



Town of Chino Valley

MEETING NOTICE TOWN COUNCIL

**REGULAR MEETING
Tuesday, May 10, 2016
6:00 P.M.**

**Council Chambers
202 N. State Route 89
Chino Valley, Arizona**

A majority of the Councilmembers may attend a private invocation in the Council Conference Room immediately prior to the Council meeting. No Town business will be discussed.

AGENDA AMENDMENT #1 - May 9, 2016 (Items preceded by asterisk are either new or amended)

- 1. CALL TO ORDER; PLEDGE OF ALLEGIANCE; ROLL CALL**
- 2. INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS**
- 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.

- 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.** Comments regarding the following information not being on the Town's web site: crime statistics, community disaster preparedness plan, and the Town's preparations related to recreational marijuana.

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

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.

- a. Consideration and possible action to approve revised form of Agreement for Towing Services. (Chuck Wynn, Police Chief)
- b. Consideration and possible action to accept the April 12, 2016 regular meeting minutes. (Jami Lewis, Town Clerk)
- c. Consideration and possible action to accept the April 12, 2016 special meeting minutes. (Jami Lewis, Town Clerk)
- d. Consideration and possible action to accept the April 14, 2016 study session minutes. (Jami Lewis, Town Clerk)

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 for the Town of Chino Valley to financially participate in the Town's 4th of July activities in the amount of \$10,000.00. If approved, the \$10,000 will be added to the Recreation Department's Recreation Programs 2016/2017 budget. (Chris Bartels, Recreation Supervisor)

Recommended Action: Approve the Town of Chino Valley to financially participate in the Town's 4th of July activities in the amount of \$10,000.00.

- b. Consideration and possible action to approve Ordinance Number 16-817, to rezone approximately 2.0 acres of real property, located at 1650 Granite Creek Lane, Chino Valley, Arizona from Industrial (I) to Single-Family Residential, 1-acre minimum (SR-1) zoning district. The property being rezoned consists of a portion of the Northeast quarter of Section 11, Township 16N, Range 02W, Gila and Salt River Base and Meridian (Yavapai County Assessor's Parcel number 306-17-110C). (James Gardner, Associate Planner)

Recommended Action: Approve Ordinance Number 16-817, rezoning approximately 2.0 acres of real property located at 1650 Granite Creek Lane.

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.

- a. An executive session pursuant to A.R.S. § 38-431.03(A)(3) and (A)(4) for discussion or consultation for legal advice with the Town Attorney and for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the Town's position in pending litigation or in settlement discussions conducted in order to avoid or resolve litigation in the matter of Cortez v. Town.
- b. An executive session pursuant to A.R.S. § 38-431.03(A)(7) for discussion or consultation with designated representatives of the Town in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property located at Old Home Manor. (Ruth Mayday, Development Services Director)
- c. *An executive session pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the Town's position in pending litigation or settlement discussions conducted in order to resolve litigation in the matter of Hatch v. Town of Chino Valley. (Phyllis Smiley, Town Attorney)
- d. An executive session pursuant to A.R.S. § 38-481.03(A)(1) for discussion or consideration of employment, assignment, salaries, or disciplining of Town Manager Robert Smith. (Mayor Marley; Vice-Mayor Croft)

9. ACTION ITEMS RESUMED

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

- a. *Consideration and possible action to approve ~~an amendment to the Provisional A Settlement Agreement~~ in the matter of Cortez v. Town of Chino Valley. (Phyllis Smiley, Town Attorney)

Recommended Action: Approve ~~amendment to the Provisional Settlement Agreement~~ in the matter of Cortez v. Town of Chino Valley.

- b. Consideration and possible action to enter into an Option Agreement with Exelon for approximately 40 acres of real property located in Old Home Manor for three one-year terms, as set for in the agreement. (Ruth Mayday, Development Services Director)

Recommended Action: Enter into an Option Agreement with Exelon for approximately 40 acres of real property located in Old Home Manor for three one-year terms, as set for in the agreement.

- c. *Consideration and possible action to approve a Settlement Agreement in the matter of Yavapai County Superior Court case number P1300-CV2016-00013, Hatch v. Town of Chino Valley, et al. (Phyllis Smiley, Town Attorney)

Recommended Action: Approve the Settlement Agreement in the matter of Yavapai County Superior Court case number P1300-CV2016-00013, Hatch v. Town of Chino Valley, et al.

- d. *Consideration and possible action to approve Resolution No. 16-1081 rescinding Resolution No. 15-1055.

Recommended Action: Approve Resolution No. 16-1081 rescinding Resolution No. 15-1055

10. ADJOURNMENT

Dated this 5th day of May, 2016.

Amendment dated 9th day of May, 2016

By: ***Jami C. Lewis, Town Clerk***

The Town of Chino Valley endeavors to make all public meetings accessible to persons with disabilities. Please call 636-2646 (voice) or 711 (Telecommunications Arizona Relay Service) 48 hours prior to the meeting to request a reasonable accommodation to participate in this meeting.

Supporting documentation and staff reports furnished to the Council with this agenda are available for review on the Town website at <http://www.chinoaz.net/agendacenter> and in the Public Library and Town Clerk's Office.

CERTIFICATION OF POSTING

The undersigned hereby certifies that a copy of this notice was duly posted at Chino Valley South Campus, Chino Valley Post Office, and Chino Valley North Campus in accordance with the statement filed by the Town Council with the Town Clerk.

Date: _____ Time: _____ By: _____
Jami C. Lewis, Town Clerk