

**PAGE CITY COUNCIL
REGULAR MEETING MINUTES
JUNE 26, 2008**

A Regular Meeting of the Page City Council was held at 6:30 p.m. on June 26, 2008, in the Council Chambers at City Hall in Page, Arizona. Mayor Bill Justice presided. Vice Mayor John Cook, Councilors Tom Puckett, Lyle Dimbatt, Len Cook and Elmer Horton were present. Councilor John Kocjan was excused. There was a moment of meditation. Mayor Justice led the Pledge of Allegiance.

Mayor Justice called the meeting to order.

Staff members present: City Manager, Bo Thomas; City Attorney, Rick Olson; Assistant City Attorney, Robert Wingo; Finance Director, Linda Watson; Assistant to the City Manager for Airport and Regional Affairs, Richard Jentsch; Planning and Zoning Director, Ernie Rubi and City Clerk, Lori Anderson.

Mayor Justice apologized to the citizens and Councilor Horton for his behavior at the June 12, 2008, Regular City Council Meeting.

PRIORITY LIST

None scheduled

MINUTES

Regular City Council Meeting- June 12, 2008

Hearing no objections, the minutes stand approved.

CONSENT AGENDA

MINUTES

Page-Lake Powell Tourism Board-March 19, 2008

Page Airport Board-April 21, 2008

Page Senior Center Operating Board-March 20, 2008

Page Senior Center Operating Board-April 10, 2008

CLAIMS

INFORMATION

City Manager's Report-May, 2008

Motion made by Vice Mayor Cook to approve the consent agenda. The motion was duly seconded and carried with a vote.

PUBLIC HEARINGS

None

HEAR FROM THE CITIZENS

John Powers, 1149 North Navajo Drive, apologized to the City Council for his letter that was recently published in the Lake Powell Chronicle.

Page City Council Regular Meeting-June 26, 2008

Ken MacFarland, 225 Date Street, commented on the Mayor's Healing Breakfast, stating that it was a good idea and hopes that another will be planned. He also encouraged citizens to be pedestrians around town and meet more people.

Merle Cecil, 360 Cedar Street, commented on a grant that the City of Page will apply for to extend the sidewalk from the Quality Inn to the Marriott, stating that the City's portion, as reported in the Lake Powell Chronicle, is calculated incorrectly.

Paul Burton, 37 First Avenue, read a statement (attached) into the record regarding Business Registration.

UNFINISHED BUSINESS

None scheduled

NEW BUSINESS

Discussion and possible action by the City Council pertaining to adopting the Preliminary Budget for FY 2008-2009, Resolution 1010-08, and setting a public hearing date for FY 2008-2009 Budget for July 10, 2008

Arizona State Law requires that on or before the third Monday in July of each fiscal year, the City Council must adopt a preliminary budget. Once this preliminary budget has been adopted, the expenditures may not be increased upon final adoption, however, they may be decreased. With the adoption of the preliminary budget, the City Council has set its maximum "limits" of expenditures, but these limits may be reduced upon final adoption. Upon adoption of the preliminary budget a public hearing must be set.

There was discussion.

Motion made by Vice Mayor Cook to introduce Resolution 1010-08 by title only. The motion was duly seconded and passed upon a vote.

The City Clerk introduced Resolution 1010-08 by title only.

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF PAGE, COCONINO COUNTY, ARIZONA, ADOPTING A PRELIMINARY BUDGET FOR THE FISCAL YEAR 2008-2009.

Motion made by Vice Mayor Cook to adopt Resolution 1010-08. The motion was duly seconded and passed upon a vote.

Motion made by Vice Mayor Cook to set a Public Hearing date for the Fiscal Year 2008-2009 Budget for July 10, 2008. The motion was duly seconded and passed upon a vote.

Page City Council Regular Meeting-June 26, 2008

Discussion and possible action by the City Council pertaining to a fuel cost adjustment for Allied Waste

City Manager, Bo Thomas, explained that the escalating cost of fuel has taken its toll on many businesses in our community, specifically Allied Waste. Allied Waste is aware that they have the ability to adjust according to the Consumer Price Index (CPI), however; fuel costs have exceeded that rate. Allied Waste is asking for assistance or consideration.

There was lengthy discussion.

Rod Van Zee, Allied Waste, described how the rising cost of fuel has exceeded their budgeted fuel expenditures.

Discussion continued.

Ken MacFarland, 225 Date Street, questioned if this service will go out to bid at the expiration of Allied Waste's contract, and suggested that there are several areas surrounding Page that could be used as land fills.

Discussion continued.

Motion made by Vice Mayor Cook to direct the City Manager to develop and implement a program of appropriate cost adjustment for fuel used for garbage disposal and inform Council of same upon its development and implementation. The motion was duly seconded and passed unanimously.

BID AWARDS

Discussion and possible action by the City Council pertaining to the rejection of proposals received for the Page Municipal Airport Terminal Space Utilization Study

At the City Council's direction on January 10, 2008, the Airport Board solicited Statements of Qualifications/Proposals for an Airport Terminal Space Utilization Study. Two responses were received. The Airport Board requested detailed scope of services, cost proposals, and interviewed both consultant firms.

The fiscal limitations placed on the study consequently limited the scope of services that were ultimately offered in the proposals. As a result of the limited scope of services proposed, the proposals failed to meet the City's project needs, objectives and goals.

The Airport Board recommends that the Council reject the proposals received.

There was discussion.

Motion made by Councilor Dimbatt to reject all consultant offers. The motion was duly seconded and passed upon a vote.

Page City Council Regular Meeting-June 26, 2008

BUSINESS FROM THE MAYOR

Mayor Justice reported that he had recently attended the following:

- Glen Canyon Rim Trail Meeting with the National Park Service
- Arizona Economic Forum
- Coconino County Board of Supervisors Parks and Recreation Work Shop
- Northern Arizona Council of Governments (NACOG) where he was elected to the executive board and will be serving in that capacity.

BUSINESS FROM THE MANAGER

None scheduled

BUSINESS FROM THE CITY ATTORNEY

EXECUTIVE SESSION

Pursuant to A.R.S. §38-431.03(A)(3), the City Council may vote to go into executive session with the City Attorney for the purpose of obtaining legal advice relating to General Plan Map Amendment

Motion made by Vice Mayor Cook to enter into executive session. The motion was duly seconded and passed upon a vote.

Mayor Justice reconvened the Regular City Council Meeting at 8:04 p.m.

BUSINESS FROM THE COUNCIL

Councilor Puckett stated that he would like to give the people of Page a choice and announced that he will be running for Mayor at the next General Election.

BOARDS & COMMISSIONS

None scheduled

DEPARTMENTS


None scheduled

CLAIMS


None scheduled

ADJOURN

The meeting was adjourned at 8:05 p.m.



Lori L. Anderson
City Clerk



William S. Justice
Mayor

Received
06/26/08
JA

To the city council of Page, AZ

June 26, 2008

For and to the record;

It is now 4 to 5 days before the ordinance No. 531-08 becomes effective. This was an ordinance created by this council approximately one month and nine days after the Mayor signed the new Intergovernmental Agreement with the Dept of Rev. For those individuals in the audience that agreement gives to the Dept of Rev the right to administer the tax collection program for the city of Page, AZ.

I was a concerned citizen looking out for the people of this town and their never wanting "business licensing" from 1975 to present. To that extent I (the person of Paul Burton) requested a petition for referring the **legislative action** of this council to the electorate of Page, AZ.

During the course of my having 242 signatures obtained for referring that legislative action of this council to the people for a vote, I had the chance to hear the remarks from the people. You see Mr. Mayor I had one person in the 250 individuals I approached who said she was happy with the law as it was.

Sadly, after I researched the new ordinance, I too am happier with the old ordinance, as after I presented the petition of the people asking for the ordinance to go to the vote of the people (242 to the action of 6; that is a 4,333 percent increase saying let the people vote) and the petition was rejected and a legal opinion was made and I was disappointed for the people. For it was not one person that asked, it was 242 people that asked for the referendum

My further understanding of why the newly ordained ordinance was technically called an administrative action was brought to light when the legal opinion stated it was to carry on the policy of the city to basically collect taxes and more importantly for the Department of Rev. to administer the program without any hitches or pauses in the smooth flow of business. My question to myself was "WHERE DID THAT COME FROM ?" as I did not see anything resembling that in the new ordinance. So I went back to the two previous ordinances and saw the phrase pertaining to Article 8-2 being a part of those prior ordinances. For that phrase allows the Department of Rev to administer and collect the taxes and it was a part of the old ordinances. **THAT PHRASE WAS LEFT OUT OF THE NEWLY CREATED ORDINANCE.**

To put it so the people understand – the new ordinance as written has no provision for the city to give information about business licenses to the Dept of Rev because you all (the council) removed it.

You (the council) further removed the term "BUSINESS LICENSE" in the new ordinance and again by changing the WORD "LICENSE" to "REGISTRATION" You (the council) have removed the ability of the Dept of Rev to lawfully accept information that is not gathered as BUSINESS LICENSE information.

So the city council entered into an agreement and within one month created new legislation that violates an agreement that has been in effect for 33 years. It would have been easier to allow the people to get you out of this jam and the people would have felt they had a part of running their government.

To the city council member that was on the radio today, I was not disappointed for having gone through the process, nor have I been angry. You, City council member, never asked me how I felt and I am disappointed in your referral about me. In the future do not attempt to slander me for your own personal gain.

Within a week the new ordinance is effective but it doesn't allow the State or the City to legally obtain the information that the previous two ordinances were created.

Now the People cannot help you, as six members of this council created this" non-compliant Intergovernmental agreement ordinance" with their eyes wide open, and Mr. Mayor you signed it and one month later allowed yourself and five of your colleagues to completely violate the agreement and you called this action "THE WILL OF THE PEOPLE"

MAY I SUGGEST THAT YOU EXPEDITE BY ANY APPROPRIATE LAWFUL MEANS POSSIBLE CORRECTING THE PEOPLE'S PROBLEM .

Paul Burton
37 1st Ave
Page, Az

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the City Council Regular Meeting, held on the 26th day of June, 2008. I further certify that the meeting was duly called and that a quorum was present.

Dated this 10th day of July, 2008

A handwritten signature in cursive script that reads "Lori L. Anderson". The signature is written in black ink and is positioned above a horizontal line.

Lori L. Anderson, City Clerk