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

TUESDAY, JANUARY 24, 2012
6:00 P.M.

The Town Council of the Town of Chino Valley, Arizona met for a Regular Meeting in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Tuesday, January 24, 2012.

Mayor Marley called the meeting to order at 6:02 p.m.

Council Present: Mayor Chris Marley, Vice-Mayor Carl Tenney, and Councilmembers Mike Best, Darryl Croft, Dean Echols, Linda Hatch, and Lon Turner.

Staff Present: Town Attorney Tom Kack, Finance Director Vera Smith, Interim Police Chief Chuck Wynn, Town Engineer/Public Works Director Ron Grittman, Associate Planner David Nicolella, Recreation Manager Shannon Gansz, and Town Clerk Assistant Liz Hart (recorder).

Councilmember Croft gave the invocation and Mayor Marley led the pledge of allegiance.

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

2a) Presentation by Cliff Ayres, COO, and Juan Velasco, HSE Manager, with Drake Cement.

Juan Velasco, Environmental Manager with Drake Cement, told Council that this plant was the first such plant built in 50 years in the U.S., and was the most modern and greenest plant in the country. He then presented an overview of the company's limestone mining and cement manufacturing process, as well as plans for a biomass plant, solar power generation, and use of railroad facilities for a future industrial center.

3a) CALL TO THE PUBLIC

Ab Jackson, CEO, Chino Valley Area Chamber of Commerce, reported on: Drake Cement being selected as the Chamber Business of the Year, the retirement of Linda McFarland, Chamber Office Manager, and the upcoming Business and Educator Breakfast in January, Citizens Academy starting in February, and Health and Business Expo in March.

Ron Romley with Chino Valley Transit reported that recent problems with the Transit system's phone lines had been fixed and there was now a dedicated phone number to reach the dispatcher.

3b) RESPONSE TO THE PUBLIC

No one from the public spoke.

4) CURRENT EVENT SUMMARIES AND REPORTS

Councilmember Croft reported on the latest Central Yavapai Metropolitan Planning Organization meeting and noted that he had been selected as the organization's vice-chair for the current year and he would provide a list of upcoming projects to Council.

Vice-Mayor Tenney reported, as a member of the Groundwater Users Association with the Prescott Active Management Area, that the planning phase for the Fourth Management Plan was starting with meetings and presentations in the tri-city area over next 12-18 months.

Mayor Marley reported that Town Hall administrative offices of Town Manager, Finance, Human Resources, and Town Clerk were moving to the South Campus this Friday and would be open for business on Monday; and Councilmembers needed to file their 2011 Financial Disclosure Statements by January 31.

CONSENT AGENDA

Council set down items 8, 9, 10 and 11.

5) Consideration and possible action to approve May 5, 2011 Special Meeting minutes. (Jami Lewis, Town Clerk)

6) Consideration and possible action to accept resignation of William Barlow from the Parks and Recreation Advisory Board. (Jami Lewis, Town Clerk)

7) Consideration and possible action to adopt Resolution No. 12-981 as amended, to correct certain scrivener's errors. (Tom Kack, Town Attorney)

12) Consideration and possible action to approve the Professional Services Agreement between the Town of Chino Valley and Dava & Associates, Inc. for creation of the new Town of Chino Valley General Plan in an amount not to exceed $42,000 for FY 2011/12 and $82,000 for FY 2012/2013. The total project estimated amount of $124,000 is proposed to be funded over two fiscal years (FY), with $42,000 in FY 2011/2012, and $82,000 in FY 2012/2013. Funds to come from the Non-departmental General Plan expenditure line in the General Fund. For FY 2011/2012 a budget transfer will be required to facilitate this expenditure; consequently, staff recommends a transfer from Non-departmental Contingencies expenditure line. (David Nicolella, Associate Planner)

Vice-Mayor Tenney MOVED, seconded by Councilmember Hatch, to approve Consent Agenda items 5, 6, 7 and 12. The motion PASSED unanimously 7-0.

CONSENT AGENDA–SET DOWN

8) Consideration and possible action to approve Lease Agreement between the Town of Chino Valley and the Prescott Area Kennel Club (PAKC) beginning January 25, 2012 and ending January 24, 2022, for lease of a portion of Old Home Manor, located at 2100 Old Home Manor Drive. Revenues will be recorded in the General Fund. Expenditures will be recorded in the Non-departmental Outside Agency Funding line in the General Fund. (Cecilia Watts, General Services Director)

Ms. Watts reported that:

- PAKC had held their annual event at Old Home Manor for over ten years. They were requesting an additional 10-year extension for the premises. The only difference between the proposed lease agreement and previous agreement related to the Town providing to PAKC the use of the Town's water truck, water and driver for dust suppression, for the weekend of the AKC Confirmation Show at no cost to PAKC.
- Over the last 10 years the Town had provided these items to PAKC, most times free of charge, and PAKC was requesting that the language be included in the agreement so that it did not become a negotiated item each year.
- The event drew approximately 5,000-10,000 people, so the economic benefits derived from the event were presumed to offset the Town's costs. Also, the Town would receive $10,000 from PAKC for the extension of their lease for the 10-year period.

Several councilmembers expressed concern with the lease term of 10 years with an automatic 10-year renewal, as the Town was just starting its General Plan update process, and it may have another use for that property within 10 to 20 years. They preferred a five-year term, with no auto renewal.

Vice-Mayor Tenney MOVED, seconded by Councilmember Hatch, to direct staff to revise the agreement per discussion and bring it back to a future Council meeting. The motion PASSED unanimously 7-0.

9) Consideration and possible action to approve the Concessions Guidelines & Agreement template for the Community Center Concession Stand. (Shannon Gansz, Recreation Manager)

The staff report by Ms. Gansz stated that currently the Town did not have a formal concessions agreement for the use of the Community Center's concession stand. This item originally came to Council on September 9, 2010 for approval, and at that time, Council had asked for a written cost to be added as well as a provision for the Town Manager's approval of minor changes to the fee schedule or term limit. The proposed template included these changes.

Councilmember Hatch requested that a line be added to item 18 of the agreement template to require that facility users deliver a copy of their insurance certificate to the Town by a certain date.

Vice-Mayor Tenney MOVED, seconded by Councilmember Hatch, to approve the Concessions Guidelines & Agreement template as amended. The motion PASSED unanimously 7-0.

10) Consideration and possible action to authorize the Recreation Manager to issue a Request for Proposals (RFP) for concessions services at the Chino Valley Aquatics Center beginning May 25, 2012. Funds to come from Aquatics Center's advertising expenditure line in the General Fund. (Shannon Gansz, Recreation Manager)

The staff report by Ms. Gansz stated that she desired to request proposals from private and/or non-profit vendors to operate concessions during the 2012 aquatic season. Included in the agreement template were requirements for liability insurance and payment of 20% of gross sales

to offset utility costs. The Town made approximately $1,068 from 2010's concessions agreement.

Council expressed concern about the equipment listed in item 8 of the template, which implied that the Town would be obligated to repair anything broken by the users, equipment that the concessionaires might bring in, and electricity costs to the Town. Ms. Gansz stated that the listed equipment was already in the concessions stand and belonged to the Town, so the Town was obligated to keep it in good condition. In May 2010, when the prior template was approved, the percentage paid for electricity was 15%; staff raised it to 20% in this version. Staff will also review the daily receipts to assess the electricity usage.

Council requested that Ms. Gansz add a sentence to the template that any electrical appliance brought in for use by the concessionaire be approved by the Recreation Manager.

Vice-Mayor Tenney MOVED, seconded by Councilmember Hatch, to authorize the Recreation Manager to issue a Request For Proposals for concessions services at the Chino Valley Aquatic Center beginning May 25, 2012, with such request as amended. The motion PASSED unanimously 7-0.

11) Consideration and possible action to adopt Resolution No. 12-982, approving the Police Department's filing of an application for a shooting range development grant from the Arizona Game and Fish Commission; and authorize the department to accept and expend grant funds in an amount not to exceed $50,000, to continue development and construction of the shooting range. This is a matching grant, which will be matched with in kind labor, materials, and/or value of Town owned property on which the range is located. Activity relating to the Arizona Game and Fish Department Grant is recorded in the Grants Fund. (Chuck Wynn, Interim Police Chief)

The staff report by Interim Chief Wynn stated that the Police Department had applied for and received grant funding from the Arizona Game and Fish Department in both 2010 and 2011 for development of the department's shooting range. The subject grant would allow for continued development of this project. Grants were for a maximum of $50,000 and if approved, the amount would be determined by Game and Fish.

Councilmember Hatch was concerned about language in the Resolution that authorized Interim Chief Wynn to sign any agreements related to the project, including those that might normally require Council approval. Since the language could not be changed, she requested that it be stated in these minutes that Police staff would bring any type of legal document before Council prior to signing it.

Vice-Mayor Tenney MOVED, seconded by Councilmember Croft, to adopt Resolution No. 12-982, approving the Police Department's filing of an application for a shooting range development grant from the Arizona Game and Fish Commission, and authorize the department to accept and expend grant funds in an amount in an amount not to exceed $50,000. The motion PASSED unanimously 7-0.

ACTION ITEMS

13) Discussion and possible action regarding the process for establishing a General Plan Committee to facilitate the creation of a new General Plan for the Town of Chino Valley, and possible appointment of General Plan Committee members. (David Nicolella, Associate Planner)

The staff report by Mr. Nicolella stated that on January 10, 2012, Dava Hoffman with Dava & Associates suggested a process by which Council could appoint up to 15 members for the General Plan Committee. The Council referred the item to a study session on January 19 for further discussion and requested that Ms. Hoffman provide additional options for selecting the committee members.

Mayor Marley added that at the study session, Council agreed that each councilmember would submit to staff the names of two individuals for the committee prior to this meeting.

Ms. Hoffman related that Monday afternoons appeared to be the most flexible day for the committee to meet. She hoped to hold the first meeting on February 6, followed by two meetings per month for the first few months to get the process going.

Council discussed having alternates who could attend the meetings and be prepared to step onto the committee should one of the committee members leave or need time off; and what to do if one or more of the committee candidates was not available on Mondays.

Public comment:

Ab Jackson, committee candidate, stated that Monday evenings from February 6 through March would not be available for anyone involved with the Citizens Academy.

Council asked Ms. Hoffman to work with the candidates on the meeting days and times, and inform Council of the meeting schedule and any committee member who must drop out or take an extended leave, so that they could so they could forward their alternates' names.

Vice-Mayor Tenney MOVED, seconded by Councilmember Croft, to establish a General Plan Committee to facilitate the creation of a new General Plan for the Town by appointing the following individuals: Michael Edmonds, Stephen Whisenhunt, Dan McGuire, Nancy Best, Ab Jackson, Frank Perkins, Karen Rockhold, Tom Payne, Ron Romley, Cheri Romley, Edward Steinback, Marty Klein, Norm Freeman, and John Morgan. The motion PASSED unanimously 7-0.

14) Consideration and possible action to adopt Resolution No. 12-980 establishing the Town of Chino Valley policy for installation of culverts for driveways within the Town corporate limits. (Ron Grittman, Public Works Director/Town Engineer)

Acronym used in this item:
ROW (right-of-way)

Mr. Grittman reported that:

- Over the past decade, the Public Works Department followed an unwritten policy regarding culvert installations under residence driveways, which allowed access to those properties over the roadside ditches.
- The policy was that residents paid for their own culverts, and in exchange, Public Works crews picked up the pipe from the local vendor and installed it at no cost to the property owner. While the Town maintained the bar ditches to either side of the driveway, it was up to the residents to keep the culvert open and free of obstructions.
- In the past, several residents had determined that it was easier to install a new culvert rather than attempt to clean out the old one. In these cases as well, Public Works crews picked up the pipes and installed them.
- Over the past few months, staff had worked in the Vista Grande area to re-establish roadside ditches. Through these endeavors, staff informed a couple property owners that their culverts were filled with debris and silt and need to be replaced. Staff recommended that they purchase a larger diameter culvert to prevent restricting the flow of water.
- These two citizens asked to see this policy in writing. As the policy was never formally adopted by Council, the proposed Resolution was an effort to memorialize it and give Council the opportunity to change it.

Public comment:

Tommy Daniels, Vista Grande resident, told council that:

- He and a neighbor first contacted the Town in October 2011 about maintenance for a drainage ditch and driveway culvert, which had filled with silt. Town staff attempted to dig out the ditch and unclog his culvert, and told him he would need to install a larger, 15-inch culvert. He then asked to see the Town's policy that required the homeowner to be responsible for culvert maintenance.
- He believed his culvert clog was caused by lack of maintenance in the bar ditches and felt that the Town should be responsible for drainage improvements, since: (i) such issues occurred in the Town's right-of-way; (ii) the Vista Grande CC&Rs said that the developers took full responsibility for the roads and cited nothing about the homeowner being responsible; (iii) the Public Works-Roads web page stated that the Roads Division addressed culvert drainage maintenance; (iv) he could not legally work in the ROW to fix the clog; and (v) there was nothing in writing stating that property owners were responsible for culvert maintenance.
- He supported this policy and completing it quickly.

Joe Iaccarino, Vista Grande resident, related that:

- He was told by Town staff that they would remove his culvert if he did not install a new one. He had asked for a record of maintenance on the bar ditch, and since no one could show him that the Town was maintaining it, he had maintained it himself.
- After his first call to the Town, staff placed some AB on his driveway. That didn't help and he felt that it was a safety hazard wherein the Town could be liable.
- The plat for Vista Grande Estates, which was accepted in 1974, stated that the Town accepted "maintenance of roadways, weed control, etc."

- The proposed Resolution stated that the homeowner would be responsible to work with a utility for any conflicts, but as a utility employee, he knew that no franchise department would work with a homeowner in public ROW, and staff might need to change that language.

Council asked about this policy requiring property owners to pay for their first or any culvert, how this policy would relate to a failed culvert, using the Town's vactor truck to clear culverts, and the costs to install a culvert. Mr. Grittman stated that:

- This policy required property owners to pay for any culvert that needed to be installed, and the Town would pick it up and install it.
- Bar ditches were not designed to contain regional storm water, and culverts failed when they restricted the water's flow from being too small or lack of maintenance, not from lack of ditch maintenance.
- The vactor truck was capable of clearing the culverts, but there were thousands of them and the Town did not have sufficient manpower to clear them all.
- The cost for a 12-inch culvert for a standard driveway of 24 feet was about $200-$300, and a 15-inch culvert was about $300-$400.

Council comments:

- The Town's policy had worked fairly well over the years, with a balanced cooperative effort between Public Works and the citizens. Some of the councilmembers had installed culverts themselves per this policy and had no problems with it.
- Council acknowledged that flooding was a tremendous problem throughout the Town and until recently, the Town did not have a storm water plan. Now, officials were working to address flooding issues and hoped citizens would be patient, as it would take some time. Due to many miles of ditch and a lack of finances and sufficient maintenance staff, the Town would have to be creative with how to resolve the issues.
- Mr. Daniels and other property owners believed that his culvert's failure was due to the Town's lack of maintenance, and there were two alleged instances of the Town not following this policy consistently, in which the Town had required a property owner to install a culvert on Town-owned land and another in which the Town paid for a culvert and its installation on private property. There was a question as to why the Town was expecting Mr. Daniels to pay for a replacement caused by Town's failure to maintain, whereas the Town paid to put in two other such culverts.
- Although the Town was responsible for drainage upkeep, it was not necessarily clear what such upkeep involved, and whether or not it involved digging out or replacing culverts. Culvert maintenance appeared to be a gray area and would be a problem no matter what the Town did.
- The Vista Grande roads were accepted by the Town 40-plus years ago, when things were a lot different. The Town Attorney might need to research the records for Vista Grande and other subdivisions in the Town to determine if these records, such as a development agreement or plat, conflicted with this policy's provisions as to whose responsibility it was to maintain ditches and culverts.
- Several recommended that Council refer this item to the Flood Control Committee to research the issues and report how this policy would affect different areas of town.

Mayor Marley advised that staff had not yet received enough applications to form the Flood Control Committee yet.

Mr. Grittman stated that:

- He was unaware of any instances in which the Town paid for culverts for private property or a citizen paid for work on Town property.
- There was no engineering that went into sizing culverts. The proposed policy called for a minimum of 12 inches, but staff had recommended that Mr. Daniels use a 15 inch culvert to minimize the water velocity. If he only installed a 12-inch pipe, he would have a problem again in the future
- Researching the subdivision records would require a directive from Council and would impact the budget. Every plat contained the same language that the Town was responsible for drainage, but not for the culverts that went through it.

Vice-Mayor Tenney MOVED, seconded by Councilmember Hatch, to refer Resolution No. 12-980 to the Flood Control Committee and bring back a revised resolution within 90 days, and also have the attorney look at Vista Grande documents. The motion PASSED unanimously 7-0.

15) Consideration and possible action to approve the Chino Valley Aquatic Center 2012 (regular season and extended) operating schedule and authorize staff to implement the operating schedule and begin advertising, recruitment, and training of aquatic staff for the 2012 pool season. Revenues are recorded in the General Fund. Expenditures are recorded in the Aquatic Center's Budget in the General Fund. A subsidy from the 1% Sales Tax Revenues is recorded for the difference between expenditures and revenues. (Shannon Gansz, Recreation Manager)

Acronym used in this item:
RFP (Request For Proposal)

Ms. Gansz reported that:

- She was starting this process earlier than last year to allow staff to: (i) begin the recruitment process, as certain staff members needed to be hired in March; (ii) provide a schedule to those bidding on the concession stand RFP; and (iii) provide early advertisement to accommodate the public's needs.
- The proposed 2012 pool schedule would begin on May 25 and run seven days per week for ten weeks, through August 5, with a lighter six-day per week schedule from August 6 through September 3. The Aquatic Center would also be open two weeks prior to the scheduled opening date to allow local school students to swim.
- She was currently seeking sponsors, with four to date, with all sponsorships going to offset program costs. She was also working with the general services director to find ways to reduce staffing costs for this year.
- She was also making a lot of organizational changes to improve services, and she and the utilities supervisor were working together to improve the facility.

Council asked about renting out the facility and associated fees, the public's response to the extended season, and the possibility of mothballing the pool during the winter months to reduce maintenance costs. Ms. Gansz and Mr. Grittman stated that:

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- The policy was that residents paid for their own culverts, and in exchange, Public Works crews picked up the pipe from the local vendor and installed it at no cost to the property owner. While the Town maintained the bar ditches to either side of the driveway, it was up to the residents to keep the culvert open and free of obstructions.
- In the past, several residents had determined that it was easier to install a new culvert rather than attempt to clean out the old one. In these cases as well, Public Works crews picked up the pipes and installed them.
- Over the past few months, staff had worked in the Vista Grande area to re-establish roadside ditches. Through these endeavors, staff informed a couple property owners that their culverts were filled with debris and silt and need to be replaced. Staff recommended that they purchase a larger diameter culvert to prevent restricting the flow of water.
- These two citizens asked to see this policy in writing. As the policy was never formally adopted by Council, the proposed Resolution was an effort to memorialize it and give Council the opportunity to change it.

Public comment:

Tommy Daniels, Vista Grande resident, told council that:

- He and a neighbor first contacted the Town in October 2011 about maintenance for a drainage ditch and driveway culvert, which had filled with silt. Town staff attempted to dig out the ditch and unclog his culvert, and told him he would need to install a larger, 15-inch culvert. He then asked to see the Town's policy that required the homeowner to be responsible for culvert maintenance.
- He believed his culvert clog was caused by lack of maintenance in the bar ditches and felt that the Town should be responsible for drainage improvements, since: (i) such issues occurred in the Town's right-of-way; (ii) the Vista Grande CC&Rs said that the developers took full responsibility for the roads and cited nothing about the homeowner being responsible; (iii) the Public Works-Roads web page stated that the Roads Division addressed culvert drainage maintenance; (iv) he could not legally work in the ROW to fix the clog; and (v) there was nothing in writing stating that property owners were responsible for culvert maintenance.
- He supported this policy and completing it quickly.

Joe Iaccarino, Vista Grande resident, related that:

- He was told by Town staff that they would remove his culvert if he did not install a new one. He had asked for a record of maintenance on the bar ditch, and since no one could show him that the Town was maintaining it, he had maintained it himself.
- After his first call to the Town, staff placed some AB on his driveway. That didn't help and he felt that it was a safety hazard wherein the Town could be liable.
- The plat for Vista Grande Estates, which was accepted in 1974, stated that the Town accepted "maintenance of roadways, weed control, etc."

- The proposed Resolution stated that the homeowner would be responsible to work with a utility for any conflicts, but as a utility employee, he knew that no franchise department would work with a homeowner in public ROW, and staff might need to change that language.

Council asked about this policy requiring property owners to pay for their first or any culvert, how this policy would relate to a failed culvert, using the Town's vactor truck to clear culverts, and the costs to install a culvert. Mr. Grittman stated that:

- This policy required property owners to pay for any culvert that needed to be installed, and the Town would pick it up and install it.
- Bar ditches were not designed to contain regional storm water, and culverts failed when they restricted the water's flow from being too small or lack of maintenance, not from lack of ditch maintenance.
- The vactor truck was capable of clearing the culverts, but there were thousands of them and the Town did not have sufficient manpower to clear them all.
- The cost for a 12-inch culvert for a standard driveway of 24 feet was about $200-$300, and a 15-inch culvert was about $300-$400.

Council comments:

- The Town's policy had worked fairly well over the years, with a balanced cooperative effort between Public Works and the citizens. Some of the councilmembers had installed culverts themselves per this policy and had no problems with it.
- Council acknowledged that flooding was a tremendous problem throughout the Town and until recently, the Town did not have a storm water plan. Now, officials were working to address flooding issues and hoped citizens would be patient, as it would take some time. Due to many miles of ditch and a lack of finances and sufficient maintenance staff, the Town would have to be creative with how to resolve the issues.
- Mr. Daniels and other property owners believed that his culvert's failure was due to the Town's lack of maintenance, and there were two alleged instances of the Town not following this policy consistently, in which the Town had required a property owner to install a culvert on Town-owned land and another in which the Town paid for a culvert and its installation on private property. There was a question as to why the Town was expecting Mr. Daniels to pay for a replacement caused by Town's failure to maintain, whereas the Town paid to put in two other such culverts.
- Although the Town was responsible for drainage upkeep, it was not necessarily clear what such upkeep involved, and whether or not it involved digging out or replacing culverts. Culvert maintenance appeared to be a gray area and would be a problem no matter what the Town did.
- The Vista Grande roads were accepted by the Town 40-plus years ago, when things were a lot different. The Town Attorney might need to research the records for Vista Grande and other subdivisions in the Town to determine if these records, such as a development agreement or plat, conflicted with this policy's provisions as to whose responsibility it was to maintain ditches and culverts.
- Several recommended that Council refer this item to the Flood Control Committee to research the issues and report how this policy would affect different areas of town.

Mayor Marley advised that staff had not yet received enough applications to form the Flood Control Committee yet.

Mr. Grittman stated that:

- He was unaware of any instances in which the Town paid for culverts for private property or a citizen paid for work on Town property.
- There was no engineering that went into sizing culverts. The proposed policy called for a minimum of 12 inches, but staff had recommended that Mr. Daniels use a 15 inch culvert to minimize the water velocity. If he only installed a 12-inch pipe, he would have a problem again in the future
- Researching the subdivision records would require a directive from Council and would impact the budget. Every plat contained the same language that the Town was responsible for drainage, but not for the culverts that went through it.

Vice-Mayor Tenney MOVED, seconded by Councilmember Hatch, to refer Resolution No. 12-980 to the Flood Control Committee and bring back a revised resolution within 90 days, and also have the attorney look at Vista Grande documents. The motion PASSED unanimously 7-0.

15) Consideration and possible action to approve the Chino Valley Aquatic Center 2012 (regular season and extended) operating schedule and authorize staff to implement the operating schedule and begin advertising, recruitment, and training of aquatic staff for the 2012 pool season. Revenues are recorded in the General Fund. Expenditures are recorded in the Aquatic Center's Budget in the General Fund. A subsidy from the 1% Sales Tax Revenues is recorded for the difference between expenditures and revenues. (Shannon Gansz, Recreation Manager)

Acronym used in this item:
RFP (Request For Proposal)

Ms. Gansz reported that:

- She was starting this process earlier than last year to allow staff to: (i) begin the recruitment process, as certain staff members needed to be hired in March; (ii) provide a schedule to those bidding on the concession stand RFP; and (iii) provide early advertisement to accommodate the public's needs.
- The proposed 2012 pool schedule would begin on May 25 and run seven days per week for ten weeks, through August 5, with a lighter six-day per week schedule from August 6 through September 3. The Aquatic Center would also be open two weeks prior to the scheduled opening date to allow local school students to swim.
- She was currently seeking sponsors, with four to date, with all sponsorships going to offset program costs. She was also working with the general services director to find ways to reduce staffing costs for this year.
- She was also making a lot of organizational changes to improve services, and she and the utilities supervisor were working together to improve the facility.

Council asked about renting out the facility and associated fees, the public's response to the extended season, and the possibility of mothballing the pool during the winter months to reduce maintenance costs. Ms. Gansz and Mr. Grittman stated that:

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 24th day of January, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 28th day of February, 2012.

Jami C. Lewis, Town Clerk

- The Town did rent out the pool and building for private events. However, they stopped renting out the conference room alone due to the liability that the door from that room to the pool had no lock. The fees for that were the same as last year and the only change to the fees related to season passes for the extended season.
- Last year's extended season was well-accepted and well-used by the community.
- This year, they had new pool covers to use, which would reduce costs. In addition, staff intended to discuss ways to shut the pool down during winter with the vendor that would be selected for the pool repairs bid. Staff also intended to retrofit the entire Aquatic Center building so it could be completely shut down through the winter and Parks Maintenance staff would be reassigned to Utilities and Roads Divisions.

Vice-Mayor Tenney MOVED, seconded by Councilmember Hatch, to approve the extended schedule for the Chino Valley Aquatic Center, authorize staff to implement the schedule, and approve the fee schedule. The motion PASSED unanimously 7-0.

16) Consideration and possible action to authorize the Chino Valley Police Department to enter into an Intergovernmental Agreement for Mobile Data Computer ("MDC") System Access with the Yavapai County Sheriff's Department, for the procurement and installation of mobile data computer systems in 12 vehicles, including first-year costs for startup, administration, maintenance and support of the MDC systems, as well as administration, maintenance, and support costs through June 30, 2014. For the FY 2012/2013 budget, $5,310 will be funded from the Police Department's Maintenance – Machinery and Equipment expenditure line in the General Fund. Funding for the remaining expenditures specified will come from the RICO revenues received in the Grants Fund. (Chuck Wynn, Interim Police Chief)

Acronyms used in this item:
IGA (Intergovernmental Agreement)
MDC (Mobile Data Computer)
PANT (Partners Against Narcotics Trafficking)
RICO (Racketeer Influenced and Corrupt Organizations)

Interim Chief Wynn introduced Yavapai County Sheriff Scott Masher, who reported that he supported the Town's efforts with the MDC System, as it had been beneficial to the Sheriff's Office in multiple ways, and it tied together the department's current computerized functions. It also allowed the County to make everything they had available to the Town, such as the crime mapping system and reverse 9-1-1 system.

Interim Chief Wynn reported that:
- Beginning July 1, 2011, the Yavapai County Sheriff's Office took over dispatching services for the Town. Yavapai County deputies currently utilized mobile data computers in their patrol vehicles to enhance their communication abilities and improve officer safety. The next logical step in the integration of communications systems between the agencies was to install mobile data terminals into Chino Valley patrol vehicles.
- The MDC System would allow officers in the field to: (i) communicate with each other or the dispatchers without having to use the radios, which were sometimes unusable due

to heavy traffic or no reception; (ii) enter their reports in the field, rather than having to return to the office to do so; (iii) communicate sensitive information, which could not be given over the radio; (iv) do more with less without compromising public safety; (v) be more pro-active by running their own inquiries; and (vi) provide greater visibility by being able to stay in the field.

- Due to their experience in procurement, as well as the ability to obtain the necessary hardware and software at volume pricing, the Sheriff's Office would procure and install the system. Upon reimbursement to Yavapai County, title to the equipment and software and licenses will transfer to the Town. Also, staff proposed contracting with the County's MIS staff for the equipment's installation and support, as they already had expertise with it.
- Due to the initial startup cost of the project, staff sought out alternative funding for the project. Funding for the purchases, installation, and administrative and technical support through fiscal year 2013 was coming from RICO and PANT funds. RICO funds came from drug seizures and were restricted to expenditures outside the regular budget. When staff learned last year that the Town would receive $123,858 in RICO funds, they put it aside for this project. Then staff requested funding for the other half from PANT, which was granted.

Council asked if the town attorney had reviewed the IGA and how much training was required for the officers. Town Attorney Tom Kack stated that the IGA had been reviewed. Interim Chief Wynn stated that training would require just a few hours and would be done in house or by County staff.

Vice-Mayor Tenney MOVED, seconded by Councilmember Hatch, to authorize the Police Department to enter into an IGA with YCSO for procurement and installation of mobile data computer systems in 12 vehicles with funds to come from RICO revenues received in the grants fund. The motion PASSED unanimously 7-0.

17) Consideration and possible action to approve contract with Interim Public Management for Town Manager services for a period beginning February 1, 2012 and up to 6 months in duration. Funds to come from Town Manager's Professional Services expenditure line in the General Fund. A budget transfer will be required within the Town Manager's budget from salary/benefits to professional services. (Cecilia Watts, General Services Director; Tom Kack, Town Attorney)

Town Attorney Tom Kack reported that:

- Town Manager Michael Scannell had tendered his resignation on December 13, 2011, effective February 4, 2012.
- As the Council's time was being taken up with budget workshops and the new General Plan update process, they had previously decided to utilize Interim Public Management, Inc. (IPM) for Interim Town Manager services for a period up to six months, beginning February 1, 2012.
- The town attorneys negotiated some revisions to the professional services agreement provided by IPM, resulting in the proposed final agreement. The agreement provided for hiring a consultant for six months, 30 day notice to terminate, and termination in six or less months to incur a fee of up to 20.8% of the contracted amount. The best way to deal

with that was if Council found someone it wanted to hire, it should have them start after the six months.

Vice-Mayor Tenney added that the agreement was not with an individual but with a firm providing the individual. The rate of pay under the agreement would be $13,000 per month, which included benefits, up to six months in duration, and was not to exceed $80,000.

Vice-Mayor Tenney MOVED, seconded by Councilmember Hatch, to approve contract with IPM beginning February 1, 2012 for a period up to six months in duration for an amount not to exceed $80,000. The motion PASSED unanimously 7-0.

Mayor Marley announced that the individual's name was Robert Smith and the Town would put out a press release tomorrow.

EXECUTIVE SESSION

18a) Council may vote to hold an Executive Session pursuant to A.R.S. § 38-431.03(A)(3) and (A)(4) to obtain legal advice and consider its position and instruct its attorneys regarding issues on water transportation/pipeline taxes due to the Town from the City of Prescott and negotiations to settle issues regarding the same. (Tom Kack, Town Attorney)

Vice-Mayor Tenney MOVED, seconded by Councilmember Hatch, to go into executive session. The motion PASSED unanimously 7-0 at 8:31 p.m. Mayor Marley reconvened the meeting into open session at 9:06 p.m.

18b) Possible action regarding issues on water transportation/pipeline taxes due to the Town from the City of Prescott and negotiations to settle issues regarding the same.

Council took no action on item 18b.

19) ADJOURNMENT

The meeting adjourned at 9:10 p.m.

Chris Marley, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

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