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

TUESDAY, MAY 9, 2017
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, May 9, 2017.

Present:	Mayor Darryl Croft; Vice-Mayor Mike Best; Councilmember Annie Lane; Councilmember Corey Mendoza; Councilmember Jack Miller; Councilmember Lon Turner
Staff Present:	Town Manager Cecilia Grittman; Town Attorney Phyllis Smiley; Finance Director Joe Duffy; Human Resources Director Laura Kyriakakis; Police Chief Chuck Wynn; Associate Planner Alex Lerma; Library Director Scott Bruner; Matt Santos (videographer); Town Clerk Jami Lewis (recorder)

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

The Pledge of Allegiance will be led by Elizabeth Vicory as a way to meet a citizen participation requirement for completing her Frontier Girl Liberty Award.

Mayor Croft called the meeting to order at 6:01 p.m. and Miss Vicory led the Pledge of Allegiance.

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

a) Presentation regarding Head Start programs and services, by Family Advocacy representatives Nancy Meek and Veronica Jarquin.

No presentation was given.

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.

Ed Twitmire spoke of a petition from residents on Aztec Drive requesting that the Town improve the road due to problems with dust affecting residents on oxygen.

Mary Connor, Administrative Assistant for Yavapai County Supervisor Brown, spoke about the June 15-16 Arizona SonshineFest that will provide free medical, dental, and vision services to county residents.

Beth Vicory, resident, spoke about the lack of signage on the north side of the Town Hall facility.

John Kuzicki, resident, spoke about the Old Home Manor Industrial Park project and private property right interests of neighboring properties; and asked about land currently for sale or lease and deed restrictions on the property.

Michael Gary Snell spoke about an issue with the Town's Magistrate. Mayor Croft informed him that speaking about Town employees or contractors was prohibited.

Mark Vucich, resident, asked about the Road 2 North traffic study, damage to the road from future construction, and how the road will be restriped.

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.

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.

a) Status reports by Mayor and Council regarding current events.

Vice-Mayor Best recognized mothers in honor of Mother's Day.

Councilmember Turner, Chair of the Council Utility Subcommittee, reported that the sewer treatment plant filtering renovation was now complete and running efficiently.

Mayor Croft reported on the upcoming Citizen's Academy's wrap-up session and the process for selecting a magistrate and councilmember.

b) Status report by Interim Town Manager Cecilia Grittman and/or Town staff members regarding Town accomplishments, and current or upcoming projects.

Ms. Grittman reported on:

- the Senior Center receiving a NACOG grant;
- an issue with the Town's water system;
- several new employees; and
- the Budget Study Session tomorrow.

Interim Public Works Director/Town Engineer Straub spoke about a failing pump in the Town's main well, the process for keeping the water system running until a new pump could be installed, and the Town's contingency plan for a worst-case scenario.

Town Clerk Lewis introduced the Town's new Deputy Town Clerk, Michelle Greenstreet.

Police Chief Wynn introduced new officers Tiffany Farmer, Jay Murray, and Sophia Newton.

c) Report on recently corrected scrivener's error pursuant to Town Code § 10.20 Authority to Correct Scrivener's Errors. (Jami Lewis, Town Clerk)

Mrs. Lewis' staff report indicated that a correction was made to the legal description attached to Resolution No. 16-1091, related to acquisition of real property for right-of-way and easement purposes.

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 Mike Best, seconded by Councilmember Lon Turner to accept consent agenda items 6a thru f.

Vote: 6 - 0 PASSED - Unanimously

a) Consideration and possible action to approve Resolution No. 17-1101 authorizing acquisition of drainage, slope, and temporary construction easements from Curt Wells, and Jay and Jeri Willmore, and located on Yavapai County Assessor's Parcels No. 306-03-002M, 306-03-002N, 306-03-002K, 306-03-002Q, 306-03-002O, 306-03-002R, 306-03-002S, needed for the Old Home Manor Right-of-Way Improvements Project. (Phyllis Smiley, Town Attorney)

b) Consideration and possible action to approve the Intergovernmental Agreement (IGA) between the Town of Chino Valley and the City of Phoenix to provide Chino Valley access to Phoenix's transaction privilege tax data analysis program for data supplied by the Arizona Department of Revenue regarding Chino Valley taxpayers. (Joe Duffy, Finance Director)

c) Consideration and possible action to adopt Resolution No. 17-1100, amending Resolution No. 08-862, Section 2 Purpose of the Parks and Recreation Advisory Board, related to including assistance to Town Staff and event planning and fundraising activities. (Jami Lewis, Town Clerk)

d) Consideration and possible action to accept the April 18, 2017 special meeting minutes.

e) Consideration and possible action to accept the April 18, 2017 joint study session minutes.

f) Consideration and possible action to accept the April 25, 2017 regular meeting minutes.

7) 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 and possible action to approve Ordinance 17-831, rezoning approximately 2 acres of real property generally located 400 feet West of Road 1 East (Yavapai County APN 306-14-001N) from AR-5 (Agricultural/Residential, 5 acre minimum) to CL (Commercial Light) subject to a condition requiring right-of-way dedication of 25 feet for East Road 3 1/2 North adjacent to the property. (Applicant/Owner: Mike O'Connor-Masse) (Ruth Mayday, Development Services Director)

Recommended Action: Approve Ordinance 17-831, rezoning approximately 2 acres of real property generally located 400 feet West of Road 1 East (Yavapai County APN 306-14-001N) from AR-5 (Agricultural/Residential, 5 acre minimum) to CL (Commercial Light) subject to a condition requiring right-of-way dedication of 25 feet for East Road 3 1/2 North adjacent to the property.

Associate Planner Lerma presented on this item:

- *Purpose:* To keep the subject property and two other contiguous properties to the east and north owned by the same person consistent with each other.
- *Conformance:* The requested zoning was consistent with the surrounding area and with the General Plan designation of commercial/multi-family residential.
- *Citizen review process:* One resident inquired about the reason for the rezone and plans for development, which the applicant answered satisfactorily.
- *Planning and Zoning Commission public hearing, April 4, 2017:* The Commission recommended approval with a 25-foot dedication of right-of-way. If the applicant desired to include this property in his existing Protected Development Rights Plan on his other properties, the Plan would have to be amended and approved by Council.

MOVED by Vice-Mayor Mike Best, seconded by Councilmember Lon Turner to approve Ordinance 17-831, rezoning approximately 2 acres of real property generally located 400 feet west of Road 1 East (Yavapai County APN 306-14-001N) from AR-5 (Agricultural/Residential, 5 acre minimum) to Commercial Light with the right-of-way designated for 25 feet.

Vote: 6 - 0 PASSED - Unanimously

b) Consideration and possible action to approve agreement for professional consulting services with EPS Group for Phase I Master Planning services at Old Home Manor Industrial Park in the amount of $24,300.00. (Ruth Mayday, Development Services Director)

Recommended Action: Approve agreement for professional consulting services between the Town of Chino Valley and EPS Group for Phase I Master Planning services at Old Home Manor Industrial Park in the amount of $24,300.00.

Town Manager Grittman presented on this item:

- Development Services Director Mayday had originally presented this item to the Council Economic Development Subcommittee.
- Phase 1 timeline would be from June 1, 2017 to January 1, 2018.
- The project approach included preparing, reviewing, and presenting conceptual plans, with participation from staff, Council, the Chino Valley Equestrian Association, other stakeholders, and the public.
- The project scope included developing a Planned Area Development overlay; CC&Rs, development assistance, and possible associated master plans.

Councilmember Mendoza reported that the Economic Development subcommittee reviewed this thoroughly, and stakeholder and public participation would be key.

Town Attorney Smiley advised that since the Council was only considering Phase 1 at this time, all pages in the agreement pertaining to subsequent phases should be stricken.

MOVED by Vice-Mayor Mike Best, seconded by Councilmember Jack Miller to approve agreement for professional consulting services between the Town of Chino Valley and EPS Group for Phase I Master Planning services at Old Home Manor Industrial Park in the amount of $24,300.00.

Vote: 6 - 0 PASSED - Unanimously

c) Presentation and possible discussion of the Preliminary Budget for the Fiscal Year Ending June 30, 2018. (Joe Duffy, Finance Director)

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 Mike Best, seconded by Councilmember Jack Miller to go into executive session at 6:57p.m.

Vote: 6 - 0 PASSED - Unanimously

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 enforcement of Zoning Ordinance No. 13-772 and pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position in contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation in the matter of right-of-way dedication and roadway improvements required from Martin and Pamela Messenger.

9) ACTION ITEMS RESUMED

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

Mayor Croft reconvened the regular meeting at 7:33 p.m. and reported that Council gave instruction to its attorney during the closed session.

10) ADJOURNMENT

MOVED by Councilmember Corey Mendoza, seconded by Vice-Mayor Mike Best to adjourn the meeting at 7:33 p.m.

Vote: 6 - 0 PASSED - Unanimously

Darryl L. Croft, 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 9th day of May, 2017. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 23rd day of May, 2017.

Jami C. Lewis, Town Clerk