

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

**TUESDAY, MAY 14, 2013
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 14, 2013.

Present: Mayor Chris Marley; Vice-Mayor Carl Tenney; Councilmember Mike Best; Councilmember Darryl Croft; Councilmember Dean Echols; Councilmember Linda Hatch

Absent: Councilmember Lon Turner

Staff Town Manager Robert Smith; Town Attorney Susan Goodwin; Finance Director Joe Duffy;

Present: Police Chief Chuck Wynn; Civil Engineer Richard Straub; Town Clerk Assistant Liz Hart; Town Clerk Jami Lewis (recorder)

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

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

Councilmember Best gave the invocation and Mayor Marley led the Pledge of Allegiance.

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

- a) Introduction of Tracie Schimikowsky, new Executive Director for the Chino Valley Area Chamber of Commerce.

Councilmember Croft introduced Ms. Schimikowsky, Director of Operations for the Chamber, who spoke about her professional background, upcoming projects for the Chamber, and a focus on resources for businesses.

- b) Proclamation declaring May 24-25, 2013 as "Poppy Days," sponsored by the American Legion Auxiliary.

Mayor Marley read the proclamation and presented it to a representative from the American Legion Auxiliary.

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 speaker remarks.

Tom Payne, Board Chair, Chamber of Commerce, spoke about a flag raising ceremony at the Chamber on May 25 and their annual Casino Night on June 1.

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.

Mayor Marley reported on the Town's responses from public comments on April 9:

- Patrick Mount: chip seal equipment purchase, City of Prescott water rates, and Chino Meadows road conditions – the chip seal machine was purchased with bond defeasance monies and with it, Town staff could seal seven miles of roads versus three miles with outsourcing; the Town had been working on Prescott water rate issues for many months; and staff hoped to use the new chip seal equipment to repair certain Chino Meadows roads.
- Steve Chontos: new road at Road 1 East and Road 4¼ South – staff believed that any new access in that area would provide additional safety for the community.

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.

Councilmember Best reported on Chino Valley High School students submitting concepts for a skate park.

Mayor Marley reported on:

- those that donated time and/or materials for the sign at the south end of Town—APS, Chino Rentals, and Chino Morning Lions;
- a May 23 study session;
- donation of the brass signage for the South Campus;
- various public body openings; and
- the monthly Mayor's Report, which pertained to town finances and the road to fiscal recovery.

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.

Council removed item 6g at staff's request.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to approve Consent Agenda items a, b, c, d, e, f and h.

Vote: 6 - 0 PASSED - Unanimously

- a) Consideration and possible action to approve the April 9, 2013 Regular Meeting minutes. (Jami Lewis, Town Clerk)
- b) Consideration and possible action to approve the April 16, 2013 Study Session minutes. (Jami Lewis, Town Clerk)
- c) Consideration and possible action to approve the April 18, 2013 Study Session minutes. (Jami Lewis, Town Clerk)
- d) Consideration and possible action to approve the April 23, 2013 Regular Meeting minutes. (Jami Lewis, Town Clerk)
- e) Consideration and possible action to accept the Industrial Development Authority's recommendation to designate the law firm of Curtis, Goodwin, Sullivan, Udall & Schwab, PLC to serve as the Authority's general legal counsel. (Jami Lewis, Town Clerk)
- f) Consideration and possible action to waive the Town's \$50.00 special event liquor license fee for the Chino Valley Chamber of Commerce event being held June 1, 2013. (Cecilia Watts, General Services Director)
- g) ~~Consideration and possible action to fund a \$500 membership in Prescott Valley Economic Development Foundation for the Chino Valley Area Chamber of Commerce. Funds to come from Contingency. (Robert Smith, Town Manager)~~
- h) Consideration and possible action to approve an Intergovernmental Agreement (IGA) with the Yavapai County Sheriff's Office for contributions toward construction of the Chino Valley Shooting Facility Law Enforcement Range. Grant funds in the amount of \$40,000 to come from Yavapai County. (Chuck Wynn, Police Chief)

7) ACTION ITEMS

- a) (i) Public Hearing regarding application from Lauren Merrett for a person and location transfer of a Series 9 (Liquor Store) Liquor License for Maverik, located at 1060 S. Highway 89, Chino Valley.
- (ii) Consideration and possible action to recommend approval for person and location transfer of a Series 9 Liquor License application for Maverik. (Jami Lewis, Town Clerk)

Town Clerk Jami Lewis reported that:

- Lauren Merrett had applied with the state for person and location transfers of a Series 9 (Liquor Store) Liquor License for Maverik.
- The liquor store license was a "quota" license available only through the Liquor License Lottery or for purchase on the open market. Once issued, said license was transferable from person to person and/or location to location within the same county and allowed a spirituous liquor store retailer to sell all types of spirituous liquors, only in the original unbroken package, to be taken away from the premises of the retailer

and consumed off the premises.

- The Police and Planning Departments reviewed the application and recommended approval with no comments. Staff posted the establishment with the necessary notices for the required 20-day period from April 23, 2013 through May 13, 2013. Staff received no written arguments in favor of or in opposition to the application.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to open the public hearing.

Vote: 6 - 0 PASSED

No one from the public spoke.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Darryl Croft to close the public hearing.

Vote: 6 - 0 PASSED

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Darryl Croft to recommend approval for person and location transfer of a Series 9 Liquor License for the Maverik store at 1060 S. Highway 89 in Chino Valley.

Vote: 6 - 0 PASSED - Unanimously

- b) Consideration and possible action to award the construction contract to R. Blume Underground for construction of the of the drainage improvements at Road 3 North and the Town Complex in an amount not to exceed \$270,152.01. Funds in the amount of \$216,175 to come from Yavapai County Flood Control District Grant, and \$53,977.01 to come from the Capital Improvement Fund, Misc. Capital Projects line. (Ron Grittmann, Public Works Director)

Town Engineer Ron Grittmann (written report) and Senior Engineering Project Manager Richard Straub (oral presentation) reported that:

- This drainage project was the first in the Town's five-year drainage program. The subject contract will address an ongoing flooding problem in the area of Road 3 North in the vicinity of the Town Complex, which had inundated many homes as well as the roadway. The project consisted of a lined open channel between the detention basin at Road 3 North and the Public Works building to the Appaloosa Meadows drainage system.
- Staff had just concluded negotiations to acquire the five easements needed for the project.
- The project was bid with "shot crete" channel lining, as well as possible alternative materials. Bids were opened on April 24, 2013, with R. Blume Underground as the low bidder. Staff recommended approval of the low bid.
- Yavapai County's contribution was \$216,175.00, and the Public Works Department will commit funding not to exceed \$53,977.01 for roadway paving and other HURF related expenses associated with the project.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to approve award of the construction contract to R. Blume Underground for construction of the drainage improvements at Road 3 North and the Town Complex in an amount not to exceed \$270,152.01.

Vote: 6 - 0 PASSED - Unanimously

- c) Consideration and possible action to approve the Professional Services Agreement between the Town of Chino Valley and Pat Walker Consulting, LLC in an amount not to exceed \$21,555 for financial consulting services relating to the water and sewer project along Highway 89. Funds to come from the Professional Services line in the Water and Wastewater Fund. (Ron Gritman, Public Works Director)

Town Engineer Ron Gritman (written report) and Senior Engineering Project Manager Richard Straub (oral presentation) reported that:

- Council had approved the exploration of extending water and sewer services along State Route 89 between Road 3½ North and Kalinich Avenue. Council appointed a citizen committee to review the financial analyses for the many alternatives and present a recommendation to Council.
- Phase I of the subject agreement, in the amount of \$17,000, provided that Ms. Walker assist the committee with the financial analysis. Should Council choose to call a bond election, Phase II, in the amount of \$4,555, provided that Ms. Walker assist the Town with the necessary steps to hold such election. Should Council choose not to call a bond election, Ms. Walker's contract will conclude with Phase I.
- Ms. Walker will also work with the Town's other financial consultants and bond attorneys, and make herself available to attend the many meetings associated with the project.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Darryl Croft to approve the Professional Services Agreement between the Town of Chino Valley and Pat Walker Consulting, LLC in an amount not to exceed \$21,555.00 for financial consulting services relating to the water and sewer project along Highway 89.

Vote: 6 - 0 PASSED - Unanimously

8) EXECUTIVE SESSION

Council may vote to go into executive session, which will not be open to the public, for legal advice and discussion with the Town's attorneys on any of the above agenda items pursuant to A.R.S. § 38-431.03(A)(3).

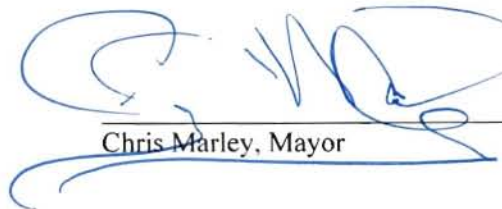
9) ADJOURNMENT

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to adjourn the meeting at 6:31 p.m.

Vote: 6 - 0 PASSED - Unanimously

ATTEST:

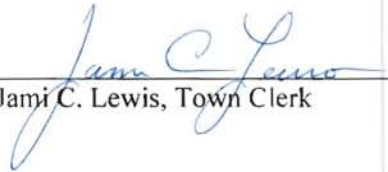

Jami C. Lewis, Town Clerk


Chris Marley, Mayor

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 14th day of May, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 28th day of May, 2013.



Jami C. Lewis, Town Clerk