

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

TUESDAY, APRIL 10, 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, April 10, 2012.

Mayor Marley called the meeting to order at 6:01 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: Interim Town Manager Robert Smith, General Services Director Cecilia Watts, Town Attorney Sharon Sargent-Flack, Interim Police Chief Chuck Wynn, Police Commander Mark Garcia, Police Sergeant Mat Gronek, Police Officer Steve Jones, Town Engineer/Public Works Director Ron Grittmann, Associate Planner David Nicolella, Utilities Supervisor Chris Bartels, Utilities Tech Joe Grassi, and Town Clerk Jami Lewis (recorder).

Vice-Mayor Tenney gave the invocation and Mayor Marley led the pledge of allegiance.

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

- 2a)** Proclamation declaring 2012 as the inaugural season of the Arizona Outlaws American Professional Indoor Football Team.

Item 2a was removed from the agenda at the sponsor's request.

- 2b)** Presentation of Life-Saving Award to Police Officer Steve Jones. (Chuck Wynn, Interim Police Chief)

Interim Chief Wynn and Fire Chief John Ginn recognized Officer Jones for saving the life of a heart attack victim by performing CPR until Fire District personnel arrived. Interim Chief Wynn then presented Officer Jones with a lifesaving pin and certificate.

3a) CALL TO THE PUBLIC

Ab Jackson, CEO, Chino Valley Area Chamber of Commerce, spoke about upcoming Chamber activities and the March Business of the Month, the Windmill House.

Ronald Maines, resident, spoke about complaints and public records requests he had filed regarding possible violations of the Windmill House's Conditional Use Permit (CUP). He asked Council to review the CUP for possible amendments and make sure his remaining complaints were properly addressed.

Joe Iaccarino, resident, asked about and the criteria that Council used to select members for its ad hoc committees. He also stated that he did not receive some information that he had requested with regard to the Flood Control Committee. Mayor Marley stated that he would contact Mr. Iaccarino personally, then respond in public at the next meeting.

Jim Klein, resident, spoke about Windmill Farms hosting SpringFest as being a violation of its Conditional Use Permit.

3b) RESPONSE TO THE PUBLIC

Mayor Marley reported on two responses:

- March 13 comments by Claudette Johnson with regard to the Sun Edison/APS solar project – He reviewed the matter and found that the project was appropriately posted and noticed, legal channels were followed, and the timeline for an appeal had passed.
- March 27 comments by Gail Allen regarding inconsistencies among three land use matters – He believed that the past and present mayor and council had attempted to provide transparency and consistency, and hopefully these would improve with time.

4) CURRENT EVENT SUMMARIES AND REPORTS

Town Engineer Ron Gritman reported that on April 4, the Governor's Office of Energy Policy awarded a \$55,000 grant to the Town for the purchase of additional solar panels for its solar field at Old Home Manor.

Associate Planner David Nicoletta presented a status report on the General Plan update:

- The newest member of the General Plan Committee was Vanessa Hurt, a CVHS student, representing the youth.
- The Committee held its first public workshop on April 2. The public who attended the meeting provided input about community assets and filled out a questionnaire, which the Committee members will review during their next meeting on April 23.
- There was additional information about the Committee on the Town's web homepage.

Police Commander Garcia presented the proposed design, by Newell Roundie of Classic Recreation Systems, for the Town's 9-11 monument. He also reported that the Police Department was celebrating its 30th anniversary with an open house on April 28.

Mayor Marley reported on the initial Mayor's Ad Hoc Flood Control Committee meeting on April 4, whose first project was to review and make recommendation regarding a culvert installation policy. He also noted that he would be out of Town from April 25 through May 11, and per Town Code, an item seeking Council's consent would be on the next agenda.

- 4a)** Status Report by Town Clerk Jami Lewis regarding the AgendaQuick agenda management system implementation. (Jami Lewis, Town Clerk)

Ms. Lewis reported on the status of AgendaQuick, including training schedules, changes in the look of agenda meeting templates, additional modules, and the anticipated "go live" timeframe for Council meeting agendas.

CONSENT AGENDA

- 5) Consideration and possible action to approve the March 13, 2012 Regular Meeting minutes. (Jami Lewis, Town Clerk)
- 6) Consideration and possible action to appoint James Flood to the Transit Advisory Committee, with term ending September 30, 2012. (Jami Lewis, Town Clerk)
- 7) Consideration and possible action to approve change order number 1 to the contract with Shasta Industries, Inc. in an amount not to exceed \$3,050 for additional tile replacement for repair of the Town of Chino Valley pool at the Aquatics Facility. Funds to come from Aquatic Center's Pool maintenance expenditure line in the General Fund. A budget transfer will be necessary to reflect the additional subsidy from the 1% Sales Tax Revenues and allow for this expenditure. (Ron Gritman, Town Engineer)

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

ACTION ITEMS

- 8) Consideration and possible action to approve Professional Services Agreement with Mr. Bernie J. Wiegandt, CPA, for an amount not to exceed \$15,000, for Interim Finance Director services through June 30, 2012, subject to final approval of the agreement by the Town Attorney. Funds to come from Finance Department professional services line, as well as attrition from the Finance Director position salary line. (Cecilia Watts, General Services Director)

Ms. Watts reported that:

- As Finance Director Vera Smith had resigned her position the end of March, and as the two current Finance staff members—one of which who had been with the Town only five weeks—were unable to perform many of the Director's functions, staff determined that the best way to accomplish her duties would be to divide them between the budget and day-to-day finance functions.
- For the budget process, staff had already contracted with Gayle Whittle and Pat Walker through the end of July, both of whom had a relationship with the Town through certain studies. Since their fees were less than \$10,000, this did not need Council approval. For the finance side, staff proposed to contract with Mr. Wiegandt to provide these services on an interim basis until the position was filled, which could take three to four months.
- Mr. Wiegandt came highly recommended from Tom Belshe of the League of Cities and Towns, as well as from Mark Reader with Stone and Youngberg. He was also recently the Interim Finance Director in Dewey-Humboldt.
- Staff proposed to engage him through June 30, 2012 for two full days a week at \$1,250 per week and an hourly fee of \$65 per hour should services be necessary beyond the two days.

Council asked if staff contacted other consultants who might charge less. Ms. Watts stated that of those contacted, one's fees were twice as much, one did not have good references, and the others were not available to start for several weeks.

Vice-Mayor Tenney MOVED, seconded by Councilmember Croft, to approve Professional Services Agreement with Mr. Bernie Wiegandt, CPA, for an amount up to \$15,000, for Interim Finance Director services through June 30, 2012, subject to final approval of the agreement by the Town Attorney. The motion PASSED unanimously 7-0.

- 9) Consideration and discussion regarding the Town's animal control ordinance and possible action to refer review of said ordinance to the Council Public Safety Committee. (Chris Marley, Mayor)

Mayor Marley reported that he had received a letter from a citizen asking Council to review the Town's current animal control ordinance, specifically with regard to the number of dogs allowed on residential, and particularly smaller, properties. He was recommending that Council refer the matter to its Public Safety Committee.

Councilmember Best, Chair of the Public Safety Committee, reported that he spoke with the Interim Police Chief, who informed him that revisions to this ordinance were drafted a few years ago, but never adopted, and he would re-review it.

Debbie Pomeroy, resident, expressed concern about limiting dogs and volunteered to serve on the committee, as she was an AKC legislative liaison and had a lot to offer.

Donna Armstrong, resident, stated that if the Town were to limit the number of dogs, many dog breeders and handlers would have no reason to remain in the Town. She also volunteered to serve on the committee, as she had experience with dog breeding and training.

Joe Iaccarino, resident, asked Council to allow citizens on their committees, as the public did not want hand-picked committees.

Council clarified that while some of the Town's committees consisted wholly of citizens selected at large through an appointment process, the mayor's ad hoc committees permitted the mayor the autonomy to select the members and the Council committees, including the Public Safety Committee, consisted Councilmembers only. Although Council could not add citizens to its own committees, their meetings were always noticed and the public was encouraged to attend.

Councilmember Hatch requested that the Public Safety Committee hold their meetings at a time convenient to the public, as the public seemed to be very interested in attending and participating.

Vice-Mayor Tenney MOVED, seconded by Councilmember Croft, to refer review of the Town's animal control ordinance to the Council Public Safety Committee. The motion PASSED

EXECUTIVE SESSION

- 10a)** 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 to consider its position and to instruct its attorneys regarding negotiations with and the status of the proposed contract to allow Greenstone Resource Partners, Inc., or a subsidiary thereof, the exclusive right to engage in studies and negotiations regarding water importation pending a potential agreement for the same. (Bill Staudenmaier, Town Water Attorney)

Vice-Mayor Tenney MOVED, seconded by Councilmember Hatch, to go into executive session for items 10a and 11a. The motion PASSED unanimously 7-0 at 7:08 p.m. Mayor Marley reconvened the meeting into open session at 8:03 p.m.

- 10b)** Possible action regarding entry into a contract with Greenstone Resource Partners, Inc., or a subsidiary thereof, regarding water importation activities.

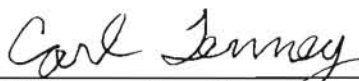
Council took no action on item 10b.

- 11a)** Council may vote to hold an executive session pursuant to A.R.S. § 38-431.03(A)(1) to discuss the employment, assignment, appointment, promotion, demotion, dismissal, salary, discipline, and/or resignation of the Interim Town Manager, including the process for evaluating performance to date, and possible recruitment process for the permanent position ("employment issues"). (Chris Marley, Mayor)

- 11b)** Action regarding employment issues as directed by the Council.

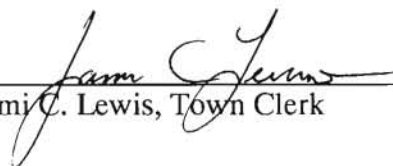
Council took no action on item 11b.

12) ADJOURNMENT



Carl Tenney, Vice-Mayor

ATTEST:

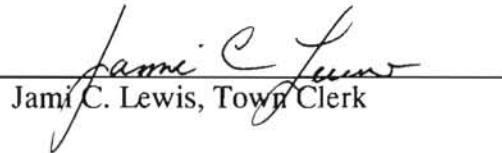


Jami C. Lewis, Town Clerk

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 10th day of April, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 8th day of May, 2012.



Jami C. Lewis, Town Clerk