

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

**TUESDAY, JANUARY 27, 2015
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 27, 2015.

Present: Mayor Chris Marley; Vice-Mayor Darryl Croft; Councilmember Mike Best; Councilmember Linda Hatch; Councilmember Pat McKee; Councilmember Lon Turner; Councilmember Don Wojcik

Staff Present: Town Manager Robert Smith; Assistant Town Manager Cecilia Grittmann; Town Attorney Phyllis Smiley; Finance Director Joe Duffy; Police Chief Chuck Wynn; Police Lieutenant Vince Schaan; Police Officer Tim Hyslip; Police Officer Mike Pereda; Police Officer Jeff Pizzi; Police Officer Dominic Gillo; Town Engineer/Public Works Director Ron Grittmann; Deputy Town Clerk Liz Hart; Town Clerk Jami Lewis (recorder)

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

Mayor Marley called the meeting to order at 6:00 p.m.

Mayor Marley gave the invocation and led the Pledge of Allegiance.

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

- a)** Presentation regarding Prescott Area Leadership by Kathy Eiskamp. (Cecilia Grittmann, Assistant Town Manager)

Kathy Eiskamp, Immediate Past President, and Dave Klever, current President, spoke about Prescott Area Leadership's 25th anniversary and its course work.

- b)** Consideration and possible action to review a presentation of the Parks and Recreation Advisory Board by Members of the Board.

Eric Smith, Parks and Recreation Advisory Board (PRAB) Member, presented the board's short term project priority list and the criteria for determining those priorities.

- Timeframe: 18 to 24 months.
- Projects:
 - Skatepark construction;
 - Peavine Trail upgrades;
 - Community Center Playground upgrade, dog park, new sand volleyball complex, Phase III completion, pavilion, ballfield lighting, and stage shade structure;
 - Aquatics facility safety and rental upgrades;
 - Multi-purpose building use;

- Memory Park playground, restroom upgrade, and pedestrian improvements to Library;
 - Recreation programming and special events;
 - Park volunteer program; and
 - Center Street Park benches and tables.
- While PRAB was not asking the Town for money, as they intended to seek it themselves, they did desire Council's endorsement and guidance in pursuing fundraisers and grants.

Council asked staff and PRAB to:

- research the cost of maintaining field lighting and electricity;
- include donations for Phase III amphitheater in plan; and
- research use of APS solar panels to help reduce costs.

3) **CALL TO THE PUBLIC**

Call to the Public is an opportunity for the public to address the Council concerning a subject 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.

James Nagle, resident, spoke about the burden on many Chino Meadows residents from sewer connection costs and monthly fees.

4) **RESPONSE TO THE PUBLIC**

Response to the Public is an opportunity for the Mayor to inform the public about how Town officials addressed matters raised during Call to the Public at a previous meeting.

- a) Town regulations supporting agri-business.

Mayor Marley reported that Town officials began addressing this issue during a study session on January 22.

5) **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, or ask a staff member to provide the same. Presentation on information requested by the Mayor and Council will be made and questions answered. No action will be taken.

Police Chief Wynn commended Officers Mike Pereda, Jeff Pizzi, and Dominic Gillo for ensuring the safety of residents during a house fire. He also recognized Civilian Officer Marrilee Easton for planning an exemplary National Night Out event in August 2014, which resulted in the department receiving the Rookie of the Year Award from the national association.

- a) Status report by Town Manager Robert Smith regarding Town accomplishments, and current or upcoming projects.

Mr. Smith had nothing to report.

6) **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 Darryl Croft, seconded by Councilmember Mike Best to accept the January 13, 2015 meeting minutes.

Vote: 7 - 0 PASSED

- a) Consideration and possible action to accept the January 13, 2015 regular meeting minutes. (Jami Lewis, Town Clerk)

7) **ACTION ITEMS**

- a) *Continued from January 13, 2015:* Consideration and possible action to adopt Resolution No. 15-1053 in support of Arizona SONShine 2015, a free health services event in the Quad-cities area to be held June 17-18, 2015. (Cecilia Gritman, Assistant Town Manager)

Recommended Action: Adopt Resolution No. 15-1053 in support of Arizona SONShine 2015 event.

Ms. Gritman reported that:

- The Town was approached by the Arizona Conference Corporation of Seventh-Day Adventists, the sponsoring organization, to help support Arizona SONShine, a free health services event being held in Prescott Valley, benefitting quad-cities citizens.
- While the Town's role will not be significant, it could assist with arranging transportation or advertising, and it had been specifically asked to provide security coverage for one day.
- Council had asked for the Town to support this event and the subject resolution formalized said assistance. On January 13, 2015, Council asked staff and the sponsoring organization to look into naming the Town as additional-insured.
- As a result, the sponsoring organization named Chino Valley, as well as all other government participating agencies, as additional-insured on their liability policy for the event. The Certificate of Insurance endorsement will be produced and on file with the Town in the May 2015 timeframe, before the event occurred.

Mr. Smith added that the Town was in control of what it would or would not provide and staff will stay within the limits of its authority.

County Supervisor Craig Brown reported that the event sponsors had provided indemnity for all entities involved, and they mainly wanted verbal support from the local jurisdictions.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Lon Turner to adopt Resolution No. 15-1053 in support of Arizona SONShine 2015 event.

Vote: 7 - 0 PASSED

- b) Consideration and possible action to accept the Comprehensive Annual Financial Report and the Annual Expenditure Limitation Report for the fiscal year ended June 30, 2014, as prepared by Hinton Burdick, CPAs & Advisors. (Joe Duffy, Finance Director)

Recommended Action: Accept the Comprehensive Annual Audited Financial Report and the Annual Expenditure Limitation Report for the fiscal year ended June 30, 2014, as prepared by Hinton Burdick, CPAs & Advisors.

Mr. Duffy reported that Hinton Burdick was retained by the Town to complete the audit for the fiscal year ended June 30, 2014. The Finance Committee reviewed the completed audit and final reports on January 20, 2015.

Robyn Sibley with Hinton Burdick, presented the audit results and the Town's current financial position. Key points were:

- *Audit reports:* The Town received a clean opinion, with no financial control or compliance findings, and they cleared a prior year finding.
- *Government wide highlights:* Net assets of governmental activities increased; net assets of business-type activities decreased; governmental capital assets increased; and total net position decreased slightly from 2013.
- *Significant governmental capital asset additions:* Bronze horse statues; Road 3 North stormwater project; Road 4 South project; Road 4 South right-of-way; law enforcement range; and Library expansion.
- *Significant business-type capital asset additions:* Sewer vac truck upgrade.
- *General Fund:* Actual resources received were more than the final budget and actual expenditures were less. Expenditures increased 9% over the prior fiscal year.
- *Utility Funds:* Both enterprise funds experienced operating losses for several consecutive years; cash flows from operations were positive for the sewer fund and negative for the water fund; and both funds had overall decreases in net assets. The auditors encouraged Town management to continue to explore ways to improve the financial condition of these funds.
- *Major fund balances:* The General Fund and Capital Improvement Fund were slightly up from the prior year, while the Roads Impact Fee Fund, Water Fund, and Sewer Fund reported decreases.
- *GASB 68:* A new governmental accounting standard for FY 2015 related to pension plans now required the Town to record its own liability and expense for employees.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to accept the Comprehensive Annual Audited Financial Report and the Annual Expenditure Limitation Report for the fiscal year ended June 30, 2014, as prepared by Hinton Burdick, CPAs & Advisors.

Vote: 7 - 0 PASSED

- c) Discussion regarding state law requirements for removing a Council-appointed Commissioner, Committee or Board Member. (Mayor Marley)

Mayor Marley reported that this topic was raised during the January 13 agenda item pertaining to Planning and Zoning Commissioner appointments, but as it was not concluded, he asked the town attorney to speak about state law requirements for removing a Council-appointed commissioner, committee or board member.

Town Attorney Smiley reported that:

- State statute gave municipalities the authority to create, by local ordinance, a Planning and Zoning Commission, and determine its organization, number of members, terms of office, and method of appointment and removal.
- While there was no law that required a hearing to remove a commissioner, the Town's Unified Development Ordinance did require an executive session before removal.

Councilmember Hatch explained that per statute and the Town's requirement, a person who was the subject of an executive session was entitled to receive notice and had the right to ask for the discussion to be held in the public meeting. Some confusion stemmed from her asking about a person's right for a "hearing" rather than the right to request a public discussion.

8) EXECUTIVE SESSION

Council may vote to recess the Regular Meeting and hold an executive session, which will not be open to the public, for the following purposes.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Lon Turner to go into executive session for item b, assuming that item a was completed, at 7:10 p.m.

Vote: 7 - 0 PASSED

- a) An executive session pursuant to A.R.S. § 38-431.03(A)(3) for discussion or consultation for legal advice with the Town Attorney regarding state law requirements for removing a Council-appointed Commissioner, Committee or Board Member. (Councilmembers Hatch, McKee, Wojcik)
- b) An executive session pursuant to A.R.S. § 38-431.03(A)(3) for discussion or consultation for legal advice with the Town Attorney regarding legal issues and potential liabilities raised by the Town's use of social media. (Councilmembers Hatch, McKee, and Wojcik)

9) ACTION ITEMS RESUMED

After the Executive Session, Council will reconvene the Regular Meeting.

Mayor Marley reconvened the regular meeting at 8:08 p.m.

- a) Consideration and possible action with regard to the Town's use of social media. (Councilmembers Hatch, McKee, and Wojcik)

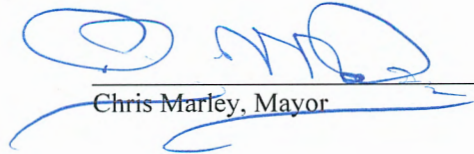
MOVED by Councilmember Linda Hatch, seconded by Councilmember Pat McKee to ask staff to continue considering this issue and make a presentation to Council in a study session in March.

Vote: 7 - 0 PASSED

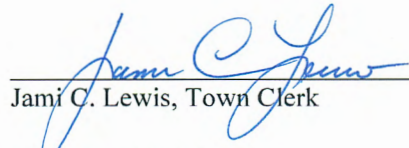
10) **ADJOURNMENT**

MOVED by Councilmember Lon Turner, seconded by Councilmember Mike Best to adjourn the meeting at 8:09 p.m.

Vote: 7 - 0 PASSED


Chris Marley, Mayor

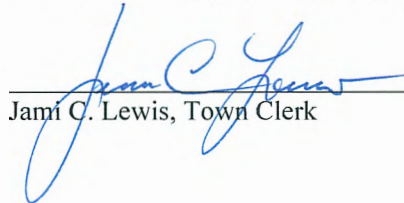
ATTEST:


Jami C. Lewis, 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 27th day of January, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 24th day of February, 2015.


Jami C. Lewis, Town Clerk