

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

**TUESDAY, MARCH 13, 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, March 13, 2012.

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

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

Council Absent: Councilmember Mike Best.

Staff Present: Interim Town Manager Robert Smith, General Services Director Cecilia Watts, Town Attorney Tom Kack, Police Commander Mark Garcia, Town Engineer/Public Works Director Ron Grittman, Recreation Manager Shannon Gansz, Town Clerk Assistant Liz Hart, and Town Clerk Jami Lewis (recorder).

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

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

3a) CALL TO THE PUBLIC

Willie Lass with the Arizona Rangers spoke about a presentation about the organization, sponsored by the Chino Valley Historical Society, to be given on March 24.

Claudette Johnson, resident, requested that Council review the process by which it adopted Ordinance No. 11-747, alleging that the former Development Services Director made material misrepresentations.

Gayle Allen, resident, expressed concern over the Sun Edison solar project, stating that: she never saw any postings about the project; she observed 20 trucks today going by her yard; a sign on the subject property stated that it was the future home of a solar power plant, which was an industrial use; and the neighborhood was already having problems selling homes.

Craig Brown, Williamson Valley resident, spoke against uses of green power, such as the proposed Chino Grande hydroelectric plant and the APS solar farm, which only benefitted property owners and not the public.

3b) RESPONSE TO THE PUBLIC

There were no matters to report.

4) CURRENT EVENT SUMMARIES AND REPORTS

Councilmember Hatch reported that the Magistrate Evaluation Committee had received a good response on the Magistrate evaluations, and there would be a General Plan public workshop at the Senior Center on April 2.

Councilmember Croft reported on the Chamber of Commerce Health and Business Expo to be held March 17.

Mayor Marley reported that: the Town was accepting applications for a position on the Parks and Recreation Advisory Board; the Governor's Office of Energy Policy was hosting a ribbon cutting on the Town's solar project at the wastewater treatment plant on March 23; Council's March 27 meeting will not be aired live due to the Kiwanas Auction; and the Town had received a \$100 refund from its annual dues to the Greater Arizona Mayors Association. He then read a letter of appreciation from recently retired Police Chief Patricia Huntsman and gave the monthly Mayor's Report, which pertained to a newspaper article about culvert maintenance issues, which resulted in citizens from a church, water well drilling company, and gas company volunteering their assistance.

Interim Town Manager Robert Smith reported that on March 15 he would present a status report on Town operations that he hoped would be helpful.

CONSENT AGENDA

- 5) Consideration and possible action to ratify rental of a Caterpillar 966 front loader and a Caterpillar 325 excavator from Empire Machinery for construction of the 50 meter pistol and 100 meter rifle shooting range at Old Home Manor in an amount not to exceed \$20,334.00. Funds to come from the Arizona Game and Fish Department Grant expenditure line in the Grants Fund. (Ron Gritman, Town Engineer)

Craig Brown, President, Williamson Valley Community Organization and Prescott Sportsmen's Club member, spoke in support of a professional class shooting range.

Vice-Mayor Tenney MOVED, seconded by Councilmember Hatch, to accept Consent Agenda item 5. The motion PASSED unanimously 7-0.

ACTION ITEMS

- 6) Consideration and possible action regarding a request by the Transit Advisory Committee to pursue sponsorships, grants, and paid advertising on the bus to reach its goal of becoming self-supporting. (Ron Romley, Transit Advisory Committee Chair)

Ron Romley, Chair, Transit Advisory Committee, reported that:

- The committee desired to pursue sponsorships, grants, and inside and outside advertising on the bus to make up for the loss of LTAF (Local Transportation Assistance Fund) funding.
- The system had enough funds to last to mid-2013 and needed \$16,000-\$18,000 per year.

- The committee intended to draft a policy and guidelines for Council's approval. They had received three inquiries about advertising and intended primarily to seek Chino Valley businesses.

Council commended the committee for their goal of becoming self sustaining and suggested that if they had advertisers before their policy was written, they could bring the advertisers' names to Council for approval.

Vice-Mayor Tenney MOVED, seconded by Councilmember Croft, to approve a request by the Transit Advisory Committee to pursue sponsorships, grants, and paid advertising on transit buses to reach the goal of becoming self-supporting. The motion PASSED unanimously 7-0.

- 7) Consideration and possible action to direct staff to dispose of three buildings and the rodeo arena bleachers at Old Home Manor, as well as the skate park appurtenances at the Community Center pending future reconstruction. These items will be entered into the Town's on-line auction; the Town's cost is an amount equal to 7% of the winning bid. (Ron Gritman, Town Engineer)

Town Engineer Ron Gritman clarified that when on-line auction items were sold, the auction either deducted 7% from the Town's share or the Town could ask that a 7% premium be paid above the bid cost; either option was budget neutral. He then reported that:

- Staff had asked the Town's insurance provider to inspect certain structures—a set of bleachers and announcer's booth located on the west side of the rodeo arena, located at Old Home Manor—and the Community Center Skate Park. The insurance provider found that said structures were in a significant state of disrepair, posed a significant insurance risk, and recommended that the Town dispose of the structures at Old Home Manor and the skate park appurtenances.
- In May 1999, the Town asked members of the Sharlot Hall Museum and Chino Valley Historical Society to review the significance of the old buildings. In short, they concluded that a community must decide where monies should be spent to preserve items of historical significance. Since this review, no effort had been made to restore these buildings.
- Staff recommended that the buildings and bleachers be placed on the Town's on-line auction site to allow the public to bid on them for their removal. There was not enough of the announcer's booth to auction off, and per Council's direction, staff would have Town crews remove it. If there were no bidders, staff would return to Council for alternative action.
- As Council had expressed a desire to reconstruct the skate park in a more appropriate fashion, and as Parks and Recreation staff was reviewing grant opportunities, staff recommended closing the facility for a few days to while removing the existing appurtenances and then reopening it while staff explored alternative skateboarding facilities. Staff will display signage for the public to explain this process.
- Staff intended to place the three buildings and bleachers on separate auction pages for one to two weeks. Typically, buyers had a certain amount of days to make payment and 90 days to remove the material.

Mayor Marley requested that staff keep the auction up for two weeks.

Vice-Mayor Tenney MOVED, seconded by Councilmember Echols, to direct staff to dispose of the three buildings and the rodeo arena bleachers at Old Home Manor by placing these features on a public bidding site, and further direct staff to remove and dispose of the existing skate park appurtenances pending future reconstruction. The motion PASSED unanimously 7-0.

- 8) Consideration and possible action to adopt Resolution No. 12-987, supporting in principle SB 1402 AND SB 1403 with regard to the Digital Arizona legislation. (Chris Marley, Mayor / Carl Tenney, Vice-Mayor)

Acronym used in this item:

ADOT (Arizona Department of Transportation)

Interim Town Manager Robert Smith reported that:

- According to extensive mapping of broadband availability over the past two years, it had been determined that many of Arizona's rural residents and businesses did not have sufficient availability of broadband services. The lack of broadband services was mostly due to the high cost of transporting information from rural communities to Phoenix or Tucson where the information linked to the Internet.
- The Arizona Broadband Development Council was suggesting that the state legislature expand ADOT'S mission to include transmission of information, so that when ADOT was constructing state highway improvements, it could put empty conduit in the right-of-way and make it available to private providers on a cost-recovery basis to serve outlying areas.
- This legislation would provide incentive for coverage to occur in the areas between communities. If the bills passed, Chino Valley might benefit during the upcoming State Route 89 widening project.
- These bills would not require changes in ADOT's operation, procedures, or rules; no ADOT highway funds would be used for non-highway uses, and all non-state owned rights-of-way were exempted from the legislation.

Vice-Mayor Tenney believed this was important, as it would promote economic development.

Vice-Mayor Tenney MOVED, seconded by Councilmember Hatch, to adopt Resolution No. 12-987, in support of SB 1402 AND SB 1403 with regard to the Digital Arizona legislation. The motion PASSED unanimously 7-0.

- 9) Consideration and possible action to approve the AgendaQuick Software as a Service (SAAS) Agreement with Destiny Software, Inc. for the amount of \$3,750 for purchase of an agenda management solution, as well as set-up, installation, and training, and \$5,000 for the annual subscription fee, for a total of \$8,750; subject to final approval of the agreement by the Town Attorney. Funds to come from Town Clerk budget, with purchase to come from small tools/equipment/ furniture line and subscription fee to come from professional services line. (Jami Lewis, Town Clerk)

Town Clerk Jami Lewis reported that:

- Staff was continually looking for ways to use technology to reduce the labor hours it took to provide services. One service that demanded a lot of staff time was preparing meetings, agendas, meeting packets, and minutes for the Town's public bodies.
- Software solutions had existed to automate this process for about 10-15 years. Originally, all these solutions were sold as a software package installed on inhouse equipment; however, due to technology advancements and the addition of web-based, software-as-a-service (SAAS) solutions, the start-up costs had come down. \$9,000 was allotted in the current budget to purchase an agenda management solution, with \$4,000 for start-up and \$5,000 for an annual subscription.
- Staff participated in demonstrations and obtained written quotes from 10 vendors, and proposed to contract with Destiny Software for the AgendaQuick SAAS solution. After four years, if the Town remained on the SAAS model, the annual subscription fee will be re-evaluated based upon the Town's bandwidth usage of the product. Also, at any time after one year, staff may transfer to an in-house model, which will provide for a lower annual fee from \$5,000 per year to \$3,800 after year six.
- The Town Attorney was recommending some minor modifications to the subject Agreement.

Interim Town Manager Robert Smith added that staff put in a lot of research evaluating the various products and looking ahead to the Town's long-term needs. He was impressed by Destiny's customer service and support, and he did not see anything negative with the product or contract package.

Vice-Mayor Tenney MOVED, seconded by Councilmember Hatch, to approve the AgendaQuick Software as a Service (SAAS) Agreement with Destiny Software, Inc. for the total amount of \$8,750, subject to final approval of the agreement by the Town Attorney. The motion PASSED unanimously 7-0.

- 10) Consideration and possible action to approve the February 14, 2012 Regular Meeting minutes. (Absent: Councilmember Turner) (Jami Lewis, Town Clerk)

Vice-Mayor Tenney MOVED, seconded by Councilmember Croft, to approve the February 14, 2012 Regular Meeting minutes. The motion PASSED unanimously 7-0.

EXECUTIVE SESSION

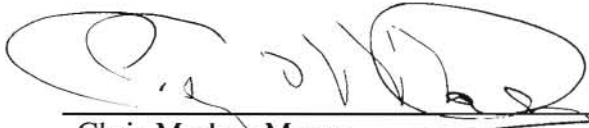
- 11) Council may vote to hold an Executive Session pursuant to A.R.S. § 38-431.03(A)(3) and (A)(4) for discussion or consultation for legal advice with its attorneys and/or to consider its position and instruct its attorneys regarding the Council's position regarding a proposed agreement for the terms of settlement of Kevin Moran's administrative appeal of a formal grievance, filed pursuant to the Town of Chino Valley Personnel Manual Policy 805. (Sharon Sargent-Flack, Town Attorney)
- 12) Council may vote to hold an Executive Session pursuant to A.R.S. § 38-431.03(A)(3) for discussion or consultation for legal advice with its attorneys regarding Chino Valley

Town Council Rules of Procedure (Section 30.067 of the Town Code), including but not limited to Sections 5 and 6 thereof.

Vice-Mayor Tenney MOVED, seconded by Councilmember Hatch, to go into Executive Session for items 11 and 12. The motion PASSED unanimously 7-0 at 7:06 p.m. Mayor Marley reconvened the meeting into open session at 8:13 p.m.

13) ADJOURNMENT

Vice-Mayor Tenney MOVED, seconded by Councilmember Croft, to adjourn the meeting. The motion PASSED unanimously at 8:13 p.m.


Chris Marley, Mayor

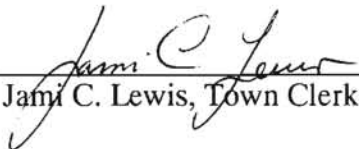
ATTEST:


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 13th day of March, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 10th day of April, 2012.


Jami C. Lewis, Town Clerk