

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

**TUESDAY, MAY 23, 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 23, 2017.

Present: Mayor Darryl Croft; Councilmember Corey Mendoza; Councilmember Jack Miller;
Councilmember Lon Turner

Absent: Vice-Mayor Mike Best; Councilmember Annie Lane

Staff Town Manager Cecilia Gritman; Town Attorney Phyllis Smiley (via Skype); Finance Director Joe
Present: Duffy; Police Lieutenant Vince Schaan; Police Officer Steven Angel; Interim Public Works
Director/Town Engineer Richard Straub; Development Services Director Ruth Mayday; 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

Mayor Croft called the meeting to order at 6:02 p.m. and led the Pledge of Allegiance.

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

- a)** Proclamation declaring May 26-27, 2017 as "Poppy Days," sponsored by the American Legion Auxiliary. (Mayor Croft)

Mayor Croft read the proclamation and presented it to Auxiliary representative Anita deMello.

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.

Craig Brown, Yavapai County Supervisor, spoke about upcoming local Memorial Day observances.

Gregory Bowers, resident, spoke about needed repairs on Firesky Lane due to possible damage from construction on the Center Street sewer project.

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.

Mayor Croft reported that the Town did not have the funds to chipseal Aztec Drive and the Public Works Department might propose a participatory solution to the Roads and Streets Committee to make it more affordable.

- b) Comments regarding lack of Town Hall signage on the north side of the facility.

Mayor Croft reported that the Public Works Department was working to obtain additional signage.

- c) Questions regarding deed restrictions and disposition of land at Old Home Manor Industrial Park.

Mayor Croft reported that the Town kept discussions with developers confidential; Old Home Manor Industrial Park lands were not currently for sale or lease; and the firm that will make recommendations with regard to lease versus purchase, as well as deed restrictions, should have recommendations within six months.

- d) Update on questions concerning the status of the Road 2 North/State Route 89 traffic studies.

Mayor Croft reported that the Town had not received a traffic study from either of the proposed developments, and the Roads and Streets Committee was searching for an engineer to review options.

- e) Comments regarding poor sound and image quality of Town and other meetings on Channel 57.

Mayor Croft reported that new equipment was on order and staff hoped to have it operational by mid-June.

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.

Councilmembers had nothing to report.

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

Ms. Grittmann reported on:

- a complimentary letter from a citizen regarding the Library;
- the Prescott Sportsmen's Club completing the first draft of their environmental stewardship plan;
- various building permit statistics related to valuation, number of permits, and new homes being hooked up to water and sewer.

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 Councilmember Lon Turner, seconded by Councilmember Corey Mendoza to approve the minutes as read.

Vote: 4 - 0 PASSED - Unanimously

(The following action was taken after item 8a but is retained here for clarity.)

MOVED by Councilmember Lon Turner, seconded by Councilmember Corey Mendoza to reconsider the consent agenda.

Vote: 4 - 0 PASSED - Unanimously

MOVED by Councilmember Lon Turner, seconded by Councilmember Corey Mendoza to approve items a, b and c of the consent agenda.

Vote: 4 - 0 PASSED - Unanimously

- 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.

Mr. Lerma presented on this item:

- *Purpose:* Change the zoning to conform to the parcel's current condition. The applicant had no intention for modifications or renovations.
- *Conformance:* The request conformed to surrounding zoning and uses, as well as the General Plan designation of medium density residential.
- *Citizen participation:* Responsive citizens had no objection to the action.
- *Planning and Zoning Commission public hearing, May 2, 2017:* No issues were raised during the hearing and the Commission voted unanimously to recommend approval.
- *Staff recommendation:* The proposed zoning would not change the property's character nor affect it negatively. Staff had recommended stipulation of a 25-foot right-of-way dedication, but was now recommending only a 15-foot dedication.

Mr. Metchis, applicant, stated he had no objection to the 15-foot right-of-way dedication.

MOVED by Councilmember Lon Turner, seconded by Councilmember Jack Miller to adopt Ordinance No. 17-832 as recommended.

Vote: 4 - 0 PASSED - Unanimously

- 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.

Mr. Duffy reported that:

- Upon reviewing rates for two proposed apartment developments, staff found that all multi-family developments were paying for utilities based on equivalent dwelling units or fixture unit calculations, except for Country West Mobile Home Park, which had been the first such development to be hooked up.
- As the discrepancy was an error on the Town's part from over 10 years ago, staff worked with Country West to develop a rate calculation that would be fair for all multi-family developments.
- Staff proposed to calculate a standard rate based on fixture units. To accomplish this, the resolution proposed to delete the current base charge of \$400 per month, and add the new multi-family calculation. For Country West, this will mean an increase from approximately \$360 to \$3,600 per month, or from \$4 to \$26 per resident per month.
- If Council adopted the resolution, it would go into effect July 1, 2017.

MOVED by Councilmember Lon Turner; seconded by Councilmember Jack Miller to open the public hearing.

Vote: 4 - 0 PASSED - Unanimously

Mark Vucich, Country West resident, asked how a mobile home park could be classified as multi-family residential, and spoke about the extra \$20 per month possibly being a hardship for residents on fixed incomes. Mr. Duffy related that the classification was due to the park being on one master meter with one bill.

MOVED by Councilmember Jack Miller; seconded by Councilmember Lon Turner to close the public hearing.

Vote: 4 - 0 PASSED - Unanimously

MOVED by Councilmember Lon Turner, seconded by Councilmember Jack Miller to adopt Resolution 17-1104 as discussed.

Vote: 4 - 0 PASSED - Unanimously

- 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~~
Gregory Collins for a new Series 12 (Restaurant) Liquor License for Danny B's Fish-N-Chips, located at 501 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~~ new Series 12 Liquor License for Danny B's Fish-N-Chips.

Staff report summary only: The Police Department commented on concerns about one of the individuals on the application, but noted that there was no legal authority to recommend denial. Staff received no written arguments supporting or opposing the application.

MOVED by Councilmember Turner; seconded by Councilmember Mendoza to hold a public hearing.

Vote: 4 - 0 PASSED - Unanimously

Kim Stam, speaking for the applicant, announced that the family restaurant would be ready to open in two weeks.

MOVED by Councilmember Turner; seconded by Councilmember Mendoza to close the public hearing.

Vote: 4 - 0 PASSED - Unanimously

MOVED by Councilmember Lon Turner, seconded by Councilmember Jack Miller to approve application from Gregory Collins for a new Series 12 Liquor License for Danny B's Fish-N-Chips, located at 501 N. Highway 89 in Chino Valley.

Vote: 4 - 0 PASSED - Unanimously

- 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.

Mr. Straub reported that each year, the Town received approximately \$110,000 from the County Flood Control District for flood control projects. Staff identified the following five projects, most of which were taken from the drainage study done about six years ago, as highest in priority:

1. *Road 2 South at Maverik:* install a storm drain over to the ADOT system.
2. *Community ditch north of Road 3 North through Appaloosa Meadows:* remove tiles and use concrete to stabilize the ditch.
3. *Juniper Road:* build new ditch to the Santa Cruz Wash.
4. *Road 1 East/Road 4 South area:* install several low water crossings.
5. *Reed Road/Road 5 North:* \$1 million to address.

Council and staff discussed the following in greater detail:

- *Project #2:* The Town installed tiles, instead of concrete, to save money, but it did not work. There was no warranty on the tiles.
- *Project #5:* Staff should talk with the County about this being a joint venture.
- *Highest priorities:* Project #1, then Project #2, both of which will be done over multiple years. With Council's direction, staff could start planning.

Mayor Croft believed it was a good list and staff should proceed. No councilmembers objected.

- 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.

Mr. Duffy presented the final budget steps and noted that this year's recommended budget was 6% over last year's.

MOVED by Councilmember Lon Turner, seconded by Councilmember Jack Miller to approve Resolution No. 17-1102, approving a Tentative Budget for FY 2017-2018, and proposed expenditure limitation for the same year, in the amount of \$23,100,000 and setting a public hearing date on June 27, 2017 on the tentative budget and adoption of the final budget.

Vote: 4 - 0 PASSED - Unanimously

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 Councilmember Lon Turner, seconded by Councilmember Corey Mendoza to hold the executive session at 6:49 p.m.

Vote: 4 - 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.
(Cecilia Grittmann, Town Manager)

9) ACTION ITEMS RESUMED

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

Mayor Croft reconvened the regular meeting at 7:14 p.m. and reported that Council gave direction to its attorney.

10) ADJOURNMENT

MOVED by Councilmember Corey Mendoza, seconded by Councilmember Jack Miller to adjourn the meeting at 7:15 p.m.

Vote: 4 - 0 PASSED - Unanimously


Darryl L. Croft, Mayor

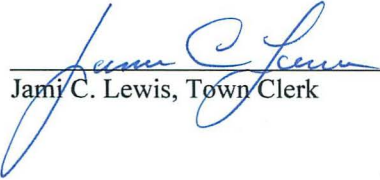
ATTEST:


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 23rd day of May, 2017. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 13th day of June, 2017.



Jami C. Lewis, Town Clerk