

CITY OF WILLIAMS CITY COUNCIL

**ANNOTATED MINUTES
AGENDA ITEM**

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**DECEMBER 11, 2014
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 George Glen 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 (late arrival) were present and constituted a quorum.
Present from City Staff were Brandon Buchanan, City Manager, Finance Director Keith Buonocore, Building Inspector Tim Pettit, and City Clerk/HR Director Susan Kerley.
Kellie Peterson, representing Mangum, Wall, Stoops and Warden, was present.
- D. Approval of Minutes November 13, 2014 Councilman Fritsinger made a motion to approve the minutes as presented. Councilman Hiemenz seconded the motion, and it carried 5-0.
- E. Adopt Agenda Councilman Payne made a motion to adopt the Agenda as presented. Councilman Fritsinger seconded the motion, and it carried 5-0.

II. PRESENTATIONS

- A. Kaibab National Forest Service will provide an update on 4FRI.
Danielle (D.D.) Harrison, District Forest Ranger, introduced Annette Fredette and Dick Fleishman who presented a Project Implementation Update on the 4FRI initiative that includes Kaibab, Coconino, Tonto, and Apache Sitgreaves Forests. They reviewed the Phase One NEPA Project Area, the EIS Timeline, the FEIS Alternatives, the Draft Record of Decision, and the Rationale for Decision. At this time, the 4FRI Implementation includes:
- 4FRI Phase 1 Contract – 3,000 acres harvested, 29,000 acres in task orders.
 - 20,000 other acres outside Phase 1 Contract
 - 11,000 acres timber sales, 62,000 acres fuel treatments October 2013-September 2014
 - New manufacturing facility in Coconino County (Newpac Fibre)
 - 16,000 acres of prescribed burning since October 1st.
- B. Elephant Rocks Golf Course – 2014 Season and Plans for 2015: Scott Little
Scott Little said that 2014 was a great year. It had the highest total revenue since 2007 because of more rounds (19,000) of golf played, almost 3,000 more rounds annually since these records have been kept. The season passes were a huge success with sales of \$48,000. Rental of the Events Building increased from \$0 in 2007 to \$5,157 in 2014. The increased rounds and the new revenue contributed to a very successful 2014.

III. PUBLIC PARTICIPATION - None

IV. CONSENT AGENDA ITEMS

Councilman McNelly made a

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- C. Approval of Purchase Orders: K. Buonocore motion to approve the Consent Agenda Items as presented. Councilman Payne seconded the motion, and it carried 6-0.
- D. Approval of Check Register, Month Ending November 30, 2014: K. Buonocore

V. **NON-CONSENT AGENDA ITEMS**

- E. Public Officials Sworn In and Seated: S. Kerley Officials elected in the 2014 fall election, Mayor John W. Moore and Council Members, Don Dent, Bernie Hiemenz, and Lee Payne were administered their oaths of office by Susan Kerley, City Clerk. Pamela Galvan was sworn in as Deputy City Clerk. Mayor Moore said, if there were no objections, he would appoint Don Dent as Vice Mayor again. No objections were voiced. Vice Mayor Dent said he would be honored to serve.
- F. Williams' Folklorico Dancers will request a monetary donation (\$500) for the purchase and repair of dresses: Armando Padilla Council members believe that Mr. Padilla does a lot with the kids, and everyone enjoys watching them perform. Their consensus was to give the \$500 requested.

G. **CONVENE TO PUBLIC HEARING**

Pursuant to A.R.S. 9-462.04, Request by the City of Williams for public comment on parking regulations, primarily for vendor deliveries and tour buses, in the Central Business District and Historic Preservation Overlay, City of Williams, Coconino County, Arizona. Each person may speak one time for five minutes or less.

No comments were made. The new regulations will be made effective upon consensus of the Chief of Police

RE-CONVENED TO REGULAR SESSION

- H. Council will participate in an Impact Fee Discussion with Pat Walker. Ms. Walker said she had presented a memo to City Council in which she recommended holding off on impact fees due to lack of anticipated increase in population and building permits. Phase I would include completion of a task list and a timeline. You have to have a sound, reasonable defense of whatever fee is put into place, and the City simply does not have complete and available data on which to base fees at this time. Water meters must be replaced before you will have good data on water usage. Between what we treat and what we bill, we have a water loss. With so many unanswered questions, we can't determine if we have excess capacity that could be paid for by new development or how much excess capacity. Councilman Dent said that we need to get correct numbers to Ms.

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Walker because we need to get impact fees back in place or the cost of growth will be charged to current residents.

Ms. Walker noted that the less information you have, the higher your exposure for claims. We are at a fork in the road. The City does not have a long-term capital improvement plan or a master plan. Her question to Council was whether they want to wait to get things done with Staff, including looking at 10 years of projected growth.

Mayor Moore added that it makes no difference how much water we think we have, the difference is how much we can prove we have.

Councilman Dent believes we will pass up \$300,000 just this year without impact fees and that it is a priority to get the data. Brandon Buchanan noted that we have the data we have available to us and that is all we have to work with. We are working on getting all of the needed data, but that will require significant work on projects, such as replacing water meters.

Mayor Moore asked that Staff diligently re-look at our numbers. Councilman Dent asked that the question of whether we want impact fees be put on the January 8, 2015, Agenda as an action item.

- I. Council will review and may accept a bid for fencing at Cureton Park: K. Christiansen
Councilman Payne made a motion to accept a bid from Alamo Fence Company for \$8,995 for providing and installing fencing at Cureton Park. Councilman Wurgler seconded the motion, and it carried 6-0.
- J. Council may adopt Resolution No. 1312, authorizing an application for financial assistance of the Greater Arizona Development Authority(2005 GADA refinancing): K. Buonocore
Councilman Dent made a motion to read Resolution No. 1312 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. Keith Buonocore pointed out that the City will save approximately \$75,000 over ten years, given current interest rates. Councilman Wurgler made a motion to adopt Resolution No. 1312, and Councilman Hiemenz seconded the motion. It carried 6-0.
- K. Council will review and may select a site for a new well: K. Christiansen
Councilman Dent cautioned that the City has done studies on wells in the past and have come up with dry holes. The recommended location is on Airport Road (Site #1), north of I-40, on City property. Because of this and the fact that the location is in our watershed, less paperwork will be involved. Mayor Moore reiterated that, when we do choose a site, it is based on studies and experts' opinions, but we do not know if there's water there. Councilman Hiemenz made a motion to proceed with Site #1, and Councilman Fritsinger seconded the motion. It carried 6-0.

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- L. Council may adopt Resolution No. 1313, approving formation of Arizona Theme Park District No. 1 and creating a board of directors for the special taxing district:
J. Moore/B. Buchanan

Mayor Moore explained that resolutions are needed from City Council, Phoenix City Council, and Coconino Board of Supervisors. This Resolution authorizes the tax district to form and formally creates the Board of Directors as a unique entity

In response to a question from Councilman McNelly, Kellie Peterson explained that property does not move off the tax rolls until it is acquired by a tax district; however, the income of the activity of the theme park is taxable. The taxes from a theme park would greatly exceed any loss from property taxes on the subject property. "Voluntary payments in lieu of property taxes" may be paid. This gives statutory authorization to say this is the type of thing you can require. Revenues of the Theme Park are pledged to pay off their bond.

Mayor Moore added that it is called a "tax district" because a fee is added on so they can retire their bond, but this does not cost us any money.

Councilman McNelly said the Board will collect 9%, bringing the total sales tax rate to almost 20%. When the bonds are retired, and the district goes away, does the tax situation change at that time? Kellie Peterson replied that the district may or may not be dissolved once the bonds are paid.

Councilman Wurgler and Councilman Payne noted that this proposed vote does not approve any project. It does only one thing: approves formation of a Board. Anything else that goes on the land must still be approved later by City Council through the land entitlement process.

Mayor Moore noted that the property taxes on this land are now about \$51 a year.

Councilman Dent said his concern is how funding to other entities, like the school district and the flood district, could be replaced. The City would be all right because of sales tax.

Al Richmond (public participant) said he believes an agreement making such provisions should be done before a project is approved.

Brandon Buchanan added that the City would have input at the time it creates a theme park zoning district. They would have to come back to secure these entitlements.

Councilman Wurgler made a motion to adopt Resolution No. 1313. Councilman Fritsinger seconded the motion, and a roll call vote was taken:

Councilman Wurgler	Yes
Councilman Fritsinger	Yes
Councilman Dent	Yes

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Councilman Hiemenz	Yes
Councilman McNelly	Yes
Councilman Payne	Yes
Mayor Moore	Yes

The adoption of Resolution No. 1313 was unanimous.

M. Council will discuss and may provide direction to staff on operation of the Visitors' Center: S. Kerley

Because the Forest Service has a shrinking budget for its recreation activities, it can no longer participate at the Visitor's Center by renting the facility and providing employees to work there. Does Council want the City to provide the management and operation of the Visitor's Center?

Susan Kerley explained that the revenues included in her Staff Report were obtained from the Chamber of Commerce and represent retail sales by the Chamber as well as PLIA (Public Lands Interpretive Association).

Councilman Wurgler made a motion that the City releases the Forest Service, its partner, PLIA, and the Chamber of Commerce from all their obligations at the Visitor's Center and that tourism funds that have been supporting the Events Coordinator position at the Chamber of Commerce be withdrawn and be re-directed to the Visitor's Center, effective December 31, 2014. Councilman Hiemenz seconded the motion, and it carried 6-0.

N. Council will discuss and may appoint a Magistrate: J. Moore

Judge Krombeen's current term as Magistrate expires on December 31, 2014. Councilman McNelly made a motion to re-appoint Judge Krombeen for a term of two years. Councilman Payne seconded the motion, and it carried 6-0.

VII. REPORTS AND INFORMATION ITEMS:

O. Mayor and Council

Councilman Hiemenz has worked on a street light project for years. Recently, Mayor Moore received a grant for street lights. At no cost to the City, the grant is to put in 150-160 solar street lights. The batteries will go for three to five years; still, purchasing them is cheaper than electricity. Tim Pettit said that, by using split-faced block as a base, the only damage to the sidewalk would be drilling for the rebar. The Mayor said that the lights would be installed on Route 66, Grand Canyon Blvd., and Railroad Avenue. They will be different from those currently in the Historic District. He will move on with this project.

Mayor Moore praised Council members, saying, "You have a hard-working Council group, and I thank them."

P. Staff Reports

None

**VIII. CONVENE TO EXECUTIVE SESSION
EXECUTIVE SESSION**

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Pursuant to A.R.S. 38-431.03.A.4 - City Council will consult with City Attorneys regarding the status of the Reyes claim.

RE-CONVENE TO REGULAR SESSION

- Q. Council may make decisions related to the matters discussed in Executive Session: J. Moore
- Councilman Fritsinger made a motion to decline increasing a settlement offer above \$20,000. Councilman Hiemenz seconded the motion, and it carried 6-0.

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

Mayor John Moore

ATTEST:

City Clerk

