation of property within the City of Williams for the fiscal year 2011-2012: J. Duffy
- Joe Duffy noted that approvals of the two ordinances are the last two items to complete the budget process for 2011-2012.
- Councilman Dent made a motion to read Ordinance No. 923 by name and title only. The motion was seconded by Councilman McNelly, and it carried 6-0.
- Joe Duffy read Ordinance No. 923 by name and title only.
- Councilman Dent made a motion to approve Ordinance No. 923, setting the tax rate at 1.2778. The motion was seconded by Councilman Payne, and it carried 6-0.
- E. Discussion and decision on Ordinance No. 924 regarding the primary property tax rate and levy for the fiscal year 2011-2012 for the Williams Community Facilities District: J. Duffy
- Joe Duffy explained that the Community Facilities District members voted to increase their primary property tax rate sufficient to raise the sum of \$5,000 to the sum of \$7,500. This tax is just levied on the people of this District.
- Councilman Dent made a motion to read Ordinance No. 924 by name and title only. The motion was seconded by Councilman Payne, and it carried 6-0.
- Joe Duffy read Ordinance No. 924 by name and title only.
- Councilman Dent made a motion to approve Ordinance No. 924, and the motion was seconded by Councilman Payne. It carried 6-0.
- F. Discussion and possible action regarding City Council's direction to staff and approval of Resolution No. 1270, expressing the Council's position regarding Arizona's Legislative Redistricting: J. Moore
- Councilman Dent pointed out that three scenarios regarding redistricting have been created, A, B, and C. In Scenario C, everything north of here would be in a separate district.
- Kellie Peterson, who attended a meeting that afternoon, said the Board of Supervisors voted to support Scenario A and asked the City of Williams to submit a resolution. She added that Scenario C would break up the existing voting precincts, which is against their guidelines. Four of five Supervisors voted to support a revised A and asked for a resolution from the City before this outcome is presented. The Resolution is now written to take anything but C; Council could change the Resolution to support A. The final decision will be made at the September 27th meeting of the Board of Supervisors. There may be more changes to A, but they should not impact the Williams' area.
- Councilman McNelly said that he had spoken with Supervisor Matt Ryan, who said 5,500 persons need to be cut out of the District. Councilman McNelly suggested cutting out Northern Arizona University.
- Ms. Peterson suggested more input from Council and then revising

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the Ordinance as there is time to accomplish this.

Councilman McNelly made a motion to direct Counsel to revise Resolution No. 1270, supporting Scenario A, with the ability to change it if new developments occur. Councilman Hiemenz seconded the motion, and it carried 6-0.

- G. After review of the estimate and materials lists and discussion regarding a community stage, Council may make a decision to fund the construction of the community stage:
Dennis Nelson

Mayor Moore introduced Dennis Nelson by saying that a few months ago, Mr. Nelson pointed out the benefits of having a community stage and has led the effort to accomplish this project.

Dennis Nelson showed renderings of the proposed stage that would be adjacent to the Babbitt-Polson Warehouse in the Visitors' Center parking lot. As early as 1996, a report suggested a shade structure or community stage in this location. He said that the 20' x 30' stage would be built with materials that would be compatible with the warehouse, and it would be accessible for musical equipment, lighting, and electrical. He already has more than \$2,000 in committed materials and labor, and Tim Pettit (Building Inspector) is prepared to issue a permit for construction. He believes they can bring in the project for approximately \$13,000. Plays, skits, musical bands, small orchestral groups and pageants could appear there. He is prepared to move forward next week if the project is approved, and his goal is to have it done by Labor Day.

Mayor Moore asked Joe Duffy if funds were available. Mr. Duffy said that it could be paid from BBB funds because \$30,000 was budgeted to pave the additional parking area north of the Visitors' Center. The paving could be moved into next year's budget.

Mayor Moore suggested using allocated Main Street funds and holding off on the paving.

Councilman Dent suggested that more planning is needed for utilities before the paving is started. Also, fences must be erected.

Councilman McNelly asked if the City intends to charge a fee for use of the stage. Mr. Nelson said it would be legitimate to charge for private use of the facility.

Councilman Miller assumed that its management and scheduling would be put under the Parks and Recreation Department. Joe Duffy concurred.

Mayor Moore added that we may want an Entertainment Committee to handle these functions. He also asked Joe Duffy to get the cost of fencing as soon as possible.

Yvette Hudson, chairperson of the Historic Preservation Commission, added that from their perspective, this is a perfect use for this location, and it will be an asset to the community.

Councilman Dent made a motion to fund \$13,000 for the construction of the stage at the Babbitt-Polson Warehouse. The motion was

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seconded by Councilman Hiemenz, and it carried 6-0.

- H. After a review of Labor Day's Fireworks Plan, Council may make a decision whether or not to have fireworks during Labor Day weekend: G. Goodrum

Mayor Moore said that he spoke with Gioia Goodrum, and she felt that quite a few events were already planned for Labor Day weekend. She thought it would be a good idea to do the fireworks at the Christmas parade.

Joe Duffy said we would be using up a credit for fireworks, but they have not yet been picked up. He does not know if the credit will extend until Christmas, but it has been offered for the past three years. The Grand Canyon Railway plans to use about \$500 of the fireworks for the Bicentennial celebration. He added that he met with Staff this week, and everyone is ready to go on Labor Day weekend. He hopes that this becomes an annual event.

Gioia Goodrum said that the Chamber prefers having the fireworks during the Parade of Lights to add more lights to the occasion.

Councilman Dent suggested it might be a possibility to have the fireworks during one of the several fall weekends when Grand Canyon Railway is planning Pumpkin Runs.

Mayor Moore and Councilman Payne expressed concern for the safety of horses present for the Labor Day Rodeo if fireworks were shot off then.

Mayor Moore noted that we are trying to bring people to town with simultaneous events. He asked the Chamber to take a look at events and how they're done. He suggested not adding events to a time that is already busy, like July Fourth. Councilman Miller made a motion to leave it to the Chamber of Commerce to decide when fireworks would be done. Councilman Wurgler seconded the motion, and it carried 6-0.

- I. Discussion and decision authorizing the issuance of the Public Report and publishing the Notice of Intention to Increase Electric Rates: J. Duffy

Joe Duffy asked Council members to refer to his handout. On August 25th, there would be a Public Hearing to discuss rates. At that time Council would decide whether or not to go forward with an increase. There is no real guidance on rates, but the public should be given a lot of notice. The Notice of Intention simply says that Council is reviewing the rates. This is the third time he's brought an increase in rates to Council. He needs authorization to put it on the website and to publish it in the newspaper. He will add to the report the rates charged by other Arizona municipalities that own their electric systems. He would like to mirror the APS rate categories. They have about 200 categories while we have only eight. We can adjust rates by existing classifications or create new classifications. Mr. Duffy said he is asking for authorization to release his rate analysis.

Mayor Moore said that an expert at the recent AMPUA (Arizona Municipal Power Users Association) meeting said that a lot of municipalities and coops are increasing rates but reducing revenues.

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He wants to make sure we have a public hearing that is well advertised.

Councilman McNelly made a motion to release the public report on rates. The motion was seconded by Councilman Miller, and it carried 6-0.

- J. Update from Staff on current status of water system, including the status of the existing pumps and wells, water tanks, distribution system, water plant, and plans for repairs and system updates: G. Cornwell

Mayor Moore introduced this item by saying that he has been inundated with questions about the water system, and he has no answers. There is a lot of information floating around in the community.

Glenn Cornwell asked if Council preferred a question and answer session or a report.

Councilman McNelly felt that the issues had been discussed thoroughly at Council's special meeting (July 19, 2011), but he wanted an update on the wells.

Glenn Cornwell replied that he anticipates having a new system up within two weeks to take care of the manganese. The wells have been down so well water could not be mixed into the water. He gave Council members a handout from the Oklahoma vendor, providing an overview/evaluation of the equipment that was sent to them.

Joe Duffy said that all the above-ground well equipment was sent to this vendor for evaluation with the goal of getting a pump operational for Dogtown III. Central Lift has not been responsive to our urgency. ESP, a subsidiary of General Electric, committed to picking up our equipment at Central Lift and testing it within two days of picking it up. The estimates for a Dogtown I pump are \$147,000 from Central Lift and \$131,000 from ESP; for a Dogtown III pump, they are \$173,000 and \$161,000. He said we need to send someone to ESP to evaluate the equipment and get Dogtown III up and running. Then we could evaluate Dogtown I while the equipment for III is being mobilized.

Public participant, Pat Carpenter, said that Central Lift is busy because they have better equipment. He maintained that we had the equipment for the well that was to be stored vertically and sent back to its manufacturer for service.

Mayor Moore agreed with Councilman McNelly that we were remiss somewhere, but the bigger issue is that it is affecting the whole community and is impacting hotels and motels. It sounds like it will cost about half a million to get the system up and running. He asked for resolution, the faster the better.

Councilman Payne asked that a Water Department representative accompany Patch Carr to the vendor's.

Councilman Wurgler said he was hearing that, if we do the best we can, it will be six weeks till the pump and wells are up and running,

CITY OF WILLIAMS CITY COUNCIL

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and that the brown water problem should be resolved within two weeks.

Billy Pruett said that the equipment to correct the brown water will be delivered on Monday, and it should be installed by next week. After Labor Day, they plan to flush the lines. There may be some residual for a week or so after that.

It was determined that Staff could arrange for Patch Carr and a Water Department representative to go to the vendor's without an action by Council.

Mayor Moore said that the City needs to stop saying the water will clear within two weeks. We need to be up front and say that the water will clear over time.

VI. REPORTS AND INFORMATION ITEMS:

A. Mayor and Council The Mayor said that the wind farm construction company will have 400 workers at its peak of operation.

He and Councilman Hiemenz attended an AMPUA meeting on Wednesday. They discussed power from the Hoover Dam. He thinks we should request Hoover Dam power. Michael Curtis will contact Joe Duffy for a letter.

B. Staff Reports Joe Duffy said that Staff will be ordering new audience chairs for Council Chambers.

Susan Kerley reported that 83 resumés for the City Manager position have been received. Copies of all resumés will be available for Council members' review on Tuesday, August 2nd. Determination of those to be interviewed will be made in Executive Session at the August 11th Council meeting. Then appointments for interviews will be set on August 12th.

Mayor Moore asked the Chamber of Commerce to plan a social event once Council narrows it down to several candidates.

VIII. ADJOURN:

Councilman Dent made a motion to adjourn, and it was seconded by Councilman Payne. It carried 6-0, and the meeting adjourned at 8:49 p.m.

CITY OF WILLIAMS CITY COUNCIL

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**JULY 28, 2011
COUNCIL ACTION**

ATTEST

City Clerk

DRAFT

CITY OF WILLIAMS CITY COUNCIL

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AUGUST 11, 2011
COUNCIL ACTION

I. PROCEDURES:

- A. Call to Order Mayor Moore called the meeting to order at 7:00 p.m.
- B. Pledge and Invocation Greg Brooks 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, Frank McNelly, Bill Miller, Lee Payne, and James Wurgler were present and constituted a quorum.
Present from City Staff was City Clerk/HR Director Susan Kerley. City Attorney Kellie Peterson and Gioia Goodrum, Williams-Grand Canyon Chamber of Commerce President/CEO were present.
- D. Approval of Minutes: July 28, 2011 Councilman McNelly made a motion to approve the minutes as presented. Councilman Miller seconded the motion, and it carried 6-0.
- E. Adoption of Agenda Councilman Miller made a motion to adopt the agenda, and it was seconded by Councilman Hiemenz. The motion carried 6-0.

II. PRESENTATIONS

- A. Presentation of Pesticide Applicator Licenses to John Castro and Michael Combs: Mayor Moore
Mayor Moore noted that for many years the City has talked about weeds, but had no one to spray them. He said Mr. Castro and Mr. Combs stepped up and got certified. He thanked them for going above and beyond their duties to get their certifications.

III. PUBLIC PARTICIPATION:

Ruth Sanzari said that at the June 23, 2011, Council meeting, Council discussed the purchase of real property in Executive Session. She asked where it is located and why it would be needed. Councilman Dent replied, saying that someone had offered property for the City's consideration of purchase, but no negotiations took place. The deal is no longer on the table. Greg Brooks expressed his concern about the increased manganese levels in the City's water. Some of his concern is that City Council has relied upon the local newspaper to advise citizens not to use chlorine bleach or hot water. He believes that the community is like one big family with Council being the elders of the community. No notices were sent out from the City. However, if someone is late paying their water bill, they get a notice, or if they miss paying their bills, they get a door hangar. Why were the citizens not notified? Information is key. For example, how will the manganese react with perfume, deodorant, etc.? Some information could have been sent out in the water bills. Should something like this ever happen again, he would ask Council to advise the public.

IV. CONSENT AGENDA ITEMS:

- B. Approval of Purchase Orders: J. Duffy Councilman McNelly questioned Purchase Orders #7839 and #7840, asking if a typo had been made.
- C. Approval of Check Register for the month ended July 31, 2011: J. Duffy Councilman Miller made a

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motion to approve the Check Register and the Purchase Orders, excluding #7839 and #7840 until clarification can be offered. Councilman McNelly seconded the motion, and it carried 6-0.

V. *NON-CONSENT AGENDA ITEMS:*

- D. Discussion of State Legislative Redistricting plan and Resolution No. 1270: J. Moore

Councilman Dent made a motion to approve Resolution No. 1270, strongly supporting Scenario A, as presented. Councilman Miller seconded the motion, and it carried 6-0.

Mayor Moore asked to discuss redistricting so that he will be prepared for a redistricting meeting on the 16th. He pointed out that some would like to put Williams in with Prescott, and some would like to put Williams in with Flagstaff. He believes that Williams is more in line with Prescott than with Flagstaff.

Councilman McNelly said that Prescott is farther away, and Flagstaff is the County seat and shopping area. He believes we've had good representation with Prescott and that Flagstaff dominates the area at times.

Councilman Miller said that we would have more influence with Prescott. We would be in Flagstaff's shadow.

Mayor Moore said that they may come up with a new district, shift people around, or keep it the way it is.

Councilman McNelly asked Kellie Peterson: Does redistricting come every ten years after the census? She responded in the affirmative.

In the past the legislature redrew the lines, but an independent Redistricting Commission was formed that will be making the decisions. She thinks the process is to be entirely independent without the legislature's or Governor's approval.

Councilman Dent added that Flagstaff's district has been dominated by the Navajo Nation. They're pushing for redistricting. Williams is conservative. One thing to watch closely is that one map left Doney Park and other areas north of Flagstaff in with the Navajo Nation.

Greg Brooks said that the hospital is in Flagstaff, and workers commute to Flagstaff. Williams is so close to Flagstaff that we do business and spend money in Flagstaff. Geographically, we are more aligned with Flagstaff than with Prescott. Do we want representation that will reflect what we do on a daily basis? Ideologically, we are attuned with Prescott. Make certain we are not aligning ourselves incorrectly. We need to look at the practicalities of the situation

Mayor Moore said he will advise to keep the district the way it is.

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VI. REPORTS AND INFORMATION ITEMS:

- A. Mayor and Council Mayor Moore pointed to his sparkling, white t-shirt that he had treated with Red-B-Gone. It had been severely stained, but it turned white immediately with this treatment.

Councilman Hiemenz asked that a discussion of the volunteer police group that was written about in the newspaper be placed on Council's Agenda for the next meeting, August 25, 2011.
- B. Staff Reports None

VII.

CONVENE TO EXECUTIVE SESSION

The City Council may vote to enter Executive Session to:

- *Obtain legal advice and to consult with and instruct the City's attorneys regarding pending claims and possible settlement of claims pursuant to Arizona Revised Statute 38-431.03.A.3 and A.4.*
- *Review resumés from City Manager applicants to determine those who will be interviewed pursuant to Arizona Revised Statute 38-431.03.A.1.*

No final action shall be taken in Executive Session.

RECONVENE TO REGULAR SESSION

- C. Council may make a decision regarding settlement of pending claims: J. Moore Councilman McNelly made a motion to give a rebate of 1,000 gallons of water per account and to instruct Kellie Peterson to write a letter to go out in the next water bills.
Councilman Hiemenz seconded the motion, and it carried 6-0.
- D. Council may make a decision regarding selection of applicants for City Manager to be interviewed: J. Moore Councilman Payne made a motion to interview the top six candidates as discussed in Executive Session. Councilman Dent seconded the motion, and it carried 6-0.

VIII. ADJOURN:

Councilman Wurgler made a motion to adjourn, and it was seconded by Councilman Miller. The meeting adjourned at 9:04 p.m.

Mayor John Moore

ATTEST:

City Clerk

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AUGUST 18, 2011
COUNCIL ACTION

I. PROCEDURES:

- A. Call to Order Mayor Moore called the meeting to order at 12:00 p.m.
- B. Roll Call Mayor John Moore, Vice Mayor Don Dent and Councilmen, Frank McNelly, Bill Miller, Lee Payne and James Wurgler (late) were present and constituted a quorum. Councilmen Bernie Hiemenz was not present.
- Present from City Staff were Interim City Manager/Finance Director Joe Duffy, Water Department Billy Pruett and Kathy Fuller, Building Inspector Tim Pettit and Administrative Assistant Pamela Galvan.
- C. Adoption of Agenda Councilman McNelly made a motion to adopt the agenda, and it was seconded by Councilman Dent. The motion carried 6-0.

II. SPECIAL AGENDA ITEMS

- A. Discussion and decision regarding water system issues including installing a potassium permanganate system, replacing the Carson in the existing water filters, installing a Solar Bee in Dogtown Lake, purchasing and installing equipment in Dogtown Well One and Dogtown Well Three, distribution system flushing and other issues related to solving the manganese water problem.
- Mayor Moore went over the listed items to be covered.
 - Joe Duffy suggested each turn to page 2 pointing out the Chlorine Dioxide System and noting that it has helped but not enough.
 - Potassium Permanganate system will be installed at the Cataract Pump House by SWI Engineering.
 - Engineer from CDG spoke to us August 17 and suggested we replace the carbon filters at the Water Plant. That will be executed next week Wednesday or Thursday. All city employees will be helping out and it should take 6 to 8 hours or so to complete.
 - Additionally we are looking into adding Solar Bee to the lake to reduce the manganese.
 - The City staff is seeking authorization from the council to approve the costs for repair estimated between \$150,000. to \$175,000 and to continue working on this.
 - Mayor Moore inquired if the engineers in attendance feel the city is doing everything they can do at this point. SWI Engineering responded "yes."
 - Mayor Moore inquired on flushing of the lines; when and how are we going to do it.
 - Billy Pruett stated we need to get more water in our tanks; maybe after Labor Day.
 - Mayor Moore asked if we could get the well up and running in 10 days.
 - Billy Pruett stated once the well gets online we will increase our production of water filling the tanks therefore enabling us

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**AUGUST 18, 2011
COUNCIL ACTION**

to start flushing the system. Once running, it should take 5 to 6 days then flushing can begin.

- Councilmen Dent asked Patch Karr of Barbie Drilling if ten days is realistic. Patch's response was "yes."
- Councilmen McNelly asked "is flushing a week long process?"
- Billy Pruett responded with, "It will take two days to flush town and one day for the golf course." Once the water department starts flushing, they don't want to stop and start the flush.
- Councilmen Miller asked about flushing and it stirring up the manganese: Won't the residents need notification?
- Billy Pruett stated, "We post it in the paper prior to flushing to let them know it is going to happen; we do it around 9, 10 o'clock at night.
- Councilmen McNelly suggested perhaps we ask the residents to flush the following morning prior to showering, etc.
- Mayor Moore thanked engineers and the Water Department for all their time and hard work in reaching a resolution with the water issue.
- Joe Duffy pointed out that the City has started a mass email system (cow@williamsaz.gov) that citizens can sign up for. It will provide them with up-to-date information and notification of events going on in the City.
- Mayor Moore asked for a motion to increase the amount asked for by the city staff to a maximum of \$200,000.00, so we don't have to call another council meeting to get additional funds. Joe Duffy noted that the council will see all the purchase orders as they come through for approval.
- Councilman Wurgler made a motion to approve and Councilman McNelly seconded. Motion carried 6-0

VIII. ADJOURN:

Councilman Miller made a motion to adjourn the meeting. Councilman Wurgler seconded the motion. The motion carried 6-0. The meeting adjourned at 12:15 p.m.

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AUGUST 25, 2011
COUNCIL ACTION

I. PROCEDURES:

- A. Call to Order Mayor Moore called the meeting to order at 7:00 p.m.
- B. Pledge and Invocation Kent Jones 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, Frank McNelly, Bill Miller, and James Wurgler were present and constituted a quorum.
Present from City Staff was Joe Duffy, Interim City Manager/Finance Director, Herman Nixon, Police Chief, Glenn Cornwell, Public Works Director, Billy Pruett and Kathy Fuller, Water Department, and City Clerk/HR Director Susan Kerley.
City Attorney Kellie Peterson and Gioia Goodrum, Williams-Grand Canyon Chamber of Commerce President/CEO were present.
- D. Approval of Minutes: August 11, 2011, and August 25, 2011 Councilman McNelly made a motion to approve the minutes as presented. Councilman Miller seconded the motion, and it carried 5-0.
- E. Adoption of Agenda Councilman Wurgler made a motion to adopt the Agenda with moving Item E to just after the Consent Agenda items. Councilman Hiemenz seconded the motion, and it carried 5-0.

II. PRESENTATIONS - NONE

III. PUBLIC PARTICIPATION:

Ruth Sanzari said that with all that is going on in our country, in order for Williams to escape disaster, it is important that leaders approach decisions prayerfully. She invited Council members and everyone else to attend a nondenominational service on Sunday night at 6:00 p.m. at the First Baptist Church.

IV. CONSENT AGENDA ITEMS:

- B. Approval of Purchase Orders: J. Duffy Councilman Wurgler made a motion to approve the purchase orders as presented. Councilman Dent seconded the motion, and it carried 5-0.

VI. NON-CONSENT AGENDA ITEMS:

- E. Request by Grand Canyon Railway for closure of portion of Rodeo Road in order to replace the Rodeo Road grade crossing. The closure request is for September 26th *This item was moved before the Agenda was adopted.*
Ervin White corrected the dates requested for the closure. The request is actually for two weeks in September, starting after all the needed equipment arrives. He explained that the crossing has deteriorated, and repairs similar to those done on the Grand Canyon Boulevard crossing are needed. Both sides of the road will need to be closed. He is requesting closure for two weeks to allow the time needed for the concrete to cure. They want enough time to do the

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through September
30th : Ervin White

project right so, hopefully, the repair will last for ten years. They plan to do ample public notification by running a half-page ad for three weeks in advance in the Williams News and by providing signage regarding the road closure. When asked if a sidewalk would be added as part of the project, he stated that there is no room for a sidewalk on either side of the roadway.

Councilman Miller saw no other alternative, because this is a safety issue. Joe Duffy said that notices would be added to the City's website and to the new community update email.

Mr. White said they would like to start on September 19th, but this is dependent upon the arrival of materials and may vary by a few days.

Councilman McNelly asked if there will be a turnaround area on either side of the construction, and Mr. White replied that on the east side, drivers could turn around on the dirt road, and on the west side, they can turn on Frank Way and make the loop back to Airport Road.

Chief Nixon added that plenty of notice up the road before the track repair would be needed.

Councilman Dent made a motion to approve the closure of Rodeo Road to improve the grade crossing for two weeks from the date of the start of the project. Councilman McNelly seconded the motion, and it carried 5-0.

V. C.

***RECESS TO PUBLIC HEARING REGARDING INCREASING
THE CITY OF WILLIAMS' ELECTRIC RATES***

Councilman McNelly made a motion to recess to Public Hearing, and Councilman Miller seconded the motion. It carried 5-0.

The City of Williams issued a Notice of Intention to Increase Electric Rates and Issued a Public Report on July 28, 2011. Public Hearing August 25, 2011: J. Duffy

Joe Duffy made a PowerPoint presentation and handed out copies to public attendees.

The Reasons Why a Rate Increase is Required:

- The Enterprise Funds are not generating enough cash to meet existing debt service requirements. WIFA postponed \$1,260,000 in debt service payments over the last two fiscal years.
- WIFA can require that the City increase sales taxes, electric rates, water and/or sewer rates to meet its debt service obligations.
- The Enterprise Funds are not generating enough cash to build the required WIFA reserves of \$1,600,000.
- The Electric System is not generating enough revenue for

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future capital projects, system upgrades or expansions.

- The Electric System rates are significantly lower than APS rates.
- In 2018 the wholesale power purchase agreement will expire. It is likely that the wholesale power costs will increase, thus requiring a significant rate increase.

Staff Recommendation:

- 3% rate increase each year until the rates are equal to APS rates.
- Council can adopt a multi-step rate increase.
- Council can review each year.

Mayor Moore asked for comments from the public. Public participant Ruth Sanzari asked how the public could know for sure, if the rates are increased, where the money will be put. She doesn't know how customers can afford an increase and just doesn't think this is the right time for a 3% increase.

Councilman McNelly said that Joe Duffy went in depth on how the City tries to get the cheapest power it can get. When there are emergencies in the town, the town needs to be in a position to take care of them. There has been no increase since 1992 – 19 years. He believes we can each afford \$2.00/month to take care of maintenance before it becomes an emergency. He knows we are facing system repairs and upgrades. If we are looking out for our town – electric, water, and other emergencies – we cannot put this off.

Public participant Craig Fritsinger said that we cannot predict the future – rates may not go up. He suggested softening an increase by offering a reduction in rates if the wholesale rates don't go up.

CLOSE PUBLIC HEARING AND RECONVENE REGULAR SESSION

Councilman Miller made a motion to return to regular session. It was seconded by Councilman Hiemenz, and it carried 5-0.

VI. NON-CONSENT AGENDA ITEMS:

- D. Discussion and Decision regarding increasing City of Williams Electric Rates: J Duffy

Joe Duffy offered his Staff recommendation:

- Raise rates 3% each year until rates are equal to those of APS.
- Adoption of a multi-step increase by Council.
- Review of rates each year by Council.

Council Hiemenz asked if we are now applying for Hoover Dam power. Joe Duffy replied that K. R. Saline is getting us into a queue, and we will follow the necessary steps to obtain this power.

Joe Duffy suggested increasing rates to that of APS. He said that we should have kept the electric rates the same as those of APS since

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1992. Rates should not be increased above those of APS, and the rates should be reviewed each year. He replied to Councilman Miller's question of whether the City can provide concessions to customers for alternative energy by saying that we don't have a fund to pull from because no surcharge has been in place. Council made a policy decision, choosing not to buy power back from customers.

Councilman Dent added that the City hasn't had to raise rates, and did not have some of the programs that APS offers. For our citizens, he would like to stay below APS rates. We are now trying to pay for repairs that should have been done over the last 60 years.

Attorney Kellie Peterson noted that all steps taken in noticing the public are not required but were taken to give fair notice. A decision to increase rates does not bind future Councils. They can change rates each year if they choose.

Consensus of Council members was that a mandatory annual review of rates is in order.

Councilman McNelly said that, essentially, we missed bond payments. To improve bond rating to borrow, we must build cash reserves and reduce debt to have a nice little cash egg. An increase is needed to stay even with inflation.

Councilman McNelly made a motion to adopt a 3% rate increase in 2011 and a 3% rate increase in 2012 for a total increase of 6%.

Councilman Miller seconded the motion, and it carried 5-0.

- E. Request by Grand Canyon Railway for closure of portion of Rodeo Road in order to replace the Rodeo Road grade crossing. The closure request is for September 26th through September 30th : Ervin White

Moved to first place on Non-Consent Agenda.

- F. Discussion of volunteer police officer program: H. Nixon

Police Chief Herman Nixon explained that several programs have been put into place since he's been here, including the Senior Welfare Check and House Watch. During parades and events everybody has to come in, and he has no one to do the above two programs.

A volunteer program was in place when he arrived, but it had no policies and procedures, so he got rid of it. Now, there is a 10-hr. per week School Resource Officer who can administer a volunteer

program. Volunteers would make no traffic stops and no arrests. They would perform Senior Welfare Checks and House Checks only during the day and would help with daily duties as much as possible. They would go through the same background checks as officers and would go through training for traffic control. If they transported prisoners, it would only be for non-violent prisoners. The program is designed for those who want to help the Police Department and the City.

The City has workers' compensation coverage for volunteers. Chief Nixon stated that volunteers will handle no calls for service, and they will not be used in back-up situations. They will have assigned duties, like escorting funerals and providing traffic control. Chief Nixon assured Council that the volunteers would be correctly trained. He also hopes to start an intern program with youth.

Mayor Moore said this item was brought up because Council first learned of it from an article in the newspaper. He said that he believes the decision is the Chief's, not Council's. When such a program is well-supervised, it works well. He asked the City Clerk to put this item on the Agenda for the September 8th meeting for a decision to be made.

VII. REPORTS AND INFORMATION ITEMS:

- A. Mayor and Council None
- B. Staff Reports Joe Duffy said that the pump at Dog Town III came out of the hole successfully. The new equipment is here, and the drill technician will be putting the replacement pump in the well tomorrow. The purple hydrants will be drained at Bearizona until the water runs clear. One carbon filter will be on-line tomorrow and another on Saturday. Billy Pruett added that everything should be here and ready to go in a few days.

VIII.

At 8:12 p.m., Mayor Moore called for a five minute recess before convening to Executive Session.

Councilman Miller made a motion to convene to Executive Session, and it was seconded by Councilman McNelly. It carried 5-0.

CONVENE TO EXECUTIVE SESSION

The City Council may vote to enter Executive Session to:

- *Review candidates from City Manager interviews to determine those who will be called for a subsequent interview, discuss interviewing additional candidates, or to select a candidate to whom to offer the City Manager position, pursuant to Arizona Revised Statute 38-431.03.A.1.*

No final action shall be taken in Executive Session.

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- IX. C. Council may make a decision regarding selection of applicants to be called for a subsequent interview, discuss interviewing additional candidates, or to select the candidate to whom to offer the City Manager position: J. Moore

RECONVENE TO REGULAR SESSION

Councilman McNelly made a motion to interview three additional candidates as discussed in Executive Session. Councilman Wurgler seconded the motion, and it carried 6-0.

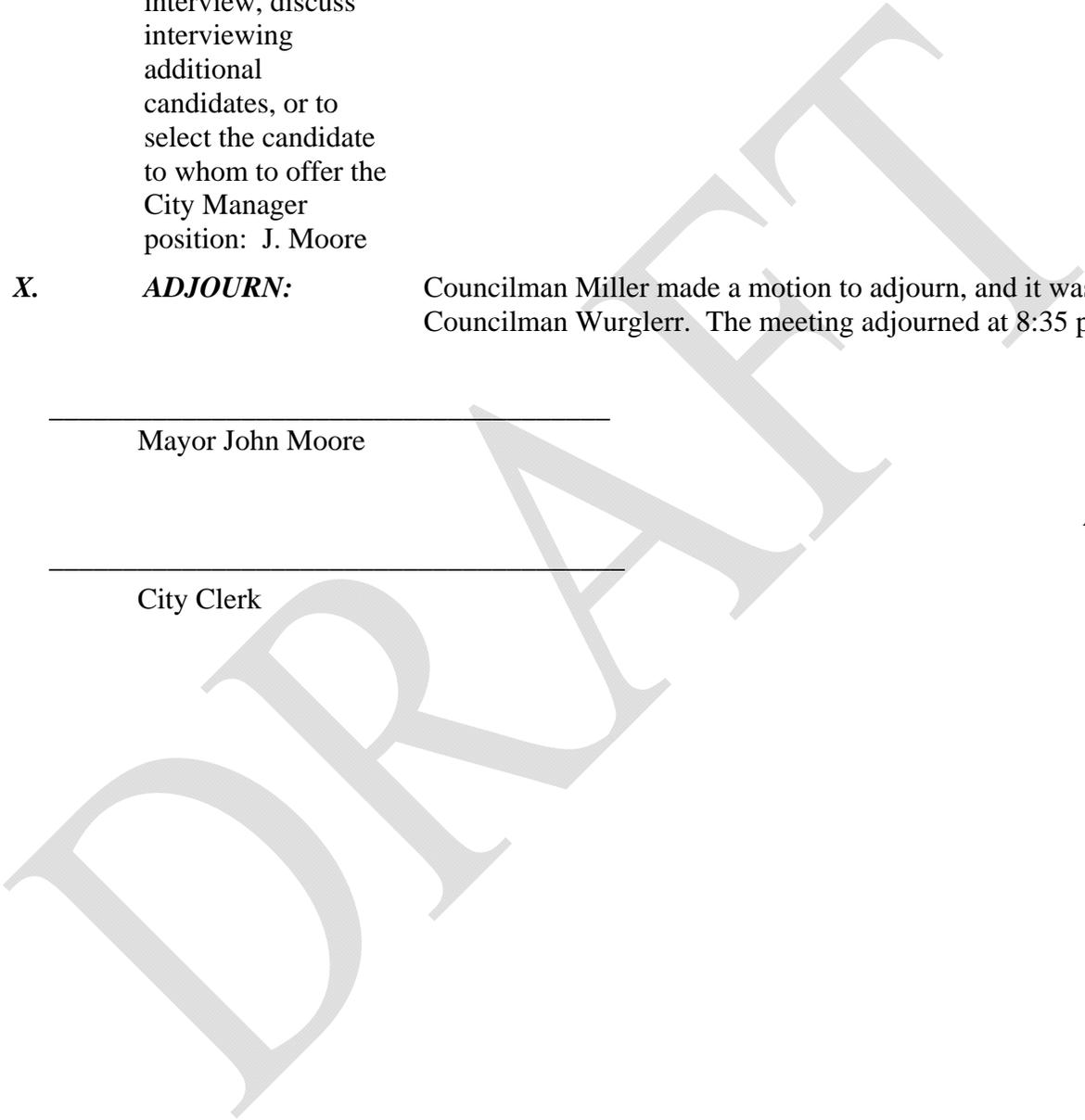
- X. **ADJOURN:**

Councilman Miller made a motion to adjourn, and it was seconded by Councilman Wurgler. The meeting adjourned at 8:35 p.m.

Mayor John Moore

City Clerk

ATTEST:



CITY OF WILLIAMS CITY COUNCIL

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**SEPTEMBER 8, 2011
COUNCIL ACTION**

I. PROCEDURES:

- A. Call to Order Vice Mayor Dent called the meeting to order at 7:00 p.m.
- B. Pledge and Invocation Vice Mayor Dent led the pledge of allegiance, and Glenn Cornwell offered the invocation.
- C. Roll Call Councilmen Don Dent (Vice-Mayor), Bernie Hiemenz, Frank McNelly, Bill Miller, and James Wurgler were present and constituted a quorum. Absent were Mayor John Moore and Councilman Lee Payne.
Present from City Staff were Joe Duffy, Interim City Manager/Finance Director, Herman Nixon, Police Chief, Glenn Cornwell, Public Works Director, Sheldon Johnson, City Automotive Shop, and Doug Owens, George Otero, and Jeff Pettit, Sanitation Department, and City Clerk/HR Director Susan Kerley.
City Attorney Kellie Peterson and Gioia Goodrum, Williams-Grand Canyon Chamber of Commerce President/CEO were present.
- D. Approval of Minutes: August 25, 2011 Councilman Miller made a motion to approve the minutes as presented. Councilman McNelly seconded the motion, and it carried 4-0.
- E. Adoption of Agenda Councilman Wurgler made a motion to adopt the Agenda. Councilman Hiemenz seconded the motion, and it carried 4-0.

II. PRESENTATIONS - NONE

III. PUBLIC PARTICIPATION: NONE

IV. CONSENT AGENDA ITEMS:

- A. Approval of Purchase Orders: J. Duffy Councilman McNelly made a motion to approve the Consent Agenda items as presented. Councilman Hiemenz seconded the motion, and it carried 4-0.
- B. Approval of Check Register for month ending August 31, 2011: J. Duffy

V. NON-CONSENT AGENDA ITEMS:

- C. Council may make a decision regarding a Letter of Intent to lease land for a baseball complex if sufficient funding and adequate assurances are provided to the City: J. Duffy Vice Mayor Dent explained that Councilman Payne has been working on this project. He is firefighting in Texas, so he could not be at this meeting. Councilman McNelly made a motion to table this item until the next Council meeting on September 22, 2011. The motion was seconded by Councilman Miller, and it carried 4-0.
- D. Council may make a decision authorizing Glenn Cornwell said the City's 1987 dozer is ready to be put out to pasture. Sheldon Johnson has done exhaustive research on finding

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approximately
\$35,500 for the
purchase of a
Caterpillar dozer: G.
Cornwell/Sheldon
Johnson

another one. Sheldon Johnson explained that finding a dozer with a cab narrows the field of possibilities. He has located one in California that is older, but it seems to be in good shape. It would sell “as is” and comes with no warranty. He believes it deserves a look.

Councilman McNelly added that buying something used is always a chance. However, Caterpillar is the machine to get because parts are available. He suggested that Sheldon have the owner perform oil sampling. The machine in California has approximately 14,000 hours on it, and municipalities average putting on 800 hours per year. The Caterpillar dealer found another one in Virginia for \$65,900 with about 1,700 hours on it, but the wear on the tracks seems heavier than 1,700 hours. Sheldon Johnson said the price on the 2002 dozer in Virginia includes freight.

Councilman McNelly made a motion authorizing Sheldon Johnson to go to Goshen, California, to look at the equipment and to spend \$35,500 on it if appropriate. Councilman Miller seconded the motion, and it passed 4-0.

E. Council may make a decision authorizing Staff to place three pieces of heavy equipment with Ritchie Bros. Auctions in Phoenix for sale: G.
Cornwell/Sheldon
Johnson

Glenn Cornwell explained that Staff believes the City will get more money from its tractor/refrigerated trailer and dozer at Ritchie Bros. Auctions in Phoenix than it would get in the City’s surplus auction in October. The City’s attorney has some reservations about the contract. Staff would like approval to put this equipment with Ritchie Bros. based on some tweaking of the contract.

Councilman McNelly made a motion authorizing Staff to place these three pieces of equipment with the contract to be reviewed by the City’s attorney. Councilman Wurgler seconded the motion, and it carried 4-0.

F. Council may make a decision, awarding a bid for the Historic Sidewalk repair: J.
Duffy

Joe Duffy said that the intent is to fix the utility cuts and crumbling areas of the sidewalk. The City received only one bid, and the contractor put down a sample patch. Joe Duffy recommended rejecting the proposal, and, instead, accepting a bid of \$4,452 from WCT Cleaning for steam cleaning and see how it holds up through the winter. Then, review it again next spring. John Holst said he tested the stain. It blends well and looks great.

Councilman Miller made a motion to reject the bid from Standard Construction for repairing the sidewalk. Councilman Wurgler seconded the motion, and it carried 4-0.

G. Council may make a decision regarding a Request for Proposal for Sanitation Services: J. Duffy

Earlier in the year, an RFP was put out for sanitation services. An RFP was accepted from Waste Management. In July, Joe Duffy got WM’s numbers to purchase our equipment and take over residential and commercial waste accounts with the City continuing to operate Lake Ellen and the transfer station. Today the City’s gross revenue is about \$650,000 per year. WM’s offer was just not enough. Also,

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they wanted the City to change ordinances to set fees that might become a barrier of entry for other companies. The bottom line is they're not moving off their original offer. He believes we are done at this point. He noted three options:

- A. Reject the RFP
- B. Instruct Staff to continue to negotiate, perhaps with another competitor. (Kellie Peterson's recommendation was to reject this RFP); or
- C. Compete with Waste Management since we provide superior service, and our service supports local jobs.

Joe Duffy asked for guidance from Council. He added that Flagstaff has been competing for years and is making a profit. He believes the City should continue its services.

Councilman McNelly noted that, with City employees, we are in control. He believes we're better off to have local employees.

Vice Mayor Dent added that he would have some real concerns because WM's proposal completely ignores the transfer station and Lake Ellen. Why would we want to sell off part of the operation? This is huge – it is important to citizens to have the ability to take trash to the transfer station.

Councilman McNelly made a motion to reject the proposal from Waste Management. The motion was seconded by Councilman Miller, and it carried 4-0.

VI. REPORTS AND INFORMATION ITEMS:

A. Mayor and Council None

B. Staff Reports Joe Duffy reported that Dogtown III is up and running, and quotes are being received for new string for Dogtown I. Divers will be in during the first week of October to clean tanks. Then flushing will be done over two nights.

John Holst asked Police Chief Nixon if there were major problems with unauthorized/illegal dumping. Chief Nixon asked Mr. Holst to call the Police Department if he sees illegal dumping. Three citations have been issued for illegal dumping at Safeway.

VII.

At 7:49 p.m., Vice Mayor Dent called for a five minute recess before convening to Executive Session.

Councilman Wurgler made a motion to convene to Executive Session, and it was seconded by Councilman Hiemenz. It carried 4-0. At 7:55 p.m. Executive Session was convened

CONVENE TO EXECUTIVE SESSION

The City Council may vote to enter Executive Session to:

- *Receive report on background checks performed and will review*

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SEPTEMBER 8, 2011
COUNCIL ACTION

candidates from City Manager interviews to determine those who will be called for a subsequent interview or to select a candidate to whom to offer the City Manager position, pursuant to Arizona Revised Statute 38-431.03.A.1.

No final action shall be taken in Executive Session.

- VIII. C. Council may make a decision regarding inviting City Manager candidates for a second interview or selecting a candidate to whom to offer the position: D. Dent

RECONVENE TO REGULAR SESSION

Councilman McNelly made a motion to invite two candidates to return for a second interview on September 19th and September 20th as discussed in Executive Session. Councilman Miller seconded the motion, and it carried 4-0.

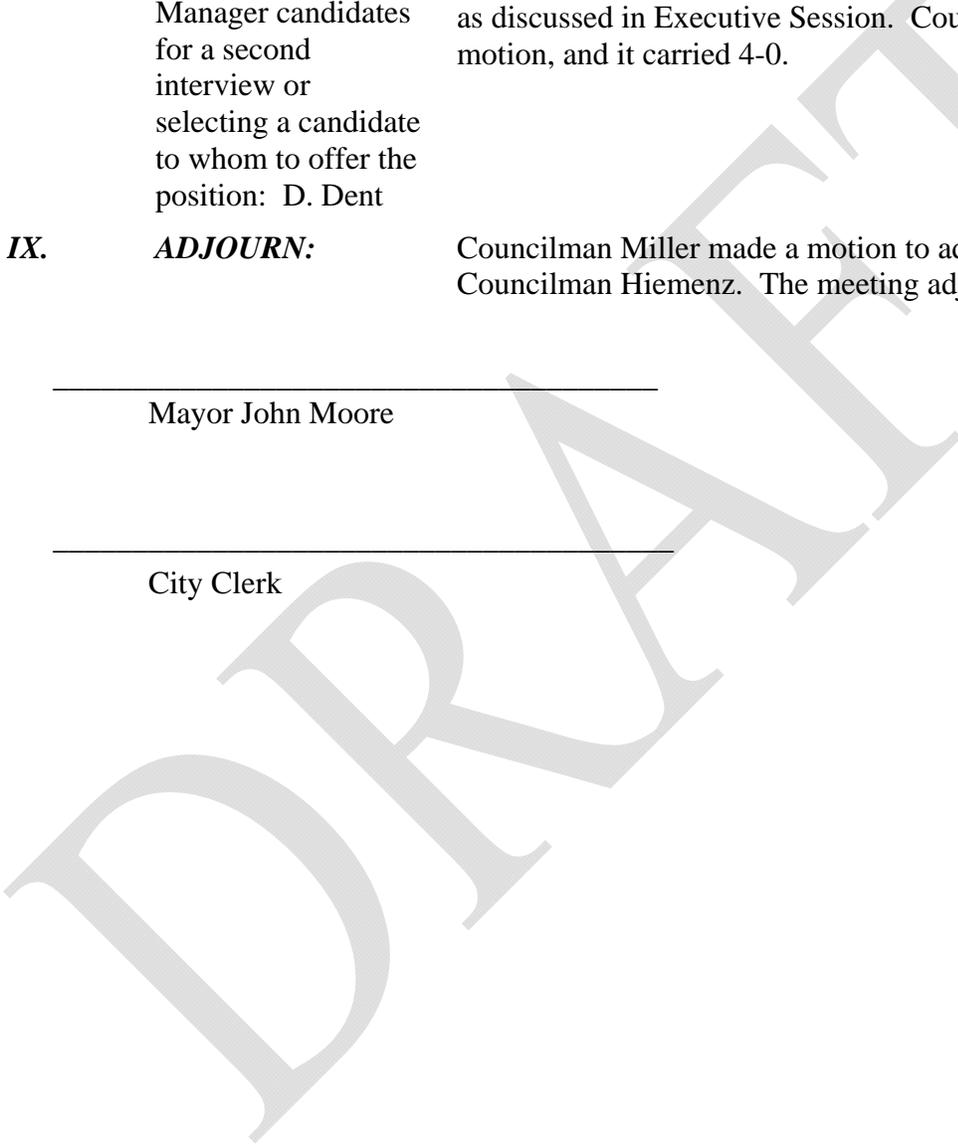
IX. ADJOURN:

Councilman Miller made a motion to adjourn, and it was seconded by Councilman Hiemenz. The meeting adjourned at 8:12 p.m.

Mayor John Moore

City Clerk

ATTEST:



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**SEPTEMBER 19, 2011
COUNCIL ACTION**

I. PROCEDURES:

- A. Call to Order Vice Mayor Don Dent called the meeting to order at 10:00 a.m.
- B. Roll Call Councilmen Don Dent (Vice-Mayor), Bernie Hiemenz, Frank McNelly, Bill Miller, and Lee Payne were present and constituted a quorum. Absent were Mayor Moore and Councilman Wurgler.
- C. Adoption of Agenda Councilman Hiemenz made a motion to adopt the Agenda. Councilman Miller seconded the motion, and it carried 5-0.

II.

Councilman Hiemenz made a motion to convene to Executive Session, and it was seconded by Councilman Miller. The motion carried 5-0.

CONVENE TO EXECUTIVE SESSION

The City Council may vote to enter Executive Session to:

Conduct a second interview of a candidate for the City Manager position, pursuant to Arizona Revised Statutes 38-431.03.A.1.

No final action shall be taken in Executive Session.

***ADJOURN EXECUTIVE SESSION AND RECONVENE TO
REGULAR SESSION***

III. ADJOURN:

The meeting was adjourned at 11:49 a.m.

Mayor John Moore

ATTEST:

City Clerk

CITY OF WILLIAMS CITY COUNCIL

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**SEPTEMBER 20, 2011
COUNCIL ACTION**

I. PROCEDURES:

- A. Call to Order Mayor John Moore called the meeting to order at 10:00 a.m.
- B. Roll Call Councilmen Don Dent (Vice-Mayor), Bernie Hiemenz, Bill Miller, Lee Payne and Jim Wurgler were present and constituted a quorum. Absent was Councilman Frank McNelly..
- C. Adoption of Agenda Councilman Miller made a motion to adopt the Agenda. Councilman Payne seconded the motion, and it carried 6-0.

II. Councilman Hiemenz made a motion to convene to Executive Session, and it was seconded by Councilman Wurgler. The motion carried 5-0.

CONVENE TO EXECUTIVE SESSION

The City Council may vote to enter Executive Session to:

Conduct a second interview of a candidate for the City Manager position, pursuant to Arizona Revised Statutes 38-431.03.A.1.

No final action shall be taken in Executive Session.

ADJOURN EXECUTIVE SESSION AND RECONVENE TO REGULAR SESSION

III. ADJOURN: The meeting was adjourned at 11:45 a.m.

Mayor John Moore

ATTEST:

City Clerk

CITY OF WILLIAMS CITY COUNCIL

**ANNOTATED MINUTES
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**SEPTEMBER 22, 2011
COUNCIL ACTION**

I. PROCEDURES:

- A. Call to Order Mayor Moore called the meeting to order at 7:00 p.m.
- B. Pledge and Invocation Bobby Patricca led the pledge of allegiance, and Ruth Sanzari offered the invocation.
- C. Roll Call Mayor John Moore, Councilmen Don Dent (Vice-Mayor), Bernie Hiemenz, Frank McNelly, Bill Miller, Lee Payne, and James Wurgler were present and constituted a quorum.
Present from City Staff were Joe Duffy, Interim City Manager/Finance Director, Herman Nixon, Police Chief, Glenn Cornwell, Public Works Director, Bill Pruett and Kathy Fuller, Water Department, and City Clerk/HR Director Susan Kerley.
City Attorney Kellie Peterson and Gioia Goodrum, Williams-Grand Canyon Chamber of Commerce President/CEO were present.
- D. Approval of Minutes: September 8, 2011 Councilman Miller made a motion to approve the minutes as presented. Councilman Wurgler seconded the motion, and it carried 6-0.
- E. Adoption of Agenda Councilman Dent made a motion to adopt the Agenda. Councilman Hiemenz seconded the motion, and it carried 6-0.

II. PRESENTATIONS

Mayor John Moore and Vice Mayor Don Dent presented a Certified Elections Official certificate, issued by the Arizona League of Towns and Cities, to Susan Kerley, City Clerk.

Mayor John Moore presented to Vice Mayor Don Dent a plaque, issued by the Arizona League of Towns and Cities, recognizing his twenty years of public service as a Council Member.

Vice Mayor Dent presented to Mayor John Moore a photo of him with Governor Jan Brewer, taken at the 2011 League of Arizona Towns and Cities Annual Conference.

- A. Kaibab National Forest Plan Revision: Ariel Leonard, Forest Planner, and Tom Mutz, Acting Williams District Ranger
Ariel Leonard is also the Team Leader for the Plan Revision Effort. December publication of the draft of the revised Plan is planned. There will be opportunities between the publication of the draft statement and the final plan to make comments and provide input. No decisions are included in the Plan – it lays groundwork, but does not make decisions on issues like Travel Management.
One management area is Bill Williams Mountain. It is the highest dollar-value area than any other place in the Kaibab. More than ninety special use permits have been issued for Bill Williams Mountain. The Plan evaluates any potential or new areas. Eleven new areas were identified. Issues raised include:
 - a. No action
 - b. Proposed Plan
 - c. Limit amount of area identified that's managed for timber production. Trees would

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SEPTEMBER 22, 2011
COUNCIL ACTION

be harvested approximately every 30 years. Production would be based with an emphasis on sustainability. The tree retention guideline suggests not cutting trees if they were established before 1890.

d. No lands would be managed for timber or biomass production.

At the time the draft of the Plan is published, workshops will be held.

Councilman McNelly asked if things that were not talked about will stay the same. Ms. Leonard said pretty much, that she focused on things that would change.

Councilman Wurgler noted that the Wallow Fire has had a tremendous impact on the Forest Service’s motivation. Birds and wildlife sometimes have been given credit for holding up prevention efforts. He asked if she and others in her organization were receiving a lot of pushback regarding endangered species. Ms. Leonard said that the Plan cannot make decisions already established in policy. It is less restrictive and recognizes the need to do extensive fuel reduction. The greatest danger to endangered species is now wildfires. She doesn’t know all plans for implementation of thinning and burning, but the Plan calls for accelerated thinning and restoration.

Tom Mutz added that they are working with the Game and Fish Commission and are not getting roadblocks from them.

III. PUBLIC PARTICIPATION: NONE

IV. CONSENT AGENDA ITEMS:

B. Approval of Purchase Orders: J. Duffy

Councilman Wurgler made a motion to approve the Purchase Orders as presented. Councilman McNelly seconded the motion, and it carried 6-0.

V. NON-CONSENT AGENDA ITEMS:

C. Council may make a recommendation to the Department of Liquor Licenses & Control to approve or disapprove the Application for Extension of Premises submitted by John Kennelly for Pancho McGillicuddy’s at 141 W. Railroad Avenue: S. Kerley

John Kennelly explained that he wants to serve liquor on his whole patio, particularly for special events. After construction, his establishment will consist of one building housing the same restaurant with the same name.

Councilman Wurgler made a motion to recommend approval of the extension of premises to the Department of Liquor Licenses and Control. The motion was seconded by Councilman Payne, and it carried 6-0.

D. Council may approve Resolution No. 1271, approving the amended loan

Joe Duffy explained that this is the official paperwork in which WIFA is deferring the principal for one year. They reamortized both of our loans which reduces the payment each year. The interest rate is 3.3% which is the same as the prior loans, and the total amount of

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documents from Water Infrastructure Finance Authority (WIFA) approved Loan Resolution Addendums A2012-006 and A2012-007 authorizing WIFA staff to amend City of Williams Loans 910085-06 and 910099-08, by extending the loan terms and waiving the Repair and Replacement requirements: J. Duffy

the payoff will be the same. They just added a couple of years to the end of the loan.

Councilman Dent made a motion to approve Resolution No. 1271, and Councilman Miller seconded the motion. It carried 6-0.

- E. Council may make a decision regarding the purchase of a pump and its installation at Dogtown I after review of a quotation from Barbie Drilling, Inc.: G. Cornwell

Glenn Cornwell reported to Council that Staff would like to get Dogtown I well up and running. It would give us two wells next spring in case of brown water issues. The cost would be about \$67,500 to get it up and running and would give the City redundancy. Mayor Moore asked when it could be completed, and Joe Duffy replied that it would take two to three weeks. The Mayor asked if we could put into written policy that wells and pumps should be checked on a regular basis.

Bill Pruett said that one option is to alternate pumps each month and then use both of them from Memorial Day through Labor Day.

Glenn Cornwell said he will develop policy and procedures for the maintenance and running of the wells. Joe Duffy added that running well water costs about \$50,000 per month.

Councilman McNelly made a motion to accept the quotation from Barbie Drilling for \$67,500. The motion was seconded by Councilman Payne, and it carried 6-0

- F. Council may make a decision regarding a 60-month lease for two Toshiba color copiers, one for City Hall and one for the Police Department: J. Duffy

Joe Duffy said this “deal is too good to be true.” Arizona Office Technology will only charge for color copies at about 6.5 cents each with no charge for black and white copies. We still have 18 months on our existing lease of the Toshiba black and white copiers. They will make the remaining payments for us. The real savings would be the \$6,500 spent last year on color toner cartridges for various color printers. He said that Staff is highly recommending acceptance of this new lease.

Councilman Miller asked for the total cost of the lease. Joe Duffy replied that at \$795 per month for 60 months, the total would be

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about \$47,000. Councilman Miller asked if Staff had compared buying to leasing and if they had a comparable number for buying the equipment along with a maintenance contract. He said he would like to know the actual cost comparison before voting.

Councilman Miller made a motion to table a decision on this item until the October 13th meeting when Staff will have available the cost to purchase the equipment with a maintenance agreement so it can be compared with the lease proposal. Councilman Dent seconded the motion, and it carried 6-0.

- G. Council may make a decision regarding a Letter of Intent to lease land for a baseball complex if sufficient funding and adequate assurances are provided to the City:
J. Duffy

Councilman Payne said that there is a shortage of fields in town for the youth, and the City is trying to find a way to build new fields. He has been looking at this situation with Johnny Hatcher to see how their group can get financing for a sports complex.

Johnny Hatcher said he is affiliated with Little League. They have 28 teams, and they want to bring each team in once a month. The Regional Series brings in teams from 26 different states. They want to start with baseball and softball and expand to include football, soccer, flag football, a walking park, and basketball courts. He wants to do something for everyone in Williams but for the youth first. His group's plan would help youth and could put 60-70 people to work eventually.

They would use all 18 acres of the City's parcel on Airport Road eventually. He said the \$1.7 million he needs would cover two Little League and Big League baseball fields, two softball fields, lighting, parking, bathroom, concession areas, and some bleachers. Their goal is to make the complex a park-like setting with only a few bleachers.

Mayor Moore noted that this is just a Letter of Intent. The City would need engineering plans, etc., before entering into a Lease.

City Attorney Kellie Peterson added that the purpose of the Letter of Intent is for the use of the group when they go out to donors.

Councilman Miller made a motion to approve the Letter of Intent.

Councilman McNelly seconded the motion, and it carried 6-0.

VI. REPORTS AND INFORMATION ITEMS:

A. Mayor and Council None

B. Staff Reports Joe Duffy reminded Council members that representatives of the Havasupai Tribal Council will be meeting with them on Tuesday at 10:00 a.m. to talk about their Memorandum of Understanding and other issues. This will be a Special Council Meeting.

VII.

Councilman Miller made a motion to convene to Executive Session, and it was seconded by Councilman Hiemenz. It carried 6-0. At 7:54 p.m. Executive Session was convened

CONVENE TO EXECUTIVE SESSION

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SEPTEMBER 22, 2011
COUNCIL ACTION

The City Council may vote to enter Executive Session to:

Discuss second interviews held on September 19th and 20th,
and they will discuss selecting the candidate to whom to offer the
City Manager position or whether to start the recruitment
process all over again, pursuant to Arizona Revised Statute 38-
431.03.A.1.

No final action shall be taken in Executive Session.

RECONVENE TO REGULAR SESSION

At 8:35 p.m., Councilman Miller made a motion to return to Regular
Session. The motion was seconded by Councilman McNelly, and it
carried 6-0.

VIII. H. Council may make a
decision, selecting a
candidate to whom
to offer the City
Manager position or
request Staff to start
the recruitment
process all over
again, based on the
discussion in
Executive Session:
J. Moore

Councilman Miller made a motion to table making a decision for a
minimum of one more week and to direct the Mayor and HR person
to continue further background checks of both candidates. No one
seconded the motion; therefore it died.

Councilman Dent made a motion to direct Susan Kerley as HR
Director and the Mayor to call references and finish any unchecked
background information and begin contract negotiations with
Brandon Buchanan. Councilman Payne seconded the motion, and it
carried 6-0.

IX. **ADJOURN:**

Councilman Wurgler made a motion to adjourn, and it was seconded
by Councilman Miller. The motion carried 6-0, and the meeting
adjourned at 8:40 p.m.

Mayor John Moore

ATTEST:

City Clerk

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SEPTEMBER 27, 2011
COUNCIL ACTION

I. PROCEDURES:

- A. Call to Order Mayor Moore called the meeting to order at 10:00 p.m.
- B. Roll Call Present from City Council were Mayor John Moore, Councilmen Bernie Hiemenz. Absent were Councilmen Don Dent, Frank McNelly, Bill Miller, Lee Payne, and Jim Wurgler.
Present from City Staff were Joe Duffy, Interim City Manager/Finance Director and City Clerk/HR Director Susan Kerley. City Attorney Kellie Peterson was present.
Present from the Havasupai Tribal Council were Vice Chairman Edmond Tilousi, Councilwoman Carletta Tilousi, Councilman Tim Uqualla, and Councilman Don Watahomigie. Helen Burtis, Attorney, Rosette, LLP, Attorneys at Law was also present.
Clara Beard, Reporter, Williams-Grand Canyon News was present.

II. SPECIAL MEETING AGENDA ITEM

Members of the Havasupai Tribal Council will meet with Williams' City Council members to discuss their Memorandum of Understanding and other issues between the Reservation and the City of Williams.

Helen Burtis, Attorney, Rosette, LLP, Attorneys at Law, introduced the session by saying that they are trying to provide a quantification of Federal water rights. This tribe does not want to start out with litigation. We have commonalities and sources of conflict. She then introduced Councilwoman Carletta Tilousi who introduced their presentation that was given so that we have an understanding of water needs with several entities. They are proceeding with water rights' claims and were here to obtain support of the City Council.

She said that their oral tradition says that Bill Williams Mountain, along with the San Francisco Peaks is sacred. The Tribe has kept to itself. They are now lobbying in Washington, D.C., before the Environmental Protection Agency and are visiting in neighboring towns, such as Tusayan where they made a public statement regarding its development. She addressed five areas:

1. Water Law in the West
2. Include Component for Future Tribal Uses
3. Develop Access to Water at Bar Four
4. Save the Springs (Ground Water Protection)
5. Improve the Reservation's Ecosystem
6. MOU does not become active with regard to Tusayan.

She asked if the City would write a letter of support. Attorney Kellie Peterson was asked to come up with the first draft of a letter. Helen Burtis will provide a template.

They have considered bottling water as well as a small hydroelectric plant. They are trying to improve the lives of the Havasupai people. The Reservation has been declared by the EPA as a state that can regulate contaminants under the Clean Water Act – they can set standards. Outside of litigation, they can identify common goals/solutions with their neighbors. They can involve the U. S. Secretary's Water Rights Office. They have been assigned a Federal

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Assessment Team to be involved with negotiations. They can devise a settlement framework and seek Congressional support. They hope to obtain support from the Federal and State legislatures, and they will ask for support from the City of Williams. ADOWR, Coconino County and Flagstaff will do letters of support.

Mayor Moore said that, although he can't speak for others, he has made a couple of observations: The City of Williams and the Havasupai Tribe are in the same position. With their help, Williams may want to drill a well.

Councilwoman Tilousi pointed out that Tusayan plans to annex three areas, and they have done no archeological studies.

Joe Duffy asked the Tribal Council to keep us in the loop and let us know how they're doing. He understands they will be identifying sacred places and sweat lodges. The Forest Service has notified the Tribe, and they are bringing the elders to see these places before it snows. Bill Williams Mountain is considered a TCP (traditional cultural property).

Mayor Moore suggested that the two groups get together a couple of times each year to keep each other updated and make things better for ourselves.

In the Memorandum of Understanding, under Well Reports, Page 5, Number 2, Joe Duffy said that the City is reporting to SRP and ADOQ on an annual basis. The Tribe's water experts can request that all reports be sent to the Tribe. Councilwoman Tilousi said it is news to her that Williams is using its wells. She would like to update the Memorandum of Understanding with some changes to revitalize and renew the document. The City Council and Tribal Council should give their comments to their respective attorneys so they can make the language legal. Then the Tribal Council and City Council will need to review the document.

III. ADJOURN: The meeting was adjourned at 11:21 a.m.

Mayor John Moore

ATTEST:

City Clerk

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OCTOBER 13, 2011
COUNCIL ACTION

I. **PROCEDURES:**

- A. Call to Order Mayor Moore called the meeting to order at 7:00 p.m.
- B. Pledge of Allegiance and Invocation Mr. Lienhard led the Pledge, and Ruth Sanzari offered the Invocation.
- C. Roll Call Present from City Council were Mayor John Moore, Councilmen Bernie Hiemenz, Frank McNelly, Bill Miller, Lee Payne, and Jim Wurgler. Absent was Councilman (Vice Mayor) Don Dent.
Present from City Staff were Police Chief Herman Nixon, Public Works Director Glenn Cornwell, Water Department Supervisor Bill Pruett and City Clerk/HR Director Susan Kerley.
- D. Approval of Minutes: September 19, 20, 22, and 27, 2011 Councilman Miller made a motion to approve these minutes, and Councilman Hiemenz seconded the motion. It carried 5-0.
- E. Adopt Agenda Councilman Miller made a motion to adopt the Agenda, and Councilman Payne seconded the motion. It carried 5-0.

II. **PRESENTATIONS**

- A. The Mayor's Youth Advisory Group was introduced and reviewed their Mission Statement, History, Rules, and Strategic Plan for the upcoming year. Group members included Amanda Wamble, Chairperson, Sylvia Cardenas, Vice Chairperson, Cheyenne Lienhard, Devin McNelly, Ethan Reinartz, and Josh Stidham. They plan a painting project at Bucksinner Park this month.
- B. Utility Service representatives, Mike Butkis and John Snodgrass, presented their plan for water tank cleaning, repair and maintenance. They have inspected all seven water towers and told everyone about their company, the condition of our tanks and the solutions they offer.

Their firm was founded in 1963 and is the largest provider of contract tank maintenance with over 750 employees. They cover 85% of the continental U. S. with over 5,000 water tanks with full service maintenance agreements. In addition to providing full service maintenance, they provide communications site management by finding providers of wireless Internet services and cellular phone services to generate revenues for the City.

They explained that the City would pay an annual fee for which Utility Services would take responsibility for all future maintenance and water quality management. This would include chemical cleaning of filter media. They shared a Power Point presentation that included the following summary:

- All tanks are showing signs of deterioration. The oldest is more than 64 years old.
- All seven are in need of attention today.
- Coating systems are at or are nearing the end of their useful service life and are not protecting the tanks' steel.

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- Several safety, sanitary, or security items need attention.

Then they reviewed their inspections of all seven tanks.

Mayor Moore asked, "What is the next step"?

- They said that there are currently no structural worries; all tanks are salvageable and can be maintained. Utility Services has created a new business model. A contract with them would include all maintenance and repair with the City having no risk or liability on paint, repairs, etc. Their all-inclusive program offers single-source responsibility for one annual fee. Such a contract is simple and renewable yearly. Each tank would have a separate one-year contract that can be extended indefinitely. They cannot drop a customer except for non-payment. Payments can be arranged monthly, quarterly, semi-annually or annually. Fees are locked for three-year increments. Increases cap at 5% annual adjustment and are locked again for three years.

Councilman Payne asked if any tanks present health hazards. The response was that their firm would provide more protection of tanks, and nothing is posing health concerns. Steel is being lost.

Councilman Payne asked what the expected increase in the life span would be after re-vamping and how often tanks would get cleaned. The reply was that they would recoat the tanks every 10-12 years, and they would guarantee 0% steel loss. Inspections would be done every year, and cleaning would occur every two to three years because of manganese levels.

Councilman McNelly asked if they have analyzed high altitude and extreme temperature change models. They said that these conditions are harder on interior paint, but the main thing is to make sure touch-up painting is done.

Councilman Miller asked about the downtime for renovations. The response was that each tank is a little different. The expectation is three to six weeks for each tank to sandblast, coat, and cure for seven to ten days. This is dependent on steel temperatures, not air temperatures. Utility Services carries \$10 million per incident of environmental coverage, and the City would be named as an additional insured.

The Mayor concluded that the next step is to start talking with the City Manager.

III. PUBLIC PARTICIPATION: NONE

IV. CONSENT AGENDA ITEMS

C. Approval of Purchase Orders: J. Duffy

D. Approval of Check Register month ending September 30, 2011: J. Duffy

After several questions concerning the process the City follows in requesting bids, the purpose of freight charges on P. O. #7932, the delivery of water by L. P.'s to the Grand Canyon Railway pool, and the reminder that Council had reached a decision to not give refunds on brown water claims but to refer them to the insurance company, Councilman Wurgler made a motion to approve the Consent Agenda Items. The motion was

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OCTOBER 13, 2011
COUNCIL ACTION

seconded by Councilman Miller, and it carried 5-0.

V. *NON-CONSENT AGENDA ITEMS*

- E. (Tabled from 9.22.11) Council may make a decision regarding a 60-month lease for two Toshiba color copiers, one for City Hall and one for the Police Department: J. Duffy

In Joe Duffy's absence, Susan Kerley reported that, according to the Copier Purchase Analysis prepared by Joe, the purchase price for two copiers plus service for one year is \$28,965.00. The cost for a 5-year or 60-month lease, including service for one year is \$33,345.00. The monthly service and cost per copy fees are guaranteed for one year if copiers are purchased. Conversely, they are guaranteed for 60 months or the life of the lease. We will save about \$6,500 on the purchase of color printer supplies by having color copiers.

Councilman Wurgler said he has found it frustrating when comparing leasing and purchasing – it's almost a wash. When you buy, the machine becomes out of date. He finds leasing preferable.

Councilman Wurgler made a motion to proceed with the lease of the two copiers, and it was seconded by Councilman Hiemenz. The motion carried 5-0.

- F. Council may ratify an employment agreement between the City and Brandon Buchanan for his services as City Manager: J. Moore

Mayor Moore reviewed several items:

- The City Manager would be an at-will employee.
- The City can terminate an at-will employee and then negotiate a severance package.
- Brandon Buchanan prefers to furnish his own vehicle and insurance coverage with the City providing a \$300/month vehicle allowance.
- He will be here on November 9, 2011.

Councilman Wurgler made a motion to ratify the Employment Agreement, and it was seconded by Councilman McNelly. The motion carried 5-0.

- G. Council may make a decision after discussion regarding Mountain Village Holiday plans for 2011, City sponsorship, and location of the official City Christmas tree: J. Moore

Mayor Moore explained that the first item was the location of the Christmas tree. One possibility would be to put the tree at the Community Stage. He has talked with Chief Nixon who has safety concerns about the Second Street location because of the number of people who gather there in the street. They plan to talk about moving the tree to the Community Stage location next year. It would cost no more there than downtown, and that location already has power.

Councilman Miller noted that Fire Chief Dent advised against the Second Street location. Several businesses suffer because of the tree, and traffic issues arise for

people living nearby.

A public participant known only as Darrie expressed concern that if the location of the tree were changed, more people would not cross the railroad tracks to shop in the downtown area. She maintained that the biggest concern is keeping business on this side of the tracks as some businesses already have plans to stay open longer hours in the winter. Moving the tree to the Stage may severely hamper downtown businesses.

Another participant, Tom, added that the appropriate venue is at the Visitors' Center where the tree would be out of the middle of the road. He is getting tired of going around the tree and being inconvenienced.

Mayor Moore pointed out that without the Polar Express, there would be no people in town anyway. This is why he suggested leaving the tree on Second Street this year and deciding and implementing a relocation next year.

Participant Mike Cowan said that the Polar Express brings people to town, and lots of people gather in the area near the tree. That time is the very hardest time for businesses. He believes Williams has the potential of getting some of that business. Where the tree is placed could make a big difference to businesses.

Councilman Wurgler made a motion to leave the tree in the same location and between now and next year, the Mayor will appoint a committee whose members will include some from the business community, the Fire Department and the Police Department to determine whether or not to relocate the tree to the Community Stage/Visitors' Center location. Councilman McNelly seconded the motion, and it carried 5-0.

Mayor Moore explained that the second item is that the Chamber will spend \$23,000 to \$25,000 on new decorations and is asking the City for \$5,000 toward these expenditures. Councilman Miller said that the City gets a tremendous benefit from these decorations and \$5,000 would be quite a bargain. He made a motion that the City direct \$7,000 to the Chamber of Commerce toward the new decorations. Councilman Wurgler seconded the motion, and it carried 5-0.

VI. REPORTS, CURRENT EVENTS, AND INFORMATION ITEMS

A. Mayor and Council

Mayor Moore said that one item that needs to be looked at again is Impact Fees. He said that he is very pleased with the Mayor's Youth Advisory Group and believes they will

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accomplish a great deal. He explained that Councilman Dent has a blood clot that they hope to dissolve quickly.

B. Staff Reports

Susan Kerley announced that a Retirement Celebration for Glenn Cornwell will be held at noon on Thursday, October 27th at the Recreation Center. Lunch will be provided, but guests may bring an appetizer or dessert. Phone Pam Galvan to make a reservation. Mayor Moore added that the public is also invited.

VII. *ADJOURN:* The meeting was adjourned at 8:29 p. m.

Mayor John Moore

City Clerk

ATTEST:

DRAFT

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NOVEMBER 10, 2011
COUNCIL ACTION

I. PROCEDURES:

- A. Call to Order Mayor Moore called the meeting to order at 7:00 p.m.
- B. Pledge and Invocation Al Richmond led the pledge of allegiance, and former Mayor Ken Edes offered the invocation.
- C. Roll Call Mayor John Moore and Councilmen Don Dent (Vice-Mayor), Bernie Hiemenz, Bill Miller, and James Wurgler were present and constituted a quorum. Councilmen Frank McNelly and Lee Payne were absent.

Present from City Staff were Brandon Buchanan, City Manager, Joe Duffy, Finance Director, Billy Pruett, Water Department, and City Clerk/HR Director Susan Kerley.

City Attorney Kellie Peterson and Gioia Goodrum, Williams-Grand Canyon Chamber of Commerce President/CEO were present.
- D. Approval of Minutes: October 13, 2011 Councilman Miller made a motion to approve the minutes as presented. Councilman Hiemenz seconded the motion, and it carried 4-0.
- E. Adoption of Agenda Councilman Dent made a motion to adopt the Agenda as presented. Councilman Miller seconded the motion, and it carried 4-0.

II. PRESENTATIONS

- A. Changes in mail-in ballots and polling-place voting: Candy Owens, County Recorder Ms. Owens has been the County Recorder for 19 years. She appeared to present information on mail-in balloting versus polling place elections and strongly encouraged mail-in balloting. She distributed to Council a Fact Sheet for Vote by Mail Elections:
- Out of its 1,636 registered voters, the City of Williams has 592 voters signed up on the Permanent Early Voting List (PEVL).
 - Since January of 2011, 73% of new registrations show that the voter is signing up for PEVL.
 - Vote by Mail elections have been shown to increase voter turnout. Flagstaff, Page, Sedona, and Fredonia conduct all their scheduled elections by mail.
 - While a stand alone election costs \$3.25 per voter, a Vote by Mail Election now costs \$2.00 per voter.
 - Effective July 1, 2012, costs may increase to \$5.00 per voter for a stand alone election and \$2.50 per voter for a Vote by Mail Election.
 - The Elections Department has procedures in place to make certain a voter receives his ballot in the mail, and, if not, he can easily receive a replacement ballot. The return envelope is postage paid, and each signature is checked against the voter registration record for verification.

Mayor and Council asked Ms. Owens to let them know how many PEVL voters and how many polling-place voters voted in the last (2010) Mayoral/Council Election.

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B. Update on Clean and Beautiful and Monument Park: Carol Glassburn

Ms. Glassburn offered her appreciation to Clean and Beautiful's partners, Xanterra and the City of Williams. She said she is very proud of these partnerships. Morgan O'Conner recently traveled to D. C. to accept a national Good Neighbor Award for Xanterra, and Williams was recognized as a rural recycling site. The items collected in this year's Clean-Up Days (2) included: 19, 126 pounds of metal, 179 appliances, 450 tires, and 310 gallons of paint.

ADEQ, employees of the Water Department, and local youth worked on a water testing project at Cataract Lake.

Ms. Glassburn promised Councilman Miller that a paper shredder will be on-site for the next Clean-Up Day. She thanked Dan of CanDans who really supports the City's efforts and Joe Duffy for working with C & B.

She noted that there is a question about whether some trees in Monument Park are diseased. Professional Landscaper and a Parks and Recreation Commissioner, Jim Winbourn, added that some of their root systems are getting exposed on about 90% of the trees. This may also present a safety hazard. The retaining wall has been compromised by the tree roots. One goal next spring is to get Monument Park done. He suggested working with the new City Manager and the Finance Director to come up with a plan. Ms. Glassburn concluded by saying that, while they don't yet have the research done to present to Council, she believes the Parks and Recreation Commission will recommend getting a botanist over from NAU to assess the situation.

C. Electric System Update: K. R. Saline – Jeff Woner

Mr. Woner gave a Power Point (attached to original minutes) presentation that included the following points:

- K. R. Saline with 20 employees has about 40 clients, including Williams, under contract.
- Williams is lucky to be in a good electric contract with APS. It is very unusual to be in a 15-year deal with a fixed price of 5.5 cents/kWh. The best deal he's negotiated with APS lately was 8.5 cents for only five years.
- Now, Parker-Davis Power (2 cents/kWh) supplies about 13% of Williams' power, and the remainder is provided by Arizona Public Service.
- He suggested diversifying a bit because in 2017, when the current contract with APS expires, Williams may not get as good a deal as it has now.
- Future Long-Term Power Supply Opportunities include Hoover Dam Power, Sempra Purchase Power Agreement and Extension/Renewal of current APS Agreement.
- He pointed out that long-term stability in power costs is essential to the City's budget and electric rates.
- Recommendations include:
 - 2012 to 2014 Aggressively pursue Hoover Allocation
 - November 2011 – February 2012

Authorize K. R. Saline to begin discussions with APS regarding

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extension/pricing of existing power supply contract.

Economic comparison of options.

APS offer must be better than SEMPRA

By March 2012

Either finalize extension with APS; or

File for Open Access Transmission Agreement with APS to deliver SEMPRA resource.

Mayor Moore asked Brandon Buchanan to work with Jeff Woner and to make this an action item for Council at its December or a January meeting.

III. PUBLIC PARTICIPATION:

Mayor Moore introduced members of the Williams High School Government Class. One member, Jay, entered a poetry contest on Facebook, and his poem will appear in a book to be published by the Library of Congress.

Former Mayor Ken Edes said that he got a call from the Governor’s staff today. The Chairperson’s position on the Independent Redistricting Commission is available. The Staff would like someone from northern Arizona. They must be:

- A. Independent or non-declared (all Republican and Democratic spots are filled).
- B. Elder statesman with at least three years’ experience.
- C. The deadline for recommendations is Monday the 14th.

He suggested Sheriff Joe Richards, but he’s not available. They will narrow down the recommendations to three next week. This person will be Chairperson of the Commission
Mayor Moore added that it would behoove us to try to find someone.

IV. CONSENT AGENDA ITEMS:

- D. Approval of Purchase Orders: J. Duffy
Councilman Hiemenz made a motion to approve Consent Agenda Items as presented. Councilman Miller seconded the motion, and it carried 4-0.
- E. Approval of Check Register for month ending October 31, 2011: J. Duffy

V. NON-CONSENT AGENDA ITEMS:

- F. Council may approve and adopt Resolution No. 1272, the call for election designating the election dates for 2012 and the dates by which candidates must file nomination petitions and nomination papers:
Councilman Miller made a motion to adopt Resolution No. 1272, and it was seconded by Councilman Wurgler. The motion carried 4-0.

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S. Kerley

- G. Request for approval of contract with Coconino County Elections Department to provide election services for the March 13, 2012, Consolidated Election and decision on whether this will be a polling place election or a vote-by-mail election: S. Kerley
- Councilman Dent said that before he votes on this matter, he wants the percentage of the returned PEVL ballots and the percentage of voters who voted at the polls in the last (2010) Mayoral and Council election. Susan Kerley will obtain these numbers from County Recorder Candy Owens.
- Mayor Moore said he like the polling places, and Councilman Dent agreed that this tradition is part of the process. Councilman Miller added that participation at polling places reinforces our patriotic responsibilities.
- Councilman Dent made a motion to table this item until the December 8th Council meeting. Councilman Miller seconded the motion, and it carried 4-0.
- H. Council may approve and adopt Resolution No. 1273, suspending the collection of Development Impact Fees for general government and sanitation, effective January 1, 2012: J. Moore
- Mayor Moore explained that the new State law does not allow for charging fees for general government and sanitation uses. Kellie Peterson said that, under the new law, the City can continue to collect fees through June 2014 in acceptable categories. Resolution No. 1273 would go into effect on January 1, 2012, when the State law changes.
- Councilman Miller made a motion to adopt Resolution No. 1273, and Councilman Wurgler seconded the motion. It carried 4-0.
- I. Council may approve acceptance of a bid proposal from Drescher Roofing, Inc., for reroofing Elephant Rocks' clubhouse, removing the old shingles, and repairing any bad timber: M. Yerian
- In Marty Yerian's absence, Joe Duffy introduced this item. He explained that the bids range from \$15,713 to \$16,685. Building Inspector Tim Pettit and Golf Course Superintendent Marty Yerian examined the roof and concluded that it has too many sags to be replaced with a metal roof. They recommended a traditional, shingled roof, and they recommended the bid be awarded to Drescher Roofing.
- Councilman Wurgler made a motion to accept the bid proposal from Drescher Roofing, and it was seconded by Councilman Dent. The motion carried 4-0.
- J. Council may award the CDBG bid for the Senior Center improvements project in the amount of
- Joe Duffy reminded that Council did authorize some of the CDBG funds for Senior Center improvements. Replacing the heating and air-conditioning units will use up the available funds. CDBG's Program Specialist Carl Stewart's recommendation is to award the bid to TLR Builders for \$34,132.39.
- Councilman Dent made a motion to award the bid to TLR Builders

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\$34,132.39,
excluding change
orders, to TLR
Builders, LLC of
Peoria, AZ, and may
enter into a contract
with this firm for the
same amount: J.
Duffy

for \$34,132.39, and the motion was seconded by Councilman Miller.
The motion carried 4-0.

K. Council may make a
decision, after
discussion, on
sending a letter of
support to Speaker
of the House Andy
Tobin for the
Themed Park and
Arizona State
Railroad Museum
projects and the Tax
District legislation
that will provide
avenues for funding
their construction:
A. Richmond

Mayor Moore pointed out that this letter was prepared a month or so
ago. Council members expressed an interest in reviewing the letter.
Al Richmond explained that when the economy tanked, GADA
bonds were unable to be used. The Railroad Museum is not in
partnership with the themed park. They are just working in concert
with them. The themed park group is going through a
reorganization. The goal is to make the legislation more user-
friendly so both the Railroad Museum and the themed park can take
advantage of it.

Andy Tobin will be submitting the legislation in January, and it will
be written in the next two weeks. Much of the legislation is in place
so they'll just be dealing with changes. Mr. Richmond stressed that
the Museum is not in partnership with the themed park, it is in
partnership with the City.

L. Council may
approve a letter of
support for the
Havasupai Tribe: J.
Moore

In September, when the Mayor, Bernie Hiemenz, and Joe Duffy met
with the Havasupai Tribal Council, they asked for a letter of support,
which the City Attorney has drafted. Mayor Moore said he thinks it
is important to work with the Havasupai Tribe.

Councilman Dent asked Attorney Peterson if we are in any way
supporting them in water we may have rights to. Ms. Peterson
replied that are making claims to water to sustain their way of life
and quantify its acreage. They are asking that the government come
in and assign a number. This gives us a place at the table.

Councilman Miller made a motion to issue this letter, and it was
seconded by Councilman Wurgler. The motion carried 4-0.

VI. REPORTS AND INFORMATION ITEMS:

A. Mayor and Council

Mayor Moore announced that Polar Express started today. There
were no Council reports.

B. Staff Reports

None

VII.

At 8:20 p.m., Mayor Moore called for a five minute recess before
convening to Executive Session.

Councilman Miller made a motion to convene to Executive Session, and it

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was seconded by Councilman Hiemenz. It carried 4-0.

CONVENE TO EXECUTIVE SESSION

The City Council may vote to enter Executive Session to:

Pursuant to Arizona Revised Statute 38-431.03.A.4, Council will discuss the request from Randall Williams for restitution and will seek legal advice.

No final action shall be taken in Executive Session.

RECONVENE TO REGULAR SESSION

Councilman Wurgler made a motion to return to Regular Session, and it was seconded by Councilman Hiemenz. The motion carried 4-0.

VIII. M.. Council may make a decision regarding the matter discussed in Executive Session: J. Moore

Councilman Miller made a motion to refund the proceeds from the sale of the tractor and trailer belonging to Randall Williams to him, less the expenses of staff time and the costs of selling these vehicles. \$19,260.07 will be refunded to Mr. Williams, contingent upon his signing a release to be prepared by City Attorney Kellie Peterson. Councilman Wurgler seconded this motion, and it carried 4-0.

X. **ADJOURN:**

Councilman Miller made a motion to adjourn, and it was seconded by Councilman Wurgler. The meeting adjourned at 8:51 p.m.

Mayor John Moore

ATTEST:

City Clerk

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**DECEMBER 8, 2011
COUNCIL ACTION**

I. PROCEDURES:

- A. Call to Order Mayor Moore called the meeting to order at 7:00 p.m.
- B. Pledge and Invocation Allan Duncan led the pledge of allegiance, and Ruth Sanzari offered the invocation.
- C. Roll Call Mayor John Moore and Councilmen Don Dent (late), Bernie Hiemenz, Frank McNelly, Bill Miller, Lee Payne, and James Wurgler were present and constituted a quorum.
Present from City Staff were Brandon Buchanan, City Manager, Police Chief Herman Nixon, Building Inspector Tim Pettit, Bill Pruett and Kathy Fuller, Water Department, and City Clerk/HR Director Susan Kerley.
City Attorney Kellie Peterson was present.
- D. Approval of Minutes: November 10, 2011 Councilman Miller made a motion to approve the minutes as presented. Councilman Hiemenz seconded the motion, and it carried 5-0.
- E. Adoption of Agenda Councilman Hiemenz made a motion to adopt the Agenda as presented. Councilman Miller seconded the motion, and it carried 5-0.

II. PRESENTATIONS

- A. Kaibab National Forest Service, Four Forest Restoration Initiative: Dick Fleishman, Assistant Team Leader of the Four Forest Restoration Initiative, Charlie Ester from the Collaborative Stakeholder Group, and Martie Schramm, Williams District Ranger
The objective of this Initiative is to restore ecological resilience and function across 2.4 million acres of northern Arizona's ponderosa pine forest and to attract appropriately sized industry to the region. Their overall goals, accomplishments to date, and timelines are reviewed on the attached handout. All diverse interests have come together to consider all other interests. Rather than the previous awards of 20-year contracts, they will be using staggered 10-year time frames with several awards. The award process is being handled out of Albuquerque and is blind to this group. In the past awardees could do road work in exchange for wood, and part of future exchanges will be fixing roads. The hope is to get folks involved up front in the planning process.

III. PUBLIC PARTICIPATION - None

IV. CONSENT AGENDA ITEMS

- B. Approval of Purchase Orders
- C. Approval of Check Register for month ending November 30, 2011 Bill Pruett explained that the two checks issued to ADEQ covered permits for each of two generators. Councilman Wurgler made a motion to approve the Consent Agenda items. The motion was seconded by Councilman Hiemenz, and it carried 5-0.

RECESS TO BOARD OF ADJUSTMENTS

Councilman Miller made a motion to recess to Board of Adjustments. The motion was seconded by Councilman Hiemenz, and it carried 5-0.

Hearing on the Request from Greg Papas, owner of Jessica's Restaurant, 525 W. Route 66 (APN 201-04-008), for a Variance to allow a detached garage/storage facility in the rear of his property.

The Board of Adjustments will make a decision whether or not to approve the Variance, and this decision will be determined by a roll call vote.

Tony Cullum, attorney from Flagstaff, representing the Highlander Motel and the Brane Family Trust, explained that their concerns are pretty simple. Those parking at Jessica's Restaurant back onto the Motel's property. In non-conforming areas, you live with that. If properties are non-conforming, you leave them alone. If you expand grandfathered or non-conforming uses, you lose rights conveyed. When you come before the Board of Adjustments, it is usually for a hardship that can't be handled any other way. A hardship is usually geographic or topographical with a special piece of land or a special reason. Special circumstances or conditions peculiar to this land must be demonstrated. Mr. Papas' request states that "Due to increased business, I need more storage area..." Mr. Cullum suggested that what is best for the community is that non-conforming property should be used as non-conforming property. "Use it that way, but don't ask to expand."

Allan Duncan, 601 S. Third Street, a lifelong resident, pointed out that his dad once owned the Highlander Motel. He believes that the wall that was recently built blocks access and negatively impacts two businesses, the Motel and Judy Brane's accounting business. Because of the historical, common use of this access, it seems to him like it should be an easement by prescription. The businesses mentioned cannot get rid of snow without hiring heavy equipment, and there is also a fire access issue. He dislikes the existing wall and believes construction of a building would have a negative impact.

A letter (attached) from Kristine Luna, 112 S. 5th Street, who could not attend was read. She says that she does not "see a benefit to the City of Williams in granting this variance for a garage and feel(s) that it puts an undue

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burden on the immediate neighborhood.”

Mayor Moore twice asked if anyone else other than those represented by Mr. Cullum wanted to speak.

There was no response.

Councilman Wurgler made a motion to table this matter until the next Council meeting on January 12, 2012.

Councilman Payne seconded the motion, and a roll call vote was taken:

Councilman Dent: Yes

Councilman Hiemenz: Yes

Councilman McNelly: Yes

Councilman Miller: Yes

Councilman Payne: Yes

Councilman Wurgler: Yes

(Mayor Moore: Yes)

The motion carried 6-0.

RECONVENE TO COUNCIL MEETING

V. NON-CONSENT AGENDA ITEMS

- D. Council may make a decision regarding APS’ proposed implementation fee for the recently approved rate increase: Kent Jones and APS Staff Members
- APS was asked back in August to implement the process of electric rate increases. Kent Jones and an IT Staff member from APS were present to answer any questions regarding their implementation fee of \$46,698.00 .
- Mayor Moore said he felt blind-sided by the fees, but APS has been gracious enough to extend payments (four years at approximately \$1,000/month). He added that this was not their fault.
- Kent Jones said the \$46,698.00 represents a reduction from approximately \$60,000.00 in actual costs. APS has absorbed the difference for good will.
- In response to Councilman Miller’s question of what we would be paying for, the IT Staff member replied: Millions of lines of programming code have to be written. They have to make a new billing system for the City of Williams. This involves lots of work and testing. Right now, they have no ability to change rates for the City because it piggybacks on the APS system. An increase in rates has never been made, so this is the first time this has come up. The work done now will allow for future changes that would run about \$4,000 to complete.
- Councilman Wurgler asked Attorney Peterson and City Manager Buchanan if they’ve looked at the issue from a legal perspective. Kellie Peterson said that the City agreed to pay for the hardware changes but not for software. She received the contract only today and needs to review and discuss it.

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Brandon Buchanan said that, as a non-attorney, he would read the contract in the same way. At this point, if rates are raised, we have to pay for the work to do so.

Councilman Miller said that the Mayor was right in saying “blind-sided.” These charges were not brought up when they voted to increase the electrical rates.

Councilman Payne said it was also news to him.

Kent Jones explained that as soon as they found out about the rate increase, he got the information from APS regarding the implementation fee.

Councilman Hiemenz reiterated that the fees are \$46,000 now and \$4,000 for each increase thereafter.

Mayor Moore suggested that some money should have been set aside all along for things such as these.

Councilman Wurgler added that \$1,000 per month is more palatable than \$46,000 at once.

Brandon Buchanan noted that, since we are asking them (APS) to make the adjustments, it makes sense that we shoulder the burden.

Councilman Wurgler made a motion to accept the implementation charge and pay it at \$1,000/month. Councilman Hiemenz seconded the motion, and it carried 6-0.

- E. Council may make a decision regarding submission of a grant proposal for funds to be released through the National Scenic Byways Program: Carol Glassburn

Ms. Glassburn explained that she has been working with Sharlene Fouser, the Historic Route 66 Byway Coordinator, who serves as Williams’ representative. This grant proposal has to be in by Tuesday of next week. Ms. Glassburn has worked with Police Chief Nixon to obtain statistics on crimes. The project would be installing 90 historic street lights along Route 66 which would cost at least \$450,000. This is an 80% federally funded grant, and the 20% contribution from the City can be in kind. The proposal will be based on the potential decrease in vehicular accidents and vandalism because of the increased security from the lights. \$14 million is available, and there is no limit on the amount that can be requested. This federal grant will be administered by ADOT.

The City’s approval is needed in order to proceed.

Mayor Moore asked if we should be awarded the grant and can’t come in with the 20%, can we not accept the grant at that point?

Kellie Peterson replied that, generally, application doesn’t commit to acceptance.

Councilman Wurgler made a motion to approve making the grant application. The motion was seconded by Councilman Miller, and it carried 6-0.

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- F. Council may make a decision to approve the Master Concept Plan for Cataract Lake Improvements: Mike Connor/Carol Glassburn
- Mike Connor reviewed the Master Concept Plan that he presented to Council earlier this year. He said that approximately \$1.2 million will be available for construction of the improvements on this 15-acre site. The plan includes a ramada conducive to reservations for birthday parties, two play areas, and hardscaped sidewalks. He added that the catch is that, if the County builds the improvements, the City must maintain the Park.
- Alex Wiznewski, County Maintenance Manager, said that they approach the Park's maintenance costs based on a matrix developed over the last couple of years. It is facility-based and broken down by tasks and frequency rates. It includes five levels, based on the use of the facility. The maintenance costs would include cleaning restrooms and janitorial supplies as well as repairing sidewalks.
- Carol Glassburn added that this was reviewed with the County Board of Supervisors, and they approved the Master Concept Plan last night. She assured Council that the best fire management practices will be used.
- Mike Connor said maintenance costs would run approximately \$19,000 per year.
- Councilman Wurgler made a motion to approve the Master Concept Plan. The motion was seconded by Lee Payne, and it carried 6-0.
- G. *Tabled from November 10, 2011:* Request for approval of contract with Coconino County Elections Department to provide election services for the March 13, 2012, Consolidated Election and decision on whether this will be a polling place election or a vote-by-mail election: S. Kerley
- Susan Kerley provided the information Council requested at the November 10th meeting. Candace Owens, County Recorder, sent the following statistics from the last mayoral/council election in 2010:
- March 9, 2010: Polling Place Votes: 234* Mail: 304
May 10, 2010: Polling Place Votes: 504* Mail: 535
- *Includes provisional ballots.*
- Councilman McNelly made a motion to keep the March 13th primary election as a polling place election. Councilman Dent seconded the motion, and it carried 6-0.
- H. Council may approve the ADEQ Consent Order for the Waste Water Treatment Plant: B. Buchanan
- Brandon Buchanan asked Council to look at the compliance schedule on page 5 of the Consent Order to correct deficiency of equipment at the Waste Water Treatment Plant.
- Mayor Moore asked if Council members had any questions. There were none.
- Councilman Miller made a motion to approve the ADEQ Consent

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Order for the Waste Water Treatment Plant. The motion was seconded by Councilman Wurgler, and it carried 6-0.

- I. Council may make a decision regarding the use of the Airport by Embry-Riddle Aeronautical University's Golden Eagles precision flight team for training purposes: Walt Eastland, Chairperson, Airport Committee

Mayor Moore announced that representatives from Embry-Riddle could not be at the meeting and asked Council to table this item. Councilman Miller made a motion to table this item until representatives from Embry-Riddle were available. Councilman Payne seconded the motion, and it carried 6-0.

- J. Council may approve reinstatement of an alternative health insurance program (high-deductible plan coupled with a health savings account) for employees: S. Kerley

Susan Kerley explained that a High Deductible Health plan with Health Savings Account has not been available to employees since the City joined the Rural Arizona Group Health Trust. RAGHT has now made such a plan available. It will cost the City \$22.04 per month for each employee choosing this plan who carries employee-only coverage. This is because RAGHT requires that employers deposit 25% of the cost of the premium for employee-only coverage into each employee's health savings account.

Councilman Dent added that with this type of coverage, employees take more responsibility for their own health care. They see ownership.

Councilman Dent made a motion to offer the HDHP/HSA plan. Councilman Wurgler seconded the motion, and it carried 6-0.

VI. REPORTS AND INFORMATION ITEMS:

- A. Mayor and Council
- B. Staff Reports

Mayor Moore: We now have a written Staff Report for each item and a Manager's Report at the back of the book.

None

X. ADJOURN:

Mayor Moore wished everyone a "Merry Christmas" and "Happy New Year" and adjourned the meeting at 8:50 p.m.

Mayor John Moore

ATTEST:

City Clerk