

NOTICE OF SPECIAL WORK SESSION AND REGULAR MEETING OF TOWN OF PARKER COMMON COUNCIL

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Town of Parker and to the general public that the Parker Common Council will hold a Special Work Session immediately followed by a Regular Meeting, open to the public, at Parker Town Hall at 1314 11th Street on January 16, 2024 at 5:00 pm. Doors open to Council Chambers at 4:30 pm for public seating. The public may be asked to temporarily relocate if an executive session occurs. The public will be invited back into Council Chambers when the Council returns from executive session.

The agenda for the meeting is as follows:

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MINUTES

**TOWN OF PARKER COMMON COUNCIL
SPECIAL WORK SESSION/REGULAR COUNCIL MEETING
TOWN COUNCIL CHAMBERS
1314 11th STREET
TUESDAY, January 16, 2024 5:00 P.M.**

MAYOR'S ANNOUNCEMENT: Please silence or mute your electronic devices during the Council Meetings

CALL THE SPECIAL WORK SESSION TO ORDER: Mayor Hartless called the Special Work Session to order at 5:01 PM

ROLL CALL OF COUNCIL: Mayor Hartless, Vice Mayor Lucas (arrived at 5:20pm), Council Member Shontz, Council Member Hooper, Council Member Woodell, Council Member Daniels, Council Member De Leon (arrived at 5:06pm)

Staff: Interim Town Manager/Community Development Director Nora Yackley, Town Clerk Amy Putnam, Chief of Police Michael Bailey, Public Works Director Steve Ziegler, Town Attorney Christina Estes-Werther, Council Liaison Matt Schiumo, Library Manager Fenix Markel

Others Present: Jennifer Aspa, Kyleen Baldenergro, Kalee Page, Daniel Beavers, Cory Madoneczky, John Gutekunst, Mike Kelly

PURPOSE:

1. Training for Council and Advisory Boards about open meeting law, conflict of interest, and the Boards' roles and responsibilities.

Christina Estes-Werther, Town Attorney, Pierce Coleman PLLC
Matt Schiumo, Associate, Pierce Coleman PLLC

Town Attorney, Christina Este-Werther, spoke about an overview of roles and finances, including purchasing and purchasing authority. Town Code and the residency requirements, terms, members, absences, and removing members. Best practices- You are part of the process. Riggins Rules main points were highlighted. The Town follows Robert's Rules of Order for the parliamentary procedure. Cm Daniels asks about finances getting approval and Christina clarified. Discussion continued about roles and chain of command. Jennifer asked if funds were allocated to each department? Christina explains how allocated budget items worked. Cm Daniels asked about Library funding from this past summer. Christina reviews the Chain of Command. Cm Daniels asked about funds that were allocated and not being used by the Aquatic Association and Matt responded that line items can be flexible between tentative and final budget. Christina summed up the work session with reminders of the open meeting law complaints and transparency for the public, what the boards and commissions fall under, electronic communications, agendas and public notice, social media, giving opinions and to be clear that you are not acting on behalf of the town, violations and penalties, conflict of interest, public records laws in official capacity, and to always keep in mind the "Riggins Rules."

ADJOURNMENT THE SPECIAL WORK SESSION: Mayor Hartless adjourned the Special Work Session at 5:57 PM.

CALL THE REGULAR MEETING TO ORDER: Mayor Hartless called the meeting to order at 5:58 PM.

ROLL CALL OF COUNCIL: Mayor Hartless, Vice Mayor Lucas, Council Member Shontz, Council Member Hooper, Council Member Woodell, Council Member Daniels, Council Member De Leon

Staff: Interim Town Manager/Community Development Director Nora Yackley, Town Clerk Amy Putnam, Chief of Police Michael Bailey, Public Works Director Steve Ziegler, Council Liaison Christina Estes-Werther, Council Liaison Matt Schiumo, Library Manager Fenix Markel

Others Present: John Gutekunst, Melissa Newton

PLEDGE OF ALLEGIANCE: Led by Mayor Hartless

INVOCATION: John Gutekunst

CALL TO THE PUBLIC:

There was 1 call to the public presented to the Clerk.

Dan Schlect spoke about recycling and the concern that the town is not recycling as often as need be to keep the plastic container empty more often.

If you wish to address the Council during this meeting, please read and fill in the information on the "Call to the Public" form and hand it to the Town Clerk. Please limit your comments to a maximum of **3-minutes**.

CHAMBER DIRECTORS REPORT: Melissa Newton

Melissa thanked the council and staff for the support for the Parker 400 Race that took place this past weekend. She spoke about upcoming events Chamber Grand Opening, Chamber Mixer, and Soroptimist Blues & Brews.

CONSENT AGENDA:

All items in the Consent Agenda are considered to be routine or have been previously reviewed by the Council, and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests. If requested, the item will be removed from the Consent Agenda for separate discussion and action.

Approve the following:

- a. Special event application Parker Public Library Read Across America Day request for street closure March 2, 2024 8:00 AM to 3:00 PM
- b. Special event application Annual Luigi "Runningwolf" Lomavitu Memorial Jam at Western Park March 2, 2024 11:00 Am to 6:00 PM. Applicant has requested fees to be waived.
- c. Special event application Annual Healthy La Paz Community Expo request for street closure April 6, 2024 from 6:00 AM to 1:00 PM
- d. Adoption of chapters 70, 71, 74, 81, 82, and 83 of the proposed Parker Police Department policy and procedures handbook

MOTION: Approve A, B, C, and D
BY: CM Shontz
SECOND: VM Lucas
APPROVE: With all others in favor, the motion passed

REGULAR AGENDA:

Discussion and possible action on the following item(s)

- 1. Discussion and action to approve/deny agreement for the purchase of an Intoxilyzer 9000 from CMI Inc. (sole source manufacturer)

Michael Bailey, Chief of Police

Chief of Police, Michael Bailey, respectfully requests approval to purchase an Intoxilyzer 9000 from CMI Inc. in the amount of \$10,377.52. The Parker Police Department submitted and received grant funding to purchase an Intoxilyzer 9000 to be housed at the Parker Police Department. By purchasing this machine, officers will be able to complete their DUI Investigations without having to rely on other departments' equipment which can sometimes be unavailable to officers. Having another Intoxilyzer in the area will also allow officers from other departments to utilize it in the event the one in the jail is not operational. The Parker Police Department received a quote from CMI, Inc. in the amount of \$10,377.52. This was the only quote obtained as CMI, Inc. is a sole source manufacturer of this device. The fiscal impact is that the funding for this will come from the Governor's Office of Highway Safety DUI grant. The Parker Police Department

was awarded \$25,830.00 for DUI enforcement. \$10,578.00 was allocated to purchase the Intoxilyzer 9000.

MOTION: Approve agreement for the purchase of an Intoxilyzer 9000 from CMI Inc. (sole source manufacturer)
BY: CM Wooddell
SECOND: CM DeLeon
APPROVE: With all others in favor, the motion passed

2. Discussion and action to approve/deny agreement with Quality Fencing for the repair and replacement of chain link fencing at Western Park for \$6,044.97

Steve Ziegler, Public Works Director

Public Works Director, Steve Ziegler, respectfully requests approval to authorize staff to hire Quality Fence to remove the existing basketball court chain link fence and install new fencing for \$6,044.97. The basketball court chain link fence is a safety device to prevent kids from running out into the parking lot and street when basketballs go off the court. The fence line is also in front of the playground as well and prevents kids from running directly out into the street. The fence is in disrepair with fence posts that have rusted through, top rails that no longer connect and chain link that is damaged from many years of use. The scope of the work is to remove the existing gate and fence. The gate portion will be reused but all new posts, rails, and 9 gauge chain link will be installed. Staff solicited bids from Quality Fence for \$6,044.97, Armor Fence & Masonry for \$8,230.03, and All About Fencing & Patio for \$7,706.58. The fiscal impact is that the funds to pay for this project were not included in the approved FY 23-24 Capital Improvement Plan Budget so we will use a portion of the funds that were budgeted for the Employee Housing Architectural Services which is \$47,700.00 to pay for the new fencing. Steps to follow are to execute the Professional Services Agreement, issue a Purchase Order and schedule the work.

MOTION: Approve agreement with Quality Fencing for the repair and replacement of chain link fencing at Western Park for \$6,044.97
BY: CM Hooper
SECOND: VM Lucas
APPROVE: With all others in favor, the motion passed

3. Discussion and action to approve/deny acceptance the bid solicitation for the Police Department Tenant Improvement Project from Precise Builders Inc. for \$547,392.66

Steve Ziegler, Public Works Director

Public Works Director, Steve Ziegler, respectfully requests approval to accept the bid solicitation from Precise Builders Inc. and sign an agreement with them to perform the Police Department Tenant Improvement for \$547,392.66. In September, 2023 staff published the project to solicit bids from qualified contractors and a Pre-Bid Conference was held in which 7 General Contractors attended. In October, 2023 staff held the Bid opening and 2 bids were received. Precise Builders for \$677,075 and Doege Development LLC for \$969,577. The lower bid exceeded our budget for the project by \$130K so staff went through their bid to look for costs that were over and above customary charges. Through this effort, staff was able to reduce the cost by \$107K. A meeting was held with Precise Builders Inc. to go over the value engineering and have them reach out to their subcontractors to get some of their costs down as well. They submitted a revised bid on January 4, 2024 for \$547,392.66. The architect's estimated cost for construction came in at \$408,800.00 using the Davis Bacon wage rate which are the labor rates that the contractor has to use due to the project being partially funded by CDBG funds. These rates and the fact that inflation for all material and services have increased significantly is the reason the

cost of the project is so high. The fiscal impact for this project was included in the FY 23-24 Budget under General Fund Capital Projects and Grants Budget using CDBG funds in the amount of \$350,000.00 and \$229,941.00 respectively for a total amount budgeted of \$579,941.00. Minus the CDBG admin fees of \$30,000.00, it leaves \$547,941.00 for construction.

MOTION: Approve acceptance of the bid solicitation for the
Police Department Tenant Improvement Project from
Precise Builders Inc. for \$547,392.66
BY: CM Shontz
SECOND: CM Woodell
APPROVE: With all others in favor, the motion passed

4. Discussion and action to approve/deny Intergovernmental Agreement between the Town of Parker and Arizona Department of Transportation for the AZ Water Smart Fund Grant Project

Steve Ziegler, Public Works Director

Public Works Director, Steve Ziegler respectfully requests from the Town Council to sign an IGA between the Town of Parker and the Arizona Department of Transportation to administer the AZ SMART Fund Grant Project to have the engineering design and cost of construction to install curb, gutter and sidewalks on 86 Street segments throughout Town. In January 2023, the Public Work staff identified 86 street segments along mostly residential streets that do not have a curb, gutter and sidewalk for residents to use. Throughout the year, all appropriate steps were taken to get the project to this point. On January 8, 2024, ADOT posted the project for bids. The project manager informed me that they have received bids and they plan to have the engineering firm on board by the end of this month. The fiscal impact is that the grant pays for 100% of the ADOT (\$30,000.00) and engineering firms work (\$178,264.00). If the cost of the project goes over the \$208,264.00 awarded amount then the Town will be responsible for the overage amount. Staff budgeted \$208,000.00 in the FY 23-24 Grants Capital Budget for this project so we are covered.

MOTION: Approve Intergovernmental Agreement between the
Town of Parker and Arizona Department of
Transportation for the AZ Water Smart Fund Grant
Project
BY: CM Daniels
SECOND: CM Hooper
APPROVE: With all others in favor, the motion passed

5. Discussion and action to approve/deny appointment of Cory Madoneczky to the Parks and Recreation Advisory Board for a four (4) year term
Nora Yackley, Interim Town Manager/Community Development Director

Interim Town Manager/Community Development Director, Nora Yackley respectfully requests approval from the Town Council of the application to fill the vacant seat on the Parks and Recreation Committee Advisory Board. At the January 9, 2024 Parks and Recreation Advisory Board meeting, the board approved making a recommendation to the council to fill the vacant seat by Cory Madoneczky for a four (4) year term.

MOTION: Approve appointment of Cory Madoneczky to the Parks and Recreation Advisory Board for a four (4) year term
BY: CM Daniels
SECOND: VM Lucas
APPROVE: With all others in favor, the motion passed

6. Discussion and action to approve/deny Resolution 01-2024 Call of Election for the 2024 Primary and General Elections

Amy Putnam, Town Clerk

Town Clerk, Amy Putnam respectfully requests the Town Council to approve to adopt Resolution No. 01-2024 both English and Spanish versions "Calling the 2024 Elections" designating the deadline for voter registration, the location to vote, and the last day for candidates to file nomination papers. Four (4) Council Seats are expiring. The fiscal impact is the Town of Parker contracts with La Paz County Election Department for the process: total cost is annually budgeted.

MOTION: Approve Resolution 01-2024 Call of Election for the 2024 Primary and General Elections
BY: VM Lucas
SECOND: CM Wooddell
APPROVE: With all others in favor, the motion passed

COUNCIL MEMBER/LIAISONS REPORTS WITH POSSIBLE TOPICS FOR DISCUSSION:

Chamber of Commerce and Tourism- Mayor Hartless + CM DeLeon
 Joint Venture-CM Hooper + CM Shontz *Tribal Committee -Mayor Hartless + CM Daniels* *Parks & Recreation- VM Lucas + CM Daniels* *Senior Center-CM De Leon + CM Shontz* *Streets & Traffic -CM Hooper + CM Wooddell* *Library Board-CM Shontz + CM Wooddell* * WACOG- Mayor Hartless + CM Daniels*

ANNOUNCEMENTS: Member Shontz announced the Library will be hosting a Holocaust Exhibit on January 22-25,2024.

Thursday	January 18, 2024	Parker Regional Chamber of Commerce and Tourism Monthly Business Mixer and Grand Reopening	5:30 PM @ DNA Motorsports
Saturday	January 20, 2024	Town of Parker Parks and Recreation Advisory Board's 2nd Annual Color Run	8:00 AM @ Skate Park
Monday-Thursday	January 22-25, 2024	Parker Public Library Holocaust Exhibit	All Day @ Parker Public Library

Monday	January 22, 2024	Streets and Traffic Advisory Board	5:15 PM
Tuesday	February 6, 2024	Next Regular Council Meeting	6:00 PM

Unless so noted, all meetings are held in the Council Chambers located at 1314 11th Street.

ADJOURN: Mayor Hartless adjourned the meeting at 6:36 PM.

Some members of the council or the town attorney may attend the meeting either in person or by telephone conference call. Persons with a disability may request reasonable accommodation by contacting, the town clerk, (928) 669-9265, at least (72) hours before the scheduled meeting. Facilities are handicapped accessible

The council may vote to recess into an executive session which will not be open to the public, for the purpose of obtaining legal advice regarding any of the agenda items, pursuant to a.r.s. §38-431.03(a)(3).

Approve



Randy Hartless, Mayor