

"HUB OF THE SOUTHWEST"

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OUR MISSION

City of Holbrook Government exists to provide ethical and responsible local government.

AGENDA

REGULAR CITY COUNCIL MEETING

NOVEMBER 27, 2018

6:00 P.M.

Pursuant to ARS 38-431.02, notice is hereby given to the Holbrook City Council, and to the General public that a meeting, which is open to the public, will be held on above-mentioned date, in the City Council Chambers, at 465 First Avenue, Holbrook, Arizona. Some of the members of the City Council may choose to participate in this meeting telephonically. The City Council may adjourn into executive session, which will not be open to the public, to discuss certain matters in accordance with ARS 38-431.03. Electronic versions of this agenda can be found at www.ci.holbrook.az.us.

The items on the following agenda are for discussion or consideration and possible action:

- 1) CALL TO ORDER:
- 2) SWEARING IN OF NEW COUNCILMEMBER:
- 3) ROLL CALL:
- 4) PLEDGE OF ALLEGIANCE/INVOCATION:
- 5) PUBLIC ANNOUNCEMENTS AND PRESENTATIONS (Please limit to 10 minutes)
- 6) PUBLIC HEARING:
 - A. Alternative Expenditure Limitation (Page 4)

- 7) **CALL TO THE AUDIENCE FOR ITEMS ON THE AGENDA:**
The City Council welcomes public comment at this time only for items listed on this Agenda. There is a five minute time limit per citizen.
- 8) **CONSENT AGENDA**
- A. Claims/payment approval for November 8, 2018 thru November 14, 2018: Documentation for claims is available at City Hall. (pg 8)
 - B. Minutes of the Work Session held on October 23, 2018.(pg 19)
 - C. Minutes of the Regular Meeting held on October 23, 2018. (pg 23)
- 9) **SUMMARY OF CURRENT EVENTS:**
- Mayor:**
 - Council Members:**
 - Interim City Manager:**
 - Police Chief:**
 - Chamber of Commerce:**
- 10) **OLD BUSINESS:**
- A. Discussion/possible action regarding the possible sale of real property owned by the City of Holbrook, Parcels 109-21-005A and 109-21-006, located on E. Romero-Interim Manager Reyes. (pg 38)
- 11) **NEW BUSINESS:**
- A. Resolution 18-02, proposing an Alternative Expenditure Limitation. (pg 55)
 - B. Discussion/possible action regarding a "Fine Free Policy" for the Holbrook Public Library-Interim Manager Reyes. (pg 56)
 - C. Requests for Qualifications for Attorney's results-Interim Manager Reyes. (pg 64)
 - D. Discussion/possible action regarding formation of a Charter Review Committee-Interim Manager Reyes. (pg 69)
- 12) **EXECUTIVE SESSION:**
- A. Pursuant to ARS 38-431.03(A) (3), the Council may adjourn into executive session for discussion or consultation or legal advice with the City Attorney for any item listed on the agenda.
- 13) **POST EXECUTIVE SESSION:**
- 14) **CALL TO THE AUDIENCE FOR ITEMS NOT ON THE AGENDA:**
The City Council welcomes public comment at this time for items not listed on this Agenda. There is a three minute time limit per citizen.

Citizens may complete one Request to Speak "Public Comment" card per night and submit it to the City Clerk before or during the Council meeting. During this time, any member of the public may come forward and address the City Council on any issue within the jurisdiction of the Council. Public Comment time is reserved for citizen comments regarding non-agendized items. **Speakers are limited to 3 minutes per speaker to address the Council during "Public Comment" time.** Members of the City Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01 (H), action taken as a result of public comment will be limited to directing City staff to study the matter, responding to any criticism, or scheduling the matter for further consideration and decision at a later date. Items on the agenda will not be heard or discussed in Call to the Public. Video or audio

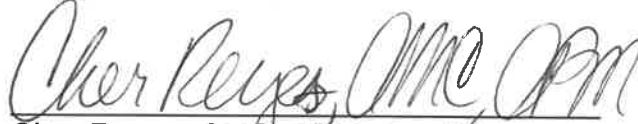
tapes or other overhead visual aids are not allowed during these public appearances. All speakers should begin their remarks by stating their name and address for the record.

15) SUBMISSION OF WRITTEN PETITION TO THE COUNCIL FOR ITEMS NOT ON THE AGENDA:

Requests by citizens to have an item discussed on the City Council Agenda should be addressed to the Mayor and presented on the "Request & Petition of citizens to City of Holbrook Council form" during the Submission of Written Petition to the Council at a regular meeting. Once this form is submitted, the Council will consider the petition and response shall be given within 31 days per the Holbrook City Charter Article II, Section 2.18.

16) ADJOURNMENT:

Dated this 20th day of November 2018.


Cher Reyes, CMC, CPM, City Clerk

According to the Arizona Open Meeting Law, the City Council may only discuss matters listed on the City Council agenda. Matters discussed by the public during public appearances cannot be discussed by the City Council unless they are specifically listed on this agenda. Speaker's visual aids or recorded tapes are not allowed. Members of the public shall refrain from making personal, impertinent or slanderous remarks and from becoming boisterous while addressing the City Council or while attending the meeting. Unauthorized remarks from the audience, clapping, stomping of feet, yelling or any similar demonstrations are also prohibited. Violations of these rules may result in removal from the City Council meeting. Individual members of the public body may respond to criticism made by those who have addressed the public body.

1 tonight in the Regular City Council Meeting, Council will be asked to adopt a Resolution
2 to place the Alternative Expenditure Limitation on the Ballot. Finance Director Sullivan
3 explained that because of ARS 41-563.01 cities are required to place the Alternative
4 Expenditure Limitation on the ballot every four years. Finance Director Sullivan also
5 explained that in 1978 the state statutes proposed a limit on the amount that Cities
6 could spend. The formula that the State uses to calculate the Expenditure Limitation is
7 based on the population factor and the Index factor. The Alternative Expenditure
8 Limitation does not raise taxes, it basically states that the City can set its own budget
9 and its own Expenditure Limit based on our revenues and expenses. Finance Director
10 Sullivan stated that last year our budget was about \$650,000.00 over what the State
11 Expenditure Limitation would have been. Vice-Mayor Peterson asked Finance Director
12 Sullivan what exclusions are allowed in the budget. Finance Director Sullivan said that
13 the City can exclude all grant funds, any additional HURF funds that were received in
14 1978, certain Capital Improvements, long term obligations, inter-governmental
15 contracts, hospital support, warrant pay-offs and Capital Improvements from utility
16 revenues. Councilmember Marsh asked Finance Director Sullivan where the population
17 factors come from. Finance Director Sullivan stated that they come from the Auditor
18 General's Office. Vice-Mayor Peterson wanted to know if the State has a formula to
19 come up with the City's Expenditure Limitation, does the City also have a formula or is
20 the City's budget based on an estimate? Finance Director Sullivan stated that the City's
21 budget is based on an estimate. Mayor Cobb asked if the Alternative Expenditure
22 Limitation lasts for four years. Finance Director Sullivan said "yes". Councilmember
23 Payne wanted clarification on the date of the election. Finance Director Sullivan stated

1 that the City would like the Alternative Expenditure Limitation place on the ballot in
2 March 2019. A motion to end the Public Hearing and resume the Regular City Council
3 Meeting was made by Councilmember Payne. The motion was seconded by
4 Councilmember Dixon. The motion passed with the following results: Councilmember
5 Dixon "Aye", Councilmember Kester "Aye", Councilmember Marsh "Aye",
6 Councilmember Payne "Aye", Vice-Mayor Peterson "Aye" and Mayor Cobb "Aye" and
7 the Public Hearing closed at 6:12 p.m.

8 CALL TO THE AUDIENCE FOR ITEMS ON THE AGENDA:

9 None

10 CONSENT AGENDA:

11 Motion to approve the Claims/payment approval for November 8, 2018 thru November
12 14, 2018, the Minutes of the Work Session held on October 23, 2018, and the Minutes
13 of the Regular Meeting held on October 23, 2018 was made by Councilmember Kester
14 and seconded by Councilmember Marsh. The consent agenda was approved with the
15 following results: Councilmember Dixon "Aye", Councilmember Kester "Aye",
16 Councilmember Marsh "Aye", Councilmember Payne "Aye", Vice-Mayor Peterson "Aye"
17 and Mayor Cobb "Aye".

18 SUMMARY OF CURRENT EVENTS:

19 *Mayor Cobb wished everyone a Happy Holiday Season and reminded everyone about
20 the Festival of Lights and the Parade of Lights on December 1, 2018.

21 Mayor Cobb informed everyone that on December 8, 2018 the Elks Hoop Shoot will be
22 at Hulet School for children ages 7-13.

1 *Councilmember Marsh stated that he noticed the City had started putting the Holiday
2 lights up yesterday and that it makes the streets look nice and festive. Councilmember
3 Marsh also wanted to thank the City Employees who have been working hard to
4 winterize the City buildings by putting on new roofs. Councilmember Marsh said the
5 employees are doing a great job.

6 *Councilmember Dixon stated that he also likes the Christmas decorations that have
7 gone up. Councilmember Dixon said that he noticed that the City Employees are
8 utilizing the Bucket Truck.

9 *Councilmember Kester said that he is glad that the Christmas decorations are going
10 up. Councilmember Kester suggested that the Council ask other cities if they have any
11 decorations to donate to the City of Holbrook.

12 *Interim Manager Reyes gave the following report:

13 -Final cost for the Recall election was \$6,646.75.

14 -Council packets are available and must be turned in by 5 p.m. Dec. 12. There are 4
15 Council positions and the Mayor open for the election to be held on March 12, 2019.

16 -APS has determined that there are three poles on Mission Lane that will work for
17 lighting. The City is waiting on prices now.

18 - Also requested that APS repair 7 light poles for the Christmas decorations. Christmas
19 decorations are up. Staff is assisting the Chamber in decorating the tree at Gillespie
20 Park. Staff are going to try to get some more decorations made before next Christmas.

21 -Airport lighting project is moving along well. They are starting to lay conduit. The plan
22 is to have project completed by Dec. 22.

1 -We have a lot of equipment waiting for repairs so City crews are working on projects
2 that can be completed without this equipment. Parts have been ordered and equipment
3 will be repaired as soon as the Fleet Maintenance can get it done.

4 -John Gerwitz and DV Stuart went to Phoenix today to look at Street Sweepers and
5 bring Interim Manager Reyes back information. Interim Manager Reyes would really
6 like to have this taken care of by Feb. 1.

7 -Financial Statements have been completed and Finance Director Sullivan will put them
8 in Council's boxes. If you have questions give us a call or shoot us an email.

9 -The City issued a building permit to Atsuo Sakurai for his Sake Plant on property
10 beside the Dollar General.

11 Interim Manager Reyes has been working on and developing Standard Operating
12 procedures for items so Staff knows how to answer questions and what to do for certain
13 situations.

14 -City Manager recruitment consultant will meet with the Council in executive session on
15 Dec. 11 regarding the 11 finalists for the Manager Position.

16 -Just a reminder City Hall will close at Noon on December 24 and re-open on the 26th.
17 Also, there is no Council meeting on Dec. 25.

18 -Interim Manager Reyes stated that on behalf of herself and the Mayor, they would like
19 to commend Pat Nichols, Director of Administration for his exemplary efforts for
20 researching and finding a way to save the City of Holbrook over \$2000.00 annually on
21 the printing of the utility bills. Interim Manager Reyes stated that when an employee
22 goes above and beyond their job requirements, they deserve recognition.

1 *Chamber of Commerce- Chamber Director Cindy Tafoya and Chamber Secretary
2 Colleen Dawes-Marsh. November 29, 2018 is the kick off to the Festival of Trees. Tree
3 set up can be done from 3:00 until 7:00 on Wednesday, November 28, 2018. The
4 Festival of Trees will be open on Thursday and Friday from 6:00 until 9:00. On Saturday
5 the Festival of Trees will be open from 10:00 a.m. until 10:00 p.m with Food Trucks in
6 the back parking lot, pictures with Santa in the afternoon and again in the evening, and
7 a variety of entertainment will be scheduled all day. The line-up for the Parade of Lights
8 will begin on Saturday at 4:30 p.m. at Hunt Park. The award ceremony will take place at
9 the Festival of Trees after the Parade of Lights. The 12 days of Christmas Shopping will
10 begin on December 14, 2018 and run until Christmas Day. The 12 days of Shopping will
11 kick off with an Art Walk that will take place on Navajo Blvd and Hopi Dr. All of the
12 downtown businesses are participating. Light-Up Holbrook will begin on Thursday,
13 November 29, 2018.

14 **OLD BUSINESS:**

15 A. Discussion/possible action regarding the possible sale of real property owned by
16 the City of Holbrook, Parcels 109-21-005A and 109-21-006, located on E.
17 Romero: Interim Manager Reyes stated that this matter was brought before the
18 Council on October 23, 2018 and the Council instructed her to get the property
19 value. Interim Manager Reyes now has the Brokers Value. It is valued at \$600.00
20 to \$700.00 per parcel. Interim Manager Reyes said that the interested party has
21 offered \$550.00 per parcel. Vice-Mayor Peterson recommended that the property
22 be put up for bid in case anyone else is interested. All other Councilmembers

1 Skevington stated that the money goes back into the general fund which is where
2 the Library gets its funds. Vice-Mayor Peterson asked if there is a limit to how
3 many items one person can take from the Library at a time. Librarian Skevington
4 said that the limit is 25 items. Vice-Mayor Peterson then asked If the Library
5 would still collect for lost items. Librarian Skevington stated that the Library would
6 still collect for lost items and items that were damaged beyond repair. Vice-Mayor
7 Peterson asked Librarian Skevington why she was asking the Council for this as
8 opposed to asking the Interim Manager. Librarian Skevington explained that the
9 policy was adopted by the Council in the past, so the Council would need to
10 approve any changes. Councilmember Dixon reviewed the changes that are
11 marked in the attached policy that are being requested. Councilmember Marsh
12 asked what the consequence is if an item is never returned and not paid for.
13 Librarian Skevington said in that case the card holder is barred from using the
14 Library until the item is replaced or paid for. Councilmember Dixon asked about
15 the Library's remedy if an item is not returned and the cardholder is billed for that
16 item but does not pay. Librarian Skevington stated that Library first tries to
17 collect, if that fails then the debt is given to a collection agency, which makes 8
18 attempts at collecting the fees. After that the Library will barr the cardholder.
19 Councilmember Dixon asked, on average how many card holders are barred.
20 Librarian Skevington stated that to date this year there are 197 cardholders
21 barred. Councilmember Marsh asked what the protocol is for letting card holders
22 know that their item is about to become overdue. Librarian Skevington stated that
23 when a card holder checks items out they are given a reminder slip with dues

1 dates for each of the items that they are checking out. If the Library has the card
2 holder's email address, the card holder gets a reminder sent to them 3 days prior
3 to an item being due. Councilmember Peterson made a motion to amend the
4 Library Policy to include the changes that are marked and that Councilmember
5 Dixon read. Councilmember Dixon seconded the motion. The motion carried with
6 the following results: Councilmember Dixon "Aye", Councilmember Kester "Aye",
7 Councilmember Marsh "Aye", Councilmember Payne "Aye", Vice-Mayor Peterson
8 "Aye" and Mayor Cobb "Aye".

9 C. Requests for Qualifications for Attorney's results: Interim Manager Reyes stated
10 that the City only received one RFQ. The RFQ was advertised in the Tribune, on
11 the Web Site, word of mouth and sent to various Attorneys. The RFQ was
12 recieved from the City's current attorney. Interim Manager Reyes recommended
13 that the Council stay with them. The Attorney has agreed to have either Brad
14 Burns or Scott Holcomb attend the meetings via Skype or Web Cam if needed.
15 The Council agreed that there was only one RFQ response, so that is who they
16 would like to go with.

17 D. Discussion/possible action regarding formation of a Charter Review Committee:
18 Interim Manager Reyes said that the Charter has not been reviewed for 10 years
19 so she is suggesting that the Council form a Charter Review Committee to review
20 the Charter and make updates if needed. If the Charter Review Committee were
21 able to get started in January the Charter could be ready for the election in 2020.
22 Councilmember Payne stated that she was involved in the original Charter
23 Committee and the Charter Review Committee. Councilmember Payne stated

1 that these committees did not receive any suggestions from the public and not a
2 lot of suggestions from the Council. Most of the suggestions were from City Staff.
3 Councilmember Payne suggested that the Council get as much input from City
4 Staff during this review of the Charter, as possible. Vice-Mayor Peterson stated
5 that the Charter Review Committee requires a 7 person committee appointed by
6 the Mayor and approved of by the Council. Vice-Mayor Peterson also stated that
7 the Charter suggests that a review be done every 4 years. Vice-Mayor Peterson
8 also stated that no employee of the City can be on the Charter Review
9 Committee. Vice-Mayor Peterson said that the Charter states that the City
10 Manager must be a non-voting member of all committees. Vice-Mayor Peterson
11 stated that after the proposed changes are made it will need to go to the
12 Governor for approval. Interim Manager Reyes explained that it cannot go to the
13 Governor until after the people vote on it. Interim Manager Reyes stated that the
14 first Charter was adopted in 1994 and has been amended twice since then.
15 Councilmember Marsh asked Vice-Mayor Peterson if Councilmembers are not
16 eligible to be on the committee then who would be on the committee. Vice-Mayor
17 Peterson said that it would have to be members of the community not associated
18 with the City Office. Councilmember Marsh stated that he feels that it is way
19 overdue to review the Charter and it really needs to be done now. If it says that it
20 needs to be reviewed every four years then that is what should be done.
21 Councilmember Payne motioned to form a Charter Review Committee.
22 Councilmember Kester seconded the motion. The motion carried with the
23 following results: Councilmember Dixon "Aye", Councilmember Kester "Aye",

1 Councilmember Marsh "Aye", Councilmember Payne "Aye", Vice-Mayor Peterson
2 "Aye" and Mayor Cobb "Aye".

3 EXECUTIVE SESSION:

4 None

5 POST EXECUTIVE SESSION:

6 None

7 CALL TO THE AUDIENCE FOR ITEMS NOT ON THE AGENDA:

8 Colleen Dawes-Marsh shared with the Council that the Tree Lighting Ceremony is
9 happening this Thursday at 5:30 p.m. at Gillespie Park. With Tanryelle Interiors as the
10 sponsor. Pastor Nathan Heller will be telling the story of the birth of Jesus. Mrs. Dawes-
11 Marsh also thanked Interim Manager Reyes for helping to find creative solutions for the
12 Friends of the Holbrook Animal Shelter.

13 ADJOURNMENT: Councilmember Kester made a motion to adjourn the meeting.
14 Councilmember Marsh seconded the motion. The motion was carried with the following
15 results: Councilmember Dixon "Aye", Councilmember Kester "Aye", Councilmember
16 Marsh "Aye", Councilmember Payne "Aye", Vice-Mayor Peterson "Aye" and Mayor
17 Cobb "Aye"

18 There being no further business to come before the Council, the meeting is
19 Adjourned at 7:02 p.m.


20 

21 Phil Cobb-Mayor

22 CERTIFICATION:

23 I hereby certify that the foregoing minutes are a true and correct copy of the minutes of
24 the Holbrook City Council Meeting held on the 27th day of November 2018. I further
25 certify that the meeting was duly called and held and that a quorum was present.

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Cher Reyes, CMC, CPM, City Clerk