

**MINUTES OF THE REGULAR MEETING
OF THE TOWN COUNCIL OF THE TOWN OF CHINO VALLEY**

**TUESDAY, JANUARY 11, 2022
6:00 P.M.**

**CHINO VALLEY COUNCIL CHAMBERS
202 N. STATE ROUTE 89, CHINO VALLEY, AZ**

Present: Mayor Jack Miller; Vice-Mayor Annie Perkins; Councilmember Tom Armstrong; Councilmember Eric Granillo; Councilmember Cloyce Kelly; Councilmember John McCafferty; Councilmember Lon Turner

Staff Present: Town Manager Cindy Blackmore; Town Attorney Andrew McGuire(remotely); Development Services Director Laurie Lineberry; Administrative Services Director Joe Duffy; Public Works Director/Town Engineer Frank Marbury; Senior Planner Will Dingee; Officer Jonnethen Mitea(Sgt at Arms); Audio Visual Technician Lawrence Digges; Deputy Town Clerk Sara Burchill; Town Clerk Erin N. Deskins

1) CALL TO ORDER, PLEDGE OF ALLEGIANCE; ROLL CALL

Mayor Miller called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

3) CALL TO THE PUBLIC

Call to the Public is an opportunity for the public to address the Council on any issue within the jurisdiction of the Council that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes per meeting. Council action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to criticism.

4) CURRENT EVENT SUMMARIES AND REPORTS

This item is for information only. The Mayor, any Councilmember, or Town Manager may present a brief summary or report of current events. If listed below, there may also be a presentation on information requested by the Mayor and Council and questions may be answered. No action will be taken.

- a)** Status reports by Mayor and Council regarding current events.

- b) Status report by Town Manager Cindy Blackmore regarding Town accomplishments, and current or upcoming projects.

Town Manager Blackmore reported:

- The Police facility was 10% complete, with both the building pad and footings completed. Current work included under-slab utilities, west side retaining wall, and curbs and sidewalks. The new driveway would be paved and open by the end of the month. The building concrete slab would also be poured by the end of the month. There was a supply chain issue, with the electrical component's months out. It was still expected the facility would be completed by April 2023.

5) CONSENT AGENDA

All those items listed below are considered to be routine and may be enacted by one motion. Any Councilmember may request to remove an item from the Consent Agenda to be considered and discussed separately.

MOVED by Vice-Mayor Annie Perkins, seconded by Councilmember Cloyce Kelly to approve consent agenda items a, b, c, and d as written.

AYE: Mayor Jack Miller, Vice-Mayor Annie Perkins, Councilmember Tom Armstrong, Councilmember Eric Granillo, Councilmember Cloyce Kelly, Councilmember John McCafferty, Councilmember Lon Turner

7 - 0 PASSED - Unanimously

- a) Consideration and possible action to approve the Service Agreement and Addendum to Service Agreement with Online Solutions LLC. ("CitizenServe") in an amount not to exceed, in the first year, \$82,800.00. (Will Dingee, Senior Planner)
- b) Consideration and possible action to approve the Professional Services Agreement with Daniel Nottebaum to provide software implementation and training consulting services beginning January 11, 2022, through January 11, 2023, with up to four successive one-year renewal terms, in an amount not to exceed \$25,200 per year. (Spencer Guest, IT Manager)
- c) Consideration and possible action to approve Resolution 2022-1197 conditionally accepting the Heritage Pointe Subdivision Phases One and Two street and public infrastructure improvements. (Frank Marbury, Public Works Director/Town Engineer)
- d) Consideration and possible action to approve the December 14, 2021, regular meeting minutes. (Erin N. Deskins, Town Clerk)

6) ACTION ITEMS

The Council may vote to recess the public meeting and hold an Executive Session on any item on this agenda pursuant to A.R.S. § 38-431.03(A)(3) for the purpose of discussion or consultation for legal advice with the Town Attorney. Executive sessions are not open to the public and no action may be taken in executive session.

- a) Consideration and possible action to accept the Comprehensive Annual Financial Report and the Annual Expenditure Limitation Report for the fiscal year ended June 30, 2021, as prepared by Henry & Horne, LLP, Certified Public Accountants. (Joe Duffy, Administrative Services Director)

Recommended Action: Accept the Comprehensive Annual Audited Financial Report and the Annual Expenditure Limitation Report for the fiscal year ended June 30, 2021, as prepared by Henry & Horne, LLP, Certified Public Accountants.

Brian Hemmerle, Henry & Horne, LLP presented the following:

- He was reporting on the June 30, 2021, Town audit.
- The audit rendered a clean or unmodified opinion on the financial statements.
- The auditors gave reasonable assurances, not absolute assurance. To be absolute, they would have to test every transaction within the Town. They tested transactions using analytical procedures and sampling. From those results, they rendered their opinion.
- There were no difficulties with management and staff made any necessary corrections when requested.
- The Town also received a clean opinion on their compliance with grants, contracts, laws, and regulations.
- The Town did not have a “Single Audit,” which was required when over \$750,000 of federal grant money was spent in one year. The Town would most likely hit that threshold in 2022.
- The voters had approved the \$24,000,000 limitation on expenditures, the Town was under it, having spent approximately \$17.9 million.

Council and Mr. Hemmerle discussed the following:

- The firm came to Town for one week in September to conduct the audit. Their staff was available at any time of the year to answer questions. They occasionally came during the summer months to do facility walk through's, which they had done remotely over the last summer.
- They did random tests in the past on department credit cards to ensure they were being used properly but rotated them with other tests. During the current audit, they conducted the Benford's Law analysis, which helped to ensure there was no fraudulent activity. They also pulled credit card statements during the year when testing expenditures, and made sure they were approved by the appropriate department head.

MOVED by Vice-Mayor Annie Perkins, seconded by Councilmember John McCafferty to accept the Comprehensive Annual Audited Financial Report and the Annual Expenditure Limitation Report for the fiscal year ended June 30, 2021, as prepared by Henry & Horne, LLP, Certified Public Accountants.

AYE: Mayor Jack Miller, Vice-Mayor Annie Perkins, Councilmember Tom Armstrong, Councilmember Eric Granillo, Councilmember Cloyce Kelly, Councilmember John McCafferty, Councilmember Lon Turner

7 - 0 PASSED - Unanimously

- b) Consideration and possible action to amend the Town of Chino Valley Unified Development Ordinance, Chapter 154, by moving Section 3.12 "SR-0.16" Single Family Residential and placing it in the newly created section 3.20 Out-of-Date Districts. (Will Dingee, Senior Planner)

Recommended Action: Approve to amend the Town of Chino Valley Unified Development Ordinance, Chapter 154, by moving Section 3.12 "SR-0.16" Single Family Residential and placing it in the newly created section 3.20 Out-of-Date Districts.

Development Services Director, Laurie Lineberry presented the following:

- Thanked the Council for updating the software because it made them more efficient, reduced errors, and helped them lineup with the County's information.
- The requested change was not due to an applicant but concerns she had heard during Council and Planning Commission meetings. People were concerned the zoning SR 0.16 was being used when the code said it should not be used.
- The purpose statement of the ordinance stated it should not be used.
- The zoning district needed to continue to exist for the developments areas that already had the zoning so the rules remained active, but there would not be any new areas under that zoning designation. Staff moved the zone from the active districts to a new section for out-of-date zoning districts. Other districts could be moved to the same location in the future if necessary. This allowed the zoning code to still exist.
- Staff was working on zoning districts for half and quarter acre lots, and staff would present it to the Planning Commission in February for a recommendation. Staff anticipated other new zones that were less than an acre for specific areas in Town.
- The General Plan goal was to determine the areas that were appropriate for higher and lower density, commercial areas, and mixed-use areas.
- The code amendment would move the SR-0.16 to an out-of-date location.

Council and staff discussed the following:

- It would take a Council vote to bring it out of the new section.
- It was not the intent to get rid of the 7000 square foot lots.
- There was concern that the updated General Plan would not be completed until March 2024, and current Council could be eliminating a tool that a new Council may not allow back in. It could be a critical tool in the future.
- There was a way to put the current zone on pause and still protect them for the future. The zone could stay where it was, but the purpose statement would frame that when the Council approved the General Plan that included the SR-0.16 zone, it could be utilized. The Town attorney explained that the purpose statement could just as easily be eliminated by a future Council. There were no guarantees that future Councils would share similar views on zoning.
- Under Arizona Law, a moratorium on the zone was not available to use. Changing the purpose statement would delay the process further but could be done.
- Members discussed the pros and cons of changing the purpose statement and moving the zone to a new section.

- Members discussed that all the decisions they made could be changed in the future, and their job was to vote on what was in front of them.
- There were 1376 vacant lots designated at the SR-0.16 and 759 lots already constructed under that zone. There were still 2437 potential lots that could be designated in that zone.
- The Planning Commission had approved the requested change 6-0.
- The new district would be named Obsolete Zone.

MOVED by Vice-Mayor Annie Perkins, seconded by Councilmember Tom Armstrong to approve Ordinance No. 2022-909 regarding the amendment to the Town of Chino Valley Unified Development Ordinance, Chapter 154, by moving Section 3.12 "SR-0.16" Single Family Residential and placing it in the newly created section 3.20 Obsolete Zone.

AYE: Mayor Jack Miller, Vice-Mayor Annie Perkins, Councilmember Tom Armstrong, Councilmember Eric Granillo, Councilmember Cloyce Kelly, Councilmember John McCafferty, Councilmember Lon Turner

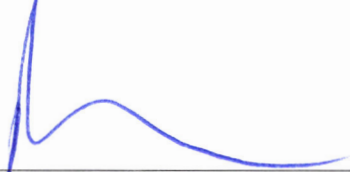
7 - 0 PASSED - Unanimously

7) ADJOURNMENT

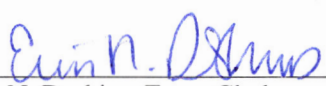
MOVED by Councilmember Lon Turner, seconded by Councilmember Cloyce Kelly to adjourn the meeting at 6:30 p.m.

AYE: Mayor Jack Miller, Vice-Mayor Annie Perkins, Councilmember Tom Armstrong, Councilmember Eric Granillo, Councilmember Cloyce Kelly, Councilmember John McCafferty, Councilmember Lon Turner

7 - 0 PASSED - Unanimously


 Jack W. Miller, Mayor

ATTEST:


 Erin N. Deskins, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Town Council of the Town of Chino Valley, Arizona held on the 11th day of January, ~~2021~~ 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 25th day of January, 2021.

Erin N. Deskins
Erin N. Deskins, Town Clerk