

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

**TUESDAY, MARCH 9, 2021
6:00 P.M.**

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

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

Staff Town Manager Cindy Blackmore; Town Attorney Andrew McGuire (remotely); Finance Director
Present: Joe Duffy; Human Resources Director Laura Kyriakakis; Public Works Director/Town Engineer
Frank Marbury; Development Services Director Joshua Cook; Assistant Planner Will Dingee;
Community Services Director Scott Bruner; IT Manager Spencer Guest (videographer);
Administrative Technician Lawrence Diggs (videographer); Officer David Herrera (Sgt at Arms);
Lieutenant Josh McIntire; Lieutenant Randy Chapman; Town Clerk Erin Deskins (recorder)

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

- a)** Introduction and presentation of Town of Chino Valley new hires. (Laura Kyriakakis, Human Resources Director)

Laura Kyriakakis presented the following:

- There had been seven new hires since September 2020.
- A review of the new hires was provided, and included hires for the Police, Public Works, Community Services, Town Manager, Development Services departments.

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. Individuals who wish to speak, please state your first and last name and if you reside in Chino Valley Town Limits.

- Donna Armstrong – The AARP taxes had begun at the library. She was there on Tuesday's and Thursday's to help provide free tax services. People's tax information was taken to Prescott Mall and in most cases, taxes would be completed within 48-hours.
- Ryan Roberts – He was a local surveyor, and he had had trouble with every project that he tried to get passed through the Town. It was the only Town he had that problem with. He had been accused of a lot of things that were borderline slanderous. He had a client that created an easement that did not include lot splits or subdivisions and the Town notified her that she could not use the easement because it was an ingress/egress easement, and it needed to be a cross-access easement. He had asked for the definition of the cross-access easement and had waited four weeks and had not gotten a response. The Town then said they had not told the person it needed to be changed, it was not illegal and there was nothing wrong with it. It was mixed answers that did not make sense.

He had another project where the winery wanted to do a split, and the Town would not let them widen an easement from 20 to 25 feet because it would require a subdivision because it created a street. But it would have allowed them to widen a street at both the west and north side. The street could have been widened on a land survey but not the easement, and it did not make sense. The Town also wanted notes that were contract items between the Town and citizen, to be put on the map. No one would sign that because it was his map and had no legal bounds whatsoever. He did not want to do that, and it took two weeks for the Town to do as he suggested, which was to just write a contract between them and the person, and then they accepted the plat that they said they would not accept two weeks prior.

Every project was a knife fight. On the latest project, he had gotten the red lines a month ago, and then he got another set of red lines the previous day and then more fixes that day only about an hour prior to the meeting. He didn't know what to do because there was no way to finish a project if there were multiple rounds of reviews. They wanted the easement to be labeled a private street but a public easement. It could not be both. The new UDO changes were creating mini subdivisions that staff wanted HOA's on, which would have to go through the Department of Real Estate, and it would take forever to set up. Copies for the Council were available for the redlines, the last plat and the survey of the lot split the way it was previously.

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.

- Council Member Armstrong thanked the Chino Valley Police Department for letting him use the simulator. It was fun, and he would love to use it again.

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

Town Manager Blackmore recognized four employee anniversaries.

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 Corey Mendoza, seconded by Councilmember Annie Perkins to approve Consent Agenda Items 5(a) through 5(f) as written.

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

7 - 0 PASSED - Unanimously

- a) Consideration and possible action to authorize the Police Department to apply for a Governor's Office of Highway Safety (GOHS) grant. (Chuck Wynn, Police Chief)
- b) Consideration and possible action to approve the dedication of right-of-way on parcels 306-20-030G & 306-20-029C located approximately 700 feet West of the intersection on State Route 89 and West Road 2 North. (Will Dingee, Planner)
- c) Consideration and possible action to approve the O'Brien Acres minor subdivision final plat, parcel number 306-18-014D, to subdivide approximately five acres into one two-acre lot and one three-acre lot developed over a single phase. (Will Dingee, Planner)
- d) Consideration and possible action to approve the two-year extension of the protected development rights for AZ Organics to continue the development of their site for the cultivation of medical marijuana. (Will Dingee, Planner)
- e) Consideration and possible action to approve the February 9, 2021, regular meeting minutes. (Erin N. Deskins, Town Clerk)
- f) Consideration and possible action to approve the February 16, 2021, study session 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, discussion, and possible action regarding the upcoming 2021 aquatics center season with attendance restrictions. (Cyndi Thomas, Assistant Community Services Director)

Recommended Action: Direct Staff per Council discussion.

Scott Bruner presented the following:

- Staff was going to ask permission to just open the aquatic center with three options, but since Friday, the Governor's mandate had changed that. Now the decision was with the Council's direction as to which option they wanted to proceed with now that the Governor had lifted the mandate.
- If the Council opened the pool, they would be using the same protocols from the previous year, which included the CDC guidelines. They would continue with temperature checks, chairs six feet apart, touch points sanitized every 30 minutes, six-foot distancing in lobby and patrons would enter through the pool area locker rooms, so that staff could keep track of all the people. There would be hand sanitizing stations and mask recommendations for non-swimmers and masks would be provided.
- The three options to choose from were:
 - Option A was what the Town had chosen the previous year and was bare minimum for opening.
 - Option B was moderate opening.
 - Option C was a full opening like a normal season that included lap swims, open swims, swim lessons, family swims, and family night themes.
- Aquatic staff included 19 lifeguards, three managers and a cashier.
- Staff was recommending Option C.

Councilmembers and staff discussed the following:

- The same safety protocols would be implemented in all opening options, including Option C.
- The snacks would be provided through vending machines instead of a concession stand.

MOVED by Vice-Mayor Corey Mendoza, seconded by Councilmember Cloyce Kelly to choose option C as well as the reopening protocols as per staff's recommendation.

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

7 - 0 PASSED - Unanimously

- b) Consideration and possible action to approve the proposed text amendment to the Town of Chino Valley Unified Development Ordinance, Chapter 154, by amending Section 2.1 Meanings of Words and Terms and Section 4.9 Outdoor Storage, by adding the proposed definition and regulations for Metal Storage Containers. (Will Dingee, Planner)

Recommended Action: Approve the proposed text amendment to the Town of Chino Valley Unified Development Ordinance, Chapter 154, by amending Section 2.1 Meanings of Words and Terms and Section 4.9 Outdoor Storage, by adding the proposed definition and regulations for Metal Storage Containers.

Joshua Cook presented the following:

- In the past, conex boxes were allowed, but the current UDO had no provision to allow them except through a Conditional Use Permit (CUP).
- In the past, they were allowed through policy letters. The policy letters did not provide the authority to do that, which was why the text amendments were being presented.
- Staff had met with the UDO subcommittee since February 2020 and through February 2021. A study session was held to go over the language in depth.
- The major topics discussed at the study session that were changed in the draft language included:
 - The percentage of lot coverage allowed per property. Residential 1%, Commercial and Industrial 3%, and Commercial along SR81 1.5%.
 - Setbacks would be based on permanent structures instead of accessory structures.
 - The allowance for electrical service was deleted and clarified that any electrical services would need to be engineered.
 - Clarified that site plan review would be required for any non-residential property.
 - A sunset clause was added at two years from the date of adoption to revisit the issue to see if it was working or there needed to be modifications.
- Staff recommended Council approval of the text amendments.

Councilmembers and staff discussed the following:

- The current conex boxes on properties would not be affected and would be grandfathered in. This would cover all new conex boxes on properties. Staff did not have a number on how many units that would be grandfathered.

A member had not had time to review the changes and still had questions. If others still had questions, the item should be tabled. Other members were afraid they would be over regulating the issue.

MOVED by Vice-Mayor Corey Mendoza, seconded by Councilmember Cloyce Kelly to table the item indefinitely.

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

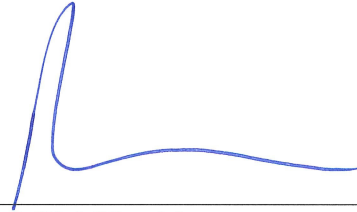
7 - 0 PASSED - Unanimously

7) **ADJOURNMENT**

MOVED by Councilmember Lon Turner, seconded by Councilmember Cloyce Kelly to adjourn the meeting at 6:21 p.m.

AYE: Mayor Jack Miller, Vice-Mayor Corey Mendoza, Councilmember Tom Armstrong, Councilmember Eric Granillo, Councilmember Cloyce Kelly, Councilmember Annie Perkins, 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 9th day of March, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 23 day of March, 2021.



Erin N. Deskins, Town Clerk