

CITY OF WILLIAMS CITY COUNCIL

**ANNOTATED MINUTES
AGENDA ITEM**

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**SEPTEMBER 12, 2013
COUNCIL ACTION**

I. PROCEDURES:

- A. Call to Order Mayor Moore called the meeting to order at 7:00 p.m.
- B. Pledge and Invocation Police Chief Herman Nixon led the pledge of allegiance, and Ruth Sanzari offered the invocation.
- C. Roll Call Mayor John Moore, Vice Mayor Don Dent, and Councilmen Craig Fritsinger, Bernie Hiemenz, Frank McNelly, Lee Payne, and James Wurgler were present and constituted a quorum.
Present from City Staff were Brandon Buchanan, City Manager, Police Chief Herman Nixon, Finance Director Keith Buonocore, and City Clerk/HR Director Susan Kerley.
Attorney Brandon Kavanaugh was present.
- D. Approval of Minutes August 22, 2013 Councilman Fritsinger made a motion to approve the minutes as presented. Councilman Hiemenz seconded the motion, and it carried 6-0.

II. PRESENTATIONS - NONE

III. PUBLIC PARTICIPATION

Jeremy Hassen, manager of Addicted to Deals on Route 66, said he wanted to talk about “stuff” that was cancelled during Labor Day weekend by the Chamber of Commerce:

- He knows the City gives money to the Chamber.
- He felt the cancellation of the parade was short-sighted. Parades usually go, rain or shine.
- People were coming into his store upset.
- It hurts our town when these things happen.
- Maybe the City Council should look into the effectiveness of the Chamber.
- Some towns hire an employee to market their town who reports to the City, some sort of events director, like in Prescott.

IV. CONSENT AGENDA ITEMS

- A. Approval of Purchase Orders: K. Buonocore

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

- B. Approval of Check Register for Month Ending August 31, 2013: K. Buonocore

V. NON-CONSENT AGENDA ITEMS

- C. Council will review bids and may accept a bid for a maintenance building for Cureton Park: B. Buchanan (*Tabled from 8.22.13*) Brandon Buchanan explained that the low bid, \$15,685, was proposed by the same company that did the Waste Water Plant, Bunger Steel. Councilman Dent made a motion to accept the bid from Bunger Steel. The motion was seconded by Councilman Payne, and it carried 6-0.

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D. Council will read, discuss and may adopt Resolution No. 1296, regarding changes to some Impact Fee categories: B. Buchanan (*Tabled from 8.22.13*)

Brandon Buchanan reviewed the previous discussion: Staff was requested to provide more information on what's coming down the road. Currently there are no projects on the desk. We are expecting nothing in the next 31, probably 60 days.

Councilman McNelly wanted to be clear on the law and asked if the State has said that you can no longer collect impact fees unless you do a study and would use the fees for specific reasons, like water and waste water.

Brandon Buchanan said these areas are where we will have the most need when developments increase.

Councilman McNelly asked what State agency oversees impact fees. Attorney Brandon Kavanaugh replied that it could be the Attorney General's Office or, if it's an outright suit, there are multiple levels at which it could be challenged. This would generally be a court process.

Brandon Buchanan said that, by August 2014, we must have the study in place on categories we want to keep. If not, all fees will go away. Mayor Moore added that Pat Walker said we probably could not meet the requirements for different categories.

Councilman Dent made a motion to read Resolution No. 1296 by number and title only. The motion was seconded by Councilman Payne, and it carried 6-0. Susan Kerley read the Resolution by number and title only.

Councilman Hiemenz made a motion to adopt Resolution No. 1296, and it was seconded by Councilman Fritsinger. A roll call vote was taken:

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

The vote to adopt Resolution No. 1296 was unanimous.

E. Council will review and may accept a proposal from Pat Walker Consulting regarding a Development Impact Fee Study: B. Buchanan

Mayor Moore noted that it appears to be a great cost for something we must do. If we want to collect impact fees, we must do a study. Brandon Buchanan said the cost will be \$84,000 for Pat Walker Consulting, plus another \$30,000 - \$40,000 for other contributors to the study. Councilman Payne made a motion to accept the proposal from Pat Walker Consulting. It was seconded by Councilman Wurgler, and it carried 6-0.

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- F. Council will consider and determine whether to allow a credit against future Impact Fees from a previous development fee for property located at 7th Street and Cataract Lake Road: B. Buchanan *Item skipped and Council entered Executive Session for discussion after completion of Item J.*
- G. Council will discuss and may approve street repair on 7th Street: B. Buchanan Councilman Wurgler made a motion to approve the proposed street repair on 7th Street. The motion was seconded by Councilman McNelly, and it carried 6-0.
- H. Council will review and may approve an ADOT loan application for construction of airport hangars: K. Buonocore
Mayor Moore pointed out that some time back he and Council had instructed Staff to seek funds for the development of hangars at the Airport.
Councilman McNelly made a motion to read Resolution No. 1297 by number and title only. It was seconded by Councilman Payne and carried 6-0. Susan Kerley read it by number and title only.
Councilman Wurgler made a motion to adopt Resolution No. 1297. The motion was seconded by Councilman Payne, and it carried 6-0.
- Council may adopt Resolution No. 1297, certifying the approval of the application for Airport Development Loan Funds for development of hangars at H. A. Clark Memorial Field: K. Buonocore
 - Council may adopt Resolution No. 1298, certifying availability of sufficient funds to operate and maintain the hangars, that Applicant understands their assurances and certifications, and Councilman McNelly made a motion to read Resolution No. 1298 by number and title only. Councilman Wurgler seconded the motion, and it carried 6-0. Susan Kerley read the Resolution by number and title only. Councilman Payne made a motion to adopt Resolution No. 1298, and it was seconded by Councilman Wurgler. The motion carried 6-0.

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compliance with
any laws and
regulations that
are applicable: K.
Buonocore

- I. Council will review and may accept bids for park shelters and signage improvements for the Glassburn Park railroad display: B. Buchanan

Brandon Buchanan explained that we are desperately trying to finish up this grant by spending the remaining funds. ADOT will pay for only the supplies requested. We will use approximately \$3,000 of the City’s \$10,000 budgeted from City funds.

Councilman McNelly made a motion to accept the bid offered by Exerplay for shelters for \$36,948.90 and the bid from Pacific Studio for signage not to exceed \$14,000. Councilman Fritsinger seconded the motion, and it carried 6-0.

- J. Council will review and may accept quote for “tot” playground and rehabilitation work at Recreation Center: B. Buchanan

Councilman Wurgler made a motion to accept the quote from Dave Bang Associates, Inc., for a turn-key project for a cost of \$39,326.41. Councilman Payne seconded the motion, and it carried 6-0.

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

**AT 7:30 P.M. COUNCIL CONVENE TO EXECUTIVE SESSION
EXECUTIVE SESSION**

Pursuant to A.R.S. 38-431.03 (A) (3) City Council will convene to Executive Session for legal advice from the City’s Attorney related to Item F. on the Agenda.

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

RE-CONVENED TO REGULAR SESSION (7:50 P.M.)

Councilman Hiemenz made a motion acknowledging that the impact fee traveled with the property when it was sold and that any credit would transfer to its new owner. Councilman Fritsinger seconded the motion, and it carried 6-0.

VI. REPORTS AND INFORMATION ITEMS:

- A. Mayor and Council

Mayor Moore said he believed the AZ League 2013 Conference in Tucson the last week of August was one of the better ones he’s attended.

Councilman McNelly said that our trade show exhibit (at the Conference Showcase of Cities) was the best one there. Councilman Fritsinger added that there always seemed to be long lines at our booth. They thanked Susan Kerley and Staff for doing a great job.

- B. Staff Reports

Brandon Buchanan reported that 30 yards of concrete for footings for the Arch at the east end of town have been poured. The guard rail will be installed on Monday. City crews have worked since early this morning on a major water break at Sherman and 10th. A company

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from Phoenix is sending up people to hot tap the valves around 9:00 tonight.

VII. ADJOURN:

The meeting was adjourned at 7:56 p.m.

ATTEST:

Mayor John Moore

City Clerk

DRAFT