



Town of Chino Valley

MEETING NOTICE TOWN COUNCIL

REGULAR MEETING
Tuesday, May 23, 2017
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

ADDENDUM - 5/22/17

ITEM #7b Replaces Resolution 17-1104

1. **CALL TO ORDER, PLEDGE OF ALLEGIANCE; ROLL CALL**
2. **INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS**
 - a. Proclamation declaring May 26-27, 2017 as "Poppy Days," sponsored by the American Legion Auxiliary. (Mayor Croft)

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 condition of Aztec Drive relative to dust and speeds.
- b. Comments regarding lack of Town Hall signage on the north side of the facility.

- c. Questions regarding deed restrictions and disposition of land at Old Home Manor Industrial Park.
- d. Update on questions concerning the status of the Road 2 North/State Route 89 traffic studies.
- e. Comments regarding poor sound and image quality of Town and other meetings on Channel 57.

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 Cecilia Grittman and/or Town staff members 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 and direct Staff to record a Declaration of Right-of-Way from Donald and Jane Roskopf for Yavapai County Assessor's Parcel No. 306-23-028M. (Phyllis Smiley, Town Attorney)
- b. Consideration and possible action to approve Resolution No. 17-1105, authorizing acquisition of certain public utility and temporary construction easements for the Center Street roadway improvements project from Scotty and Margaret Evans, and Thomas M. and Sara Holliday (Yavapai County Assessor's Parcels 306-29-026T and 306-29-026X, respectively). (Phyllis Smiley, Town Attorney)
- c. Consideration and possible action to adopt Resolution No. 17-1103, approving the proposed statements and estimates of expenses of the Town of Chino Valley Street Lighting Improvement Districts for fiscal year 2017/2018, pursuant to Section 48-616, Arizona Revised Statutes, as amended; setting a date for public hearing on the proposed statements and estimates as approved; and providing for notice of the hearing and publication of the proposed statements and estimates of the expenses of the districts which shall be provided for by the levy and collection of ad valorem taxes on the assessed value of all the real and personal property in the districts. (Joe Duffy, Finance Director)

- d. Consideration and possible action to accept the May 9, 2017 regular meeting minutes. (Jami Lewis, Town Clerk)
- e. Consideration and possible action to accept the May 10, 2017 study session 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 adopt Ordinance No. 17-832, approving a zone change from SR-2.5 (Single Family Residential-2.5 Acre Minimum) to SR-1 (Single Family Residential-1 Acre Minimum) for approximately 1.16 acres of real property generally located 560 feet south of the southeast corner of West Road 4 North and North Reed Road, addressed as 2895 North Reed Road, and identified as Assessor's Parcel Number 306-08-202. Owner/Applicant: Ryan Metchis. (Alex Lerma, Associate Planner)

Recommended Action: Adopt Ordinance No. 17-832, approving a zone change from SR-2.5 (Single Family Residential-2.5 Acre Minimum) to SR-1 (Single Family Residential-1 Acre Minimum) for Assessor's Parcel Number 306-08-202 with a stipulation of dedication of 25 feet of right-of way on North Reed Road to the Town of Chino Valley.

- b. Consideration and possible action to hold a public hearing regarding the proposed changes to the Town's wastewater fees and adopt Resolution 17-1104 to establish wastewater rates for Multi-Family Housing and amend the Town's municipal wastewater fees to eliminate the Country West Mobile Home Park Base Charge and provide for an alternate rate based on actual water usage applicable only in certain circumstances. (Joe Duffy, Finance Director)

Recommended Action: Hold a public hearing regarding the proposed changes to the Town's wastewater fees and adopt Resolution 17-1104 to establish wastewater rates for Multi-Family Housing and amend its municipal wastewater fees to eliminate the Country West Mobile Home Park Base Charge and provide for an alternate rate based on actual water usage applicable only in certain circumstances.

- c. Public Hearing and possible action regarding application from Daniel French/ShopKo Stores Operating Co., LLC, for a new Series 10 (Beer and Wine Store) Liquor License for ShopKo Hometown, located at 1950 N. Highway 89, Chino Valley. (Jami Lewis, Town Clerk)

Recommended Action: (i) Hold Public Hearing and (ii) recommend approval for a new Series 10 Liquor License for ShopKo Hometown.

- d. Presentation, discussion and possible action regarding future flood control projects. (Richard Straub, Interim Public Works Director/Town Engineer)

Recommended Action: Provide possible direction to staff.

- e. Consideration and possible action to approve Resolution No. 17-1102, approving a Tentative Budget for the fiscal year 2017-2018 and proposed expenditure limitation for the same year, in the amount of \$23,100,000 and setting a public hearing date of June 27, 2017 on the tentative budget and adoption of the final budget. (Joe Duffy, Finance Director)

Recommended Action: Approve Resolution No. 17-1102, approving a Tentative Budget and proposed expenditure limitation for FY 2017-2018, in the amount of \$23,100,000 and setting June 27, 2017 as the date for the public hearing on the tentative budget and for adoption of the final budget for FY 2017-2018.

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) 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. (Cecilia Grittman, Town Manager)

9. ACTION ITEMS RESUMED

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

10. ADJOURNMENT

Dated this 23rd day of May, 2017.

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

RESOLUTION NO. 17-1104

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, AMENDING THE WASTEWATER RATES AND CHARGES TO ESTABLISH WASTEWATER RATES FOR MULTI-FAMILY HOUSING, ELIMINATE THE COUNTRY WEST MOBILE HOME PARK BASE CHARGE AND PROVIDE FOR AN ALTERNATE RATE BASED ON ACTUAL WATER USAGE APPLICABLE ONLY IN CERTAIN CIRCUMSTANCES; PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS; AND PROVIDING FOR SEVERABILITY

WHEREAS, pursuant to A.R.S. § 9-511 *et seq.*, the Town of Chino Valley is authorized to establish just and reasonable water and wastewater fees; and

WHEREAS, pursuant to A.R.S. § 9-511.01, the Town of Chino Valley prepared a written report and supplied data supporting the establishment of the new rates and a copy of the written report and data was filed with the Town Clerk; and

WHEREAS, a copy of the written report and data was filed with the Town Clerk, a Notice of Intent was adopted by the Town Council on March 14, 2017 and published and posted as required by law on April 8, 2017, and a public hearing was held on May 23, 2017, in accordance with the notice; and

WHEREAS, the Town Council finds the proposed rate establishment, deletion, and increase are just and reasonable and it is in the best interest of the Town to adopt the proposed changes in order to maintain the financial integrity of the Town's sewer enterprises;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Town of Chino Valley, County of Yavapai, Arizona, that the following rates are established, deleted, and approved:

Monthly Service Fee	Per Month (Shown only if changed from prior rate schedule)
Country West Mobile Home Park Base Charge	DELETED*
Multi-Family Housing**	
Rate per Fixture Unit	\$ 3.21
Rate per Equivalent Dwelling Unit (20 Fixture Units)	\$ 64.14
Alternate Initial Rate Based on Actual Water Usage***	\$ 3.21 per Fixture Unit calculated by using 12.5 gallons per Fixture Unit per day

- * Country West Mobile Home Park will be subject to the Multi-Family Housing Rates.
- ** Multi-Family Housing includes apartments, duplexes, mobile home parks, hotels/motels, schools, and churches on a master meter.
- *** Available only for Multi-Family Housing where water is provided by Town of Chino Valley. In establishing the base rate for a multi-family housing development, the Town may base the Fixture Unit count on actual number of units, estimated number of units, or historical water use.

BE IT FURTHER RESOLVED that the rates set forth above shall be effective on July 1, 2017.

New Paragraph

BE IT FURTHER RESOLVED that based on the estimated number of fixture units and historical water use, the initial base rates for Country West Mobile Home Park ("Country West") will be \$26.00 for each mobile home and \$18.00 for each recreational vehicle. Since the Multi-family Housing Wastewater Rate applies to Country West, Country West's wastewater rates will increase or decrease from these initial base rates as the Multi-Family Housing Wastewater Rate increases or decreases.

BE IT FURTHER RESOLVED that all resolutions or parts of resolutions in conflict with the provisions of this resolution are hereby repealed.

BE IT FURTHER RESOLVED that if any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 23rd day of May, 2017.

Darryl L. Croft, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

Phyllis L.N. Smiley, Town Attorney
Gust Rosenfeld, PLC

I hereby certify the above foregoing Resolution No. 17-1104 was duly passed by the Council of the Town of Chino Valley, Arizona, at a regular meeting held on May 23, 2017, and that quorum was present thereat and that the vote thereon was ____ ayes and ____ nays and ____ abstentions. ____ Council members were absent or excused.

Jami C. Lewis, Town Clerk