



Town of Chino Valley

MEETING NOTICE TOWN COUNCIL

**REGULAR MEETING
Tuesday, May 12, 2015
6:00 P.M.**

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

AGENDA

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

- a) Proclamation declaring May 22-23, 2015 as "Poppy Days," sponsored by the American Legion Auxiliary. (Mayor Marley)
- b) Proclamation declaring May 2015 as "Mental Health Month," sponsored by the West Yavapai Guidance Clinic. (Mayor Marley)

- 3) CALL TO THE PUBLIC**

Call to the Public is an opportunity for the public to address the Council concerning a subject 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) Statement against industry and in support of taxing certain business operations.

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 accept the April 14, 2015 regular meeting 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 to approve complaint and adopt resolution filed by Mayor Chris Marley against Councilmember Linda Hatch pursuant to Town Code Chapter 35 Code of Ethics, Section 35.04 Conduct in Public Office. (Vice-Mayor Croft)

Recommended Action: Adopt Resolution No.15-1055 censuring Councilmember Hatch for refusing to comply with certain records requests when such records did, in fact exist, and demanding that Councilmember Hatch comply with said requests by furnishing any missing documents to the Chino Valley Town Attorney within ten business days.

- b) Consideration and possible action to address a complaint filed by Councilmember Linda Hatch against Mayor Chris Marley pursuant to Town Code Chapter 35 Code of Ethics, Section 35.04 Conduct in Public Office. (Vice-Mayor Croft)

Recommended Action: Adopt Resolution No.15-1057 censuring Mayor Marley for refusing to comply with certain public records requests by denying that such records existed when they did in fact exist..

- c) (i) Public Hearing regarding application from Noel Arturo Flores for a new Series 12 (Restaurant) Liquor License for Arturo's Mexican Restaurant, Inc., located at 900 S. State Route 89, Chino Valley.

(ii) Consideration and possible action to recommend approval for new Series 12 Liquor License application for Arturo's Mexican Restaurant. (Jami Lewis, Town Clerk)

Recommended Actions:

(i) Hold Public Hearing.

(ii) Recommend to the Arizona State Liquor Board that it grant a new Series 12 Liquor License application for Arturo's Mexican Restaurant. located at 900 S. State Route 89, Chino Valley.

- d) Consideration and possible action to award the construction contract to CLM Earthmovers, LLC in an amount not to exceed \$812,762.70 for the construction of 2 box culverts and channel improvements along Little Dogie Draw in Chino Meadows Units 2 and 5. Funding of \$800,000 to come from the Yavapai County Drainage District, accounted for in the Capital Improvements Fund, with the balance of \$12,762.70 to come from the HURF Fund. (Ron Gritman, Public Works Director/Town Engineer)

Recommended Action: Award the construction contract to CLM Earthmovers, LLC in an amount not to exceed \$812,762.70 for the construction of 2 box culverts and channel improvements along Little Dogie Draw in Chino Meadows Units 2 and 5.

- e) Informational hearing, consideration, and possible action to approve (1) Wireless Communications Facilities Project 2015 Master Agreement with SunState Towers, LLC and Pinnacle Consulting, Inc. and a Wireless Communications Site Lease with SunState Towers, LLC, related to installation and leasing of two (2) wireless communications towers with Town dishes to be located on them to provide enhanced wireless capabilities between Town Hall and the Recreation Center. The previously proposed tower at the Library/North Campus will now be a separate project. Fiscal Impact: The Town will receive \$1,400 per month in lease fees. (Councilmember Best; Councilmember Turner)

Recommended Action: Approve (i) Wireless Communications Facilities Project 2015 Master Agreement with SunState Towers, LLC and Pinnacle Consulting, Inc.; (ii) Installation Contract for Wireless Communications Facilities Project 2015 with Pinnacle Consulting, Inc., and (iii) Two (2) Wireless Communications Site Lease with SunState Towers, LLC.

- f) Consideration and possible action to authorize the Mayor to sign Form CD-511 "Certification Regarding Lobbying", Standard Form 424D - "Assurances - Construction Programs", and Standard Form LLL - "Disclosure of Lobbying Activities" related to the Economic Development Administration (EDA) grant award. (Ruth Mayday, Development Services Director)

Recommended Action: Authorize the Mayor to sign standard forms 424D, LLL, and CD-511 required for the final award of a \$1,600,074 EDA grant.

- g) Consideration and possible action to approve an agreement between the Town of Chino Valley and Arizona Game and Fish Department to accept a grant of \$16,550 (with 50:50 match in kind from Town) to make improvements to the shooting range at Old Home Manor. (Ruth Mayday, Development Services Director)

Recommended Action: Approve the agreement between the Town of Chino Valley and the Arizona Game and Fish Department and accept \$16,550 in grant funds.

- h) Consideration and possible action regarding the process for an internal or external recruitment to fill the position of Town Magistrate. (Mayor Marley)

Recommended Action: Instruct staff to begin an internal recruitment process to fill the Magistrate position and provide direction to staff regarding the process.

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.

9) **ACTION ITEMS RESUMED**

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

10) **ADJOURNMENT**

Dated this 7th day of May, 2015.

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/clerk/townagenda.shtml>, 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