

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

**TUESDAY, JUNE 25, 2019
6:00 P.M.**

The Town Council of the Town of Chino Valley met for a Regular Meeting in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Tuesday, June 25, 2019.

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

Present: Mayor Darryl Croft; Vice-Mayor Jack Miller; Councilmember Mike Best; Councilmember Cloyce Kelly; Councilmember Corey Mendoza; Councilmember Lon Turner

Absent: Councilmember Annie Perkins

Staff Town Attorney Andrew McGuire (electronically); Police Chief Chuck Wynn; Public Works

Present: Director/Town Engineer Frank Marbury; Development Services Director Joshua Cook; Planner Alex Lerma; Community Services Director Scott Bruner; Administrative Technician Kathy Frohock (videographer); Deputy Town Clerk Vickie Nipper (recorder)

Mayor Croft called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

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.

William Nickles, part owner of the CBD Connection, spoke about losing \$500-\$800 per day from lost business due to required removal of temporary signs and not being able to make contact with Development Services Director Cook. The Mayor directed Mr. Nickles to talk to Mr. Cook after the meeting.

Beth Vicory, Eagle Level Frontier Girl, spoke about the ongoing Summer Fun Kids Club every Wednesday at the Library, upcoming programs, and a need for volunteers. Community Services Director Bruner stated that Miss Vicory was doing a tremendous job and had the program packed with people.

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.

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. If listed below, there may also be a presentation on information requested by the Mayor and Council and questions may be answered. No action will be taken.

- a) Status reports by Mayor and Council regarding current events.

Councilmember Best reported that the 50th Anniversary meeting scheduled for July 3 had been moved to July 10.

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

- c) Report regarding 4th of July fireworks. (Scott Bruner, Community Services Director)

Mr. Bruner reported that fireworks had been cancelled for the two previous years. Staff, Council, the property owner, a representative of Fireworks Arizona, and fire marshals met at the current year's firework launch site at the corner of Road 1 East and Perkinsville Road. Councilmember Turner related that the fire marshals' deemed the site safe for the launch. Mayor Croft added that the Town would allow the fireworks unless there were very high winds.

- d) Report regarding roads. (Frank Marbury, Public Works Director/Town Engineer)

Mr. Marbury reported on the following:

- The Center Street culvert that had been damaged by weather and traffic had been repaired and the road was open.
- The Roads and Streets Committee had determined the 2020 road maintenance priorities: Road 1 North and Reed Road repairs, with an estimated cost for each of \$150,000-\$200,000; crack seal and rebuild local roads as the budget allowed; and address Road 2 North in the next fiscal year.
- The State budgeted \$197,000 for towns and cities for road maintenance, bringing the total with the HURF budget to \$597,000. Projects will be brought to Council before beginning work.

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 Vice-Mayor Jack Miller, seconded by Councilmember Mike Best to approve the Consent Agenda Items a, b, c, and d.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best,
Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Lon Turner

Vote: 6 - 0 PASSED - Unanimously

- a) Consideration and possible action to appoint Julie Northington to fill a Regular Position vacancy on the Board of Adjustment for a term that started August 1, 2018 and will end July 31, 2021. (Jami Lewis, Town Clerk)
- b) Consideration and possible action to accept the May 21, 2019, study session minutes. (Jami Lewis, Town Clerk)
- c) Consideration and possible action to accept the May 28, 2019 regular meeting minutes. (Jami Lewis, Town Clerk)
- d) Consideration and possible action to accept the June 11, 2019 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 adopt Ordinance No. 2019-870 to rezone approximately 378 acres of real property from SR-2 (Single Family Residential-2 Acre Minimum) zoning district to SR-1 (Single Family Residential-1 Acre Minimum) zoning district. The subject property is located on the southwest corner of East Perkinsville Road and M. A. Perkins Trailway, north of the Bright Star Subdivision, Assessor's Parcel Numbers 306-02-301J and 306-02-018N. Owner: Century Ranch, LLC / Applicant: Jim Fletcher (Alex Lerma, Planner)

Recommended Action: Adopt Ordinance No. 2019-870 to rezone approximately 378 acres of real property from SR-2 zoning district to SR-1 zoning district with the recommended conditions.

Mr. Lerma requested that Items 7a and 7b be heard and presented concurrently; Town Attorney McGuire advised that it was allowable.

- b) Consideration and possible action to approve Century Ranch Phase 1-Phase 10 Preliminary Plat subdividing 180.5 acres of the total 378 acres into 113 one (1) acre lots developed in ten (10) phases. The subject property is located on the southwest corner of East Perkinsville Road and M. A. Perkins Trailway, north of the Bright Star subdivision. (Alex Lerma, Planner)

Recommended Action: Approve adoption of Century Ranch Phase 1-Phase 10 preliminary plat subdividing 180.5 acres of the total 378 acres of into 113 one (1) acre lots developed in ten (10) phases.

Mr. Lerma presented on Items 7a and 7b:

- The subject property had a General Plan land use designation of Commercial and Future Growth Area: Industrial/Agri-business/Contained Planned Community. Approval of the rezone request will allow the applicant to move forward with the property replat for one-acre lots.
- The surrounding zoning classifications included various residential classifications and public and state lands to the north.

- The Preliminary Plat pertained to 180 acres of the total 378 acres. The remaining 207 acres will be developed in future phases. Council approval will be needed for final plats and if the applicant wanted higher density.
- All lots met the required one-acre development standards and front lot frontage of 100 feet with the exception of lots 1, 2 and 84. Since the applicant did not apply for a Planned Area Development (PAD), he will be required to adjust the lot frontage of those three lots on the final plat. If approved, the developer would begin Phase 1-3 in the fall.
- All arterial and collector roads will be dedicated to the Town and all improvements completed before being accepted by the Town. Town water and sewer utilities were available near the project at Perkinsville and Old Home Manor. The project would need to extend the line in order to connect to Town utilities. The project would also provide sidewalks along arterial and collector roads with a six to eight foot landscaping strip between the street and sidewalk, depending on the type of street.
- The Planning and Zoning Commission noted the property was adjacent to the Peavine Trail and wanted a stipulation attached through the final approval that the Peavine Trail would remain unharmed and the developer would pay for repair of any impact to the trail. Staff did not think it was necessary to add this as a condition, because it would be done at a staff level through Public Works. If the project intruded on the Trail, the developer would need to apply for a right-of-way permit that would be overseen by the Public Works Department.
- The Commission unanimously voted to recommend approval for both items. Staff recommended approval of the rezone, as it would offer transitional zoning between the higher densities to the west and the lower densities to the east. Recommendation of approval was conditioned upon: (i) connectivity between the subdivision and Peavine Trail through pedestrian paths and trailways; (ii) dedication of right-of-way on Road 2 North and Perkinsville Road; (iii) all street improvements on both streets; and connection to Town water and sewer utilities.

Applicant Jim Fletcher related that his expectation for total completion of Phases 1-10 was approximately two years, with Phases 1-3 completed within the first year. The final plat was nearly complete; the assured water supply permit was submitted to ADWR; and the drainage study on the 378 acres was complete.

Council and Staff further discussed the request:

- *Phasing:* Council asked if a certain number of lots needed to be developed before being sold because past developments had sold properties before roads had been built. Staff explained that would not happen with this development and that before lots were sold, the final plat would need to be approved by Council and recorded with the County. The required improvements correlated to the phasing and the developer would not be required to put in all the improvements in the first phase. Before recording of each phase, the improvements would be required to be completed.
- *Emergency access:* The emergency access road did not need to be paved but would be provided.
- *Future development:* If the current developer sold off portions of the 378 acres, the new developers would need Council approval and would be required to complete the required improvements.
- *Area impacts:* Rezoning the subject property would not affect the Town's plans for OHM.

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Mike Best to adopt Ordinance No. 2019-870 to rezone approximately 378 acres of real property from SR-2 zoning district to SR-1 zoning district with the recommended conditions.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best,
Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Lon
Turner

Vote: 6 - 0 PASSED - Unanimously

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Mike Best to approve adoption of Century Ranch Phase 1-Phase 10 preliminary plat subdividing 180.5 acres of the total 378 acres into 113 one (1) acre lots developed in ten (10) phases.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best,
Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Lon
Turner

Vote: 6 - 0 PASSED - Unanimously

- c) Public Hearing regarding Resolution No. 2019-1143, relating to the Town's Final Budget for Fiscal Year 2019/2020 and the proposed expenditure limitation for the same year, in the amount of \$27,976,800. (Joe Duffy, Finance Director)

Recommended Action: Hold the Public Hearing.

Mr. Duffy presented the Final Budget. Key points were:

- The current budget was approximately an increase of \$3.4 million dollars over the previous year's budget.
- A year-end surplus had allowed the Town to build their reserves, which would be approximately \$4.3 million.
- The Water and Sewer funds no longer required money from the General fund and had positive cash flows.
- The Town's financial condition continued to improve.

MOVED by Mayor Darryl Croft, seconded by Vice-Mayor Jack Miller to open the public hearing.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best,
Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Lon
Turner

Vote: 6 - 0 PASSED - Unanimously

There was no public comment.

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Cloyce Kelly to close the Public Hearing.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best,
Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Lon
Turner

Vote: 6 - 0 PASSED - Unanimously

- d) Public Hearing regarding (i) Resolution No. 2019-1141, relating to the Statements and Estimates of Expenses of the Town of Chino Valley Street Lighting Improvement Districts for Fiscal Year 2019/2020, which shall constitute the budgets of the Districts for fiscal year 2019/2020 and (ii) the tax levy anticipated in conjunction with the budgets of the Districts. (Joe Duffy, Finance Director)

Recommended Action: Hold the Public Hearing.

Joe Duffy reviewed the fund balance, revenues, and expenditures of the District, which was located solely in Bright Star Subdivision and paid for the amount that APS billed the Town for power and street lights. This item would adopt the final budget and in July, the Council would adopt a final tax rate.

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Mike Best to open the public hearing.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best, Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Lon Turner

Vote: 6 - 0 PASSED - Unanimously

There was no public comment.

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Cloyce Kelly to close the Public Hearing.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best, Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Lon Turner

Vote: 6 - 0 PASSED - Unanimously

Mayor Croft recessed the regular meeting at 6:46 p.m.

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Mike Best to go into a special meeting.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best, Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Lon Turner

Vote: 6 - 0 PASSED - Unanimously

MINUTES OF THE SPECIAL MEETING

1) CALL TO ORDER

Mayor Croft called the special meeting to order at 6:46 p.m.

- 2) Consideration and possible action to adopt Resolution No. 2019-1143 adopting a Final Budget for Fiscal Year 2019/2020, and proposed expenditure limitation for the same year, in the amount of \$27,976,800. (Joe Duffy, Finance Director)

Recommended Action: Adopt Resolution No. 2019-1143 adopting a Final Budget and proposed expenditure limitation for fiscal year 2019/2020 in the amount of \$27,976,800.

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Mike Best to adopt Resolution No. 2019-1143 adopting a Final Budget and proposed expenditure limitation for fiscal year 2019/2020, in the amount of \$27,976,800.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best,
Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Lon Turner

Vote: 6 - 0 PASSED - Unanimously

- 3) Consideration and possible action to adopt Resolution No. 2019-1141, adopting the Statements and Estimates of Expenses of the Town of Chino Valley Street Lighting Improvement Districts for Fiscal Year 2019/2020, which shall constitute the budgets of the Districts for fiscal year 2019/2020. (Joe Duffy, Finance Director)

Recommended Action: Adopt Resolution No. 2019-1141, approving the Statements and Estimates of Expenses of the Town of Chino Valley Street Lighting Improvement Districts for Fiscal Year 2019/2020, which shall constitute the budgets of the Districts for fiscal year 2019/2020.

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Cloyce Kelly to adopt Resolution No. 2019-1141, approving the Statements and Estimates of Expenses of the Town of Chino Valley Street Lighting Improvement Districts for Fiscal Year 2019/2020, which shall constitute the budgets of the Districts for fiscal year 2019/2020.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best,
Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Lon Turner

Vote: 6 - 0 PASSED - Unanimously

4) ADJOURNMENT

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Cloyce Kelly to adjourn the special meeting at 6:49 p.m.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best,
Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Lon Turner

Vote: 6 - 0 PASSED - Unanimously

REGULAR MEETING RESUMED

Mayor Croft reconvened the regular meeting at 6:49 p.m.

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 Vice-Mayor Jack Miller, seconded by Councilmember Cloyce Kelly to go into executive session at 6:50 p.m.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best, Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Lon Turner

Vote: 6 - 0 PASSED - Unanimously

- a) 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 regarding a contract that is the subject of negotiations (License and Concessionaire Agreement with Compass Training Center AZ related to management of the Chino Valley Shooting Facility). (Chuck Wynn, Police Chief)

9) ACTION ITEMS RESUMED

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

Mayor Croft reconvened the regular meeting at 7:10 p.m. and reported that Council gave instruction to their attorney and no action was taken.

10) ADJOURNMENT

MOVED by Councilmember Lon Turner, seconded by Councilmember Mike Best to adjourn the regular meeting at 7:13 p.m.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best, Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Lon Turner

Vote: 6 - 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 25th day of June, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 23rd day of July, 2019.

Jami C. Lewis, Town Clerk