



**Mayor James L. Deermer called the regular session to order at 7:00 p.m. on Tuesday, May 7, 2013, lead the pledge of allegiance and gave the invocation. Roll call was taken.**

**Council Members Present:** Mayor James L. Deermer, Vice Mayor Emma Q. Moser and Councilmen Cecilia C. McCollough, Alejandro M. Bejarano and Lisa J. Jameson establishing there was a quorum present.

**Staff Present:** Town Manager Rodney L. Rinehart, Deputy Town Clerk Becky J. Hopkins and Financial Director Ana M. Flores

**Guests Present:** Don Titus, Dick Turley, Al & Anna Nater, Juell & Vera Barker, Ed & Sally Hawley, Johnnie Altstatt, Frank Hibbard, Doug Hoff, Carol & Scott Finfrock,

**Call to the public** – No written requests submitted but Scott Finfrock commented on the double stop signs on the street going into the Family Dollar Store. His comment is that he feels there is one too many stop signs at that location and he is asking the Council if maybe one of them can be removed. Also he feels that the Town might benefit from a stop sign at the intersection of Los Angeles Avenue and William Street. Council asked Town Manager Rinehart to take a look at these two requests.

### DISCUSSION AND ACTION ITEMS

**1. Approval of Financial Statements**  
**A. For the month of March 2013**

A motion was made by Vice Mayor Moser, seconded by Councilman Bejarano to approve the Financial Statements for the month of March 2013. Voice vote 5-0, motion carried.

**2. Approval of Cash Disbursements List**  
**A. For the month of March 2013**  
**B. For the month of April 2013**

A motion was made by Councilman McCollough, seconded by Vice Mayor Moser to approve the Cash Disbursements for the months of March 2013 and April 2013. Voice vote 5-0, motion carried.

**3. Discussion and possible action to enter into a License Agreement with the Friends of the Wellton Library for the use of approximately one (1) acre of Town owned property for the specific purpose of establishing covered parking for the benefit of the users of the Wellton Library.**

The points discussed were:

- Who would be using this parking structure? Wellton Library Employees and Wellton

Friends.

- Is the one acre listed correct? Yes, that is what it would require with proper ingress and egress.
- Who would be paying insurance for liability? The Friends of the Wellton Library would be paying for a liability policy.
- Should there be a fee? No, this is an Agreement.

A motion was made by Councilman McCollough, seconded by Vice Mayor Moser, to enter into a License Agreement with the Friends of the Wellton Library for the use of approximately one (1) acre of Town owned property for the specific purpose of establishing covered parking for the benefit of the users of the Wellton Library. Voice vote 5-0, motion carried.

#### **4. Community Development Block Grant State Special Projects #100-13**

**A. Discussion and action to award a construction contract to the low bidder, Desert Excavating, Inc. in the amount of \$286,975 for the booster pump project.**

Town Manager Rinehart gave the Council a recap of the three (3) bids the Town received for CDBG Contract #100-13 for a booster pump station at the Water Plant.

A motion was made by Vice Mayor Moser, seconded by Councilman Bejarano, to award a construction contract to low bidder, Desert Excavating, Inc. in the amount of \$286,975 for CDBG project #100-13, a Booster Pump Station for the Water Plant. Voice vote 5-0, motion carried.

#### **5. Motion to proceed with the process of increasing the Town's sales tax by 2% to be dedicated to Public Safety as discussed in the last budget work session.**

Financial Director Ana Flores reported that at the last budget work session, the Council and staff discussed the possibility of implementing a Public Safety Tax to be restricted for the use of the Public Safety Division; Police Department and Fire Department. The proposal is to ask for the support of the Town residents in increasing our sales tax by 2% to create this fund.

Financial Director Flores gave the Council estimates on how much revenue she felt this will generate. At the time this proposal was discussed, it was believed we would have to ask for voter approval by conducting an election in the fall to get this accomplished.

Under this assumption, she calculated the expected revenue increase for seven months assuming an election could be held in August 2013 and allowing time to have the sales tax implemented by the Arizona Department of Revenue. She felt we could expect to be receiving the new tax by December, giving us seven (7) months of Public Safety revenue in addition to our normal 2.5% sales tax. She reported that, the League of Cities and Towns informed us we don't have to go to Election; the sales tax can be adopted by Ordinance, but nothing is standing in our way of referring it to the voters if we wanted to.

She recommended we conduct public meetings and send out notices to educate our residents on this initiative to get their support and show them what type of program we have to offer.

Staff is asking for the Councils approval to allow us to move forward and pursue the implementation of this sales tax to enable the Town to provide the services it needs to fund our

Public Safety Division.

A motion was made by Vice Mayor Moser, seconded by Councilman McCollough, to proceed with research to increase the Town's sales tax by 2% to be dedicated to Public Safety. Voice vote 5-0, motion carried.

**6. Action to authorize Lisa J. Jameson to be an authorized signer on the Town's bank accounts.**

A motion was made by Vice Mayor Moser, seconded by Councilman McCollough, to authorize Councilman Jameson to be an authorized signer on the Town's bank accounts. Voice vote 5-0, motion carried.

**7. Discussion and possible action on Personnel Policy as edited by Town Attorney Don Engler.**

The Council reviewed the proposed changes as edited by our Town Attorney Don Engler and made a few changes. The Council asked that we bring back a final draft.

**8. Review existing Job Descriptions for Town Employees.**

The Council reviewed the job descriptions given to them. There are just a few more which will be given to the Council before the next meeting.

**9. Presentation by Financial Director Ana Flores on the Towns compliance to transparency statutes, A.R.S. Section 41-725.**

Financial Director Ana Flores gave a PowerPoint presentation to show how the Town is complying with ARS Section 41-725, the transparency statutes.

Financial Director Flores described why we are required to post our expenditures and showed how to gain access to this information. She reported that our accounting software, Caselle is compatible with this new program so it uploads to the website.

Financial Director Flores showed the Council the Town's website on her PowerPoint presentation pointing out a tab that will take you to Arizona Open Books.

Financial Director Flores reported that this law was adopted two years ago but became effective in January 2013. The Town will be reporting on a quarterly basis.

This website was set up to accommodate Cities and Towns in their endeavor to be compliant to this new law. The Town is required to publish to a website any expenditure which exceeds \$5,000. The State also set up a platform, Arizona Open Books, which enables all Cities and Towns to meet the letter of the law.

Financial Director Flores was informed that she could report all revenue and expenditures because they are going to change the law eventually to require all revenue and expenditures to be reported, so we are reporting everything. We paid the State \$5,000 to join this venture the

legislature decided we needed.

### **10. Discussion and action to renew the contract of Town Manager Rodney L. Rinehart for two years, May 2013 - May 2015.**

The Council reviewed Town Manager Rinehart's employment agreement noting that the original Agreement has not been revised since he initially signed it. The agreement calls for a two-year term to roll over for another two years. The Council concurred that there are certain issues that need to be addressed, such as adding the clause "if funds are available" to the cost of living adjustment section addressed in the agreement. Town Manager Rinehart has not received this adjustment since 2010 and, even though it was by mutual consent, as it stands the Town is out of compliance with the agreement. The Council is concerned that the agreement reflects what he is actually due and what his job duties are so that both the employee and the employer are protected.

The Council discussed other items of his agreement such as unlimited use of a vehicle that the agreement reflects and the other job responsibilities as assigned.

Councilperson Bejarano would like to set up time each year to discuss his performance and discuss the direction the Town is going in so Town Manager Rinehart steers the Town in the direction they want to go.

A motion was made by Vice Mayor Moser, seconded by Councilman Bejarano, to extend the term of Town Manager Rodney L. Rinehart's employment for two years (May 2013 to May 2015) and to revise and update the agreement as discussed. Voice vote 5-0, motion carried.

### **Future Agenda Items**

- Look at the two stop signs by the Family Dollar Store and the old Border Patrol station to see if one is unnecessary as described by Scott Finfrock. This stop sign was put in due to the heavy traffic from the old Border Patrol Station. Staff will visit the station and make a determination.
  - Check out the stop signs at Fresno Street & San Jose Avenue, apparently it blows over a lot.
  - Council inquired about the possibility of opening up the dead end street on San Jose Avenue at William Street. Town Manager Rinehart told the Council he would set up a meeting with Sunset Community Health Center and the School to discuss how this would impact both.
  - Councilman Bejarano inquired about the Coyote Wash Bridge, he has seen motorized wheel chairs going over it again and it's slowing up traffic and is probably a traffic hazard. Town Manager Rinehart reported that the Town has a grant with YMPO this year for design of a new bridge and it is in line for construction in 2015.
  - Town Manager Rinehart wants to bring the budget back at the next meeting and adopt a Tentative Budget for FY 2014-2015.

### **Other Reports**

- Mayor Deermer asked about the status of the Police Chief job. It was reported that we are waiting on the background checks to come in then interviews can be set up.
- Councilman Jameson asked about the aerators at Coyote Wash Subdivision and was

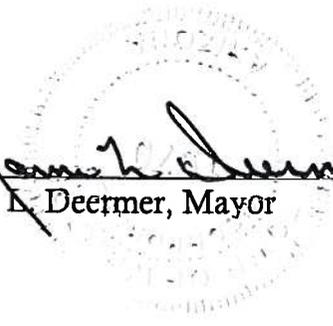
informed that they should be finished with the installation in the next week.

### **Manager's Report**

- Town Manager Rinehart reported that he has been contacted by Brian Babiars, Director of WACOG, who informed him that they have terminated the Senior Nutrition program in Wellton due to poor attendance. Town Manager Rinehart is going to meet with Mr. Babiars to discuss the particulars of the program and the funding to see if the Town could possibly run the program. Town Manager Rinehart expressed his doubts that the Town could fund or run this program.

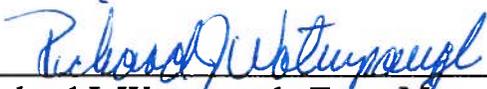
### **Adjournment**

<p>A motion was made by Councilman Bejarano, seconded by Vice Mayor Moser to adjourn. Meeting adjourned at 9:21 p.m. Voice vote 5-0, motion carried.</p>
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James E. Deerner, Mayor

ATTEST:

  
Richard J. Watenpaugh, Town Manager

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the regular meeting held on May 7, 2013 and the meeting was duly called and posted and that a quorum was present.

  
Richard J. Watenpaugh, Town Manager