

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

**TUESDAY, JULY 12, 2016
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, July 12, 2016.

Present: Mayor Chris Marley; Vice-Mayor Darryl Croft; Councilmember Mike Best; Councilmember Susie Cuka; Councilmember Jack Miller; Councilmember Lon Turner

Absent: Councilmember Corey Mendoza

Staff Present: Town Manager Robert Smith; Assistant Town Manager Cecilia Grittman; Town Attorney Phyllis Smiley; Finance Director Joe Duffy; Human Resources Director Laura Kyriakakis; Police Lieutenant Vince Schaan; Police Officer Steven Angel; Development Services Director Ruth Mayday; Associate Planner James Gardner; Tow Clerk Assistant Amy Pyeatt-Lansa (Recorder)

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

Mayor Marley called the meeting to order at 6:03 p.m. and led the Pledge of Allegiance. He also recognized the Town's police officers for risking their lives every day.

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.

Craig Brown, Chair, Central Yavapai Metropolitan Planning Organization (CYMPO), and District 4 County Supervisor, spoke about CYMPO entering into an agreement with CableOne to produce public service announcements regarding distracted driving.

Richard Boller, President, Paulden Area Community Organization thanked Council for supporting Paulden, specifically with regard to bus transportation to the pool for Paulden children and the annual salute to veterans.

Lee Paul, resident, spoke about the Dallas police shootings and the Town establishing a Police Appreciation Day.

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, 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.

Vice-Mayor Croft reported on the July 27 Candidates Forum at Town Hall.

Mayor Marley acknowledged those who planned and worked the Town's 4th of July event, including Dennis Gizzi, who provided parking on his property.

Mayor Marley read his Monthly Mayor's Report, which pertained to a formal report by the Mayor's Ad Hoc Old Home Manor (OHM) Recreation Committee regarding land uses at OHM.

- b)** Status report by Town Manager Robert Smith regarding Town accomplishments, and current or upcoming projects.

Mr. Smith reported on the status of:

- Center Street Sewer project;
- Industrial Park project;
- Road 1 East project; and
- Building permits and valuation.

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.

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 Ordinance No. 16-820 rezoning approximately 1.37 acres of real property, located at 3385 Bacon Lane, Chino Valley, Arizona, consisting of a portion of Assessor's Parcel Number (APN) 306-04-002V, located within the Southeast quarter of Section 3, Township 16N, Range 02W, Gila and Salt River Base and Meridian from CH (Commercial Heavy) zoning district to SR-1 (Single Family Residential 1 acre minimum) zoning district. (Applicant: Robbie and Maggie Vermilyea) (James Gardner, Associate Planner)

Recommended Action: Approve Ordinance No. 16-820, rezoning approximately 1.37 acres of real property located at 3385 Bacon Lane from CH (Commercial Heavy) zoning district to SR-1 (Single Family Residential 1 acre minimum) zoning district.

Mr. Gardner presented the item summary:

- *Purpose of rezone:* Split the current home from associated business uses and sell the home. A rezone was required to move the use from the residential property being used as caretaker quarters for the business to residential use no longer associated with the business.
- *Public outreach:* Applicant met all requirements; no public members attended the neighborhood meeting.
- *Planning and Zoning Commission recommendation:* Commission recommended approval.
- *Conformance:* Zone change will require a 20-foot landscape buffer. The property would not be affected by community cores, and the zone change generally conformed to the General Plan and land use map.

Council asked about the landscaping plan. Mr. Gardner stated that the applicant will pay to establish the buffer on the residential side.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Jack Miller to approve Ordinance No. 16-820, rezoning approximately 1.37 acres of real property located at 3385 Bacon Lane from CH (Commercial Heavy) zoning district to SR-1 (Single Family Residential 1 acre minimum) zoning district.

Vote: 6 - 0 PASSED - Unanimously

- b) Consideration and possible action to approve Ordinance 16-821 rezoning approximately 5.0 acres of real property, located at 2099 E. Perkinsville Road, Chino Valley, Arizona, consisting of a portion of Assessor's Parcel Number (APN) 306-02-018D, the Northwest quarter of Section 13, Township 16N, Range 02W, Gila and Salt River Base and Meridian from AR-5 (Agricultural-Residential 5-acre minimum) to SR-2.5 (Single Family Residential 2.5-acre minimum) zoning district. (Applicant: TDH Investments) (James Gardner, Associate Planner)

Recommended Action: Approve Ordinance No. 16-821, rezoning approximately 5.0 acres of real property located at 2099 E. Perkinsville Road from AR-5 (Agricultural-Residential 5-acre minimum) zoning district to SR-2.5 (Single Family Residential 2.5-acre minimum) zoning district.

Mr. Gardner presented the item summary:

- *Purpose of rezone:* Split the property.
- *Public outreach:* Applicant met all requirements; only family attended the neighborhood meeting.
- *Conformance:* The property would not be affected by community cores, and the zone change generally conformed to the General Plan and land use map.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Jack Miller to approve Ordinance No. 16-821, rezoning approximately 5.0 acres of real property located at 2099 E. Perkinsville Road from AR-5 (Agricultural-Residential 5-acre minimum) zoning district to SR-2.5 (Single Family Residential 2.5-acre minimum) zoning district.

Vote: 6 - 0 PASSED - Unanimously

- c) Consideration and possible action to approve contract between the Town of Chino Valley and Lexington Law Firm for prosecutorial services effective July 20, 2016 for a period of 2 years, for an annual amount of \$39,000. (Cecilia Gritman, Assistant Town Manager)

Recommended Action: Approve contract between the Town of Chino Valley and Lexington Law Firm for prosecutorial Services effective July 20, 2016 for a period of 2 years for an annual amount of \$39,000.00.

Staff report summary: When the City of Prescott gave notice of their intent to terminate their current agreement with the Town for prosecutorial services, the Town issued a Request for Proposals. A selection team reviewed the proposals, conducted interviews, and was recommending Cody Johnson with Lexington Law, who had previously served as Town Prosecutor through Prescott's agreement.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to approve contract between the Town of Chino Valley and Lexington Law Firm for prosecutorial Services effective July 20, 2016 for a period of 2 years for an annual amount of \$39,000.00.

Vote: 6 - 0 PASSED - Unanimously

- d) Consideration and possible action to approve the First Amendment to the Arizona Commerce Authority Rural Economic Development Grant (REDG) Agreement to extend the term of the grant agreement until June 30, 2017. (Ruth Mayday, Development Services Director)

Recommended Action: Approve the First Amendment to REDG-15-01 with the Arizona Commerce Authority.

Ms. Mayday reported that this \$250,000 grant had an 18 month sunset, and due to design delays, issues with EDA, and congressional delays, the grant agreement needed to be extended by one year.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to approve the First Amendment to REDG-15-01 with the Arizona Commerce Authority.

Vote: 6 - 0 PASSED - Unanimously

- e) Consideration and possible action to approve a grant agreement with Arizona Public Service (APS) in an amount not to exceed \$75,000 for the purpose of funding the development improvements to the Old Home Manor Industrial Park. (Ruth Mayday, Development Services Director)

Recommended Action: Approve the APS Grant Agreement in the amount of \$75,000 to be used for construction of infrastructure at Old Home Manor Industrial Park.

Ms. Mayday presented the item summary:

- Staff met with APS economic development staff to discuss shortfalls faced by small communities in meeting ACA/REDG grant match requirements. APS proposed to partner with Town on this and extend their assistance statewide for other such grant recipients, with the Town being the test case.
- The agreement was tied to ACA's reimbursement schedule; APS will refund 3.7% to cover a proportionate share of the grant.
- Development Services and Public Works will oversee the application submittals.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Jack Miller to approve the APS Grant Agreement in the amount of \$75,000 to be used for construction of infrastructure at Old Home Manor Industrial Park.

Vote: 6 - 0 PASSED - Unanimously

- f) Consideration and possible action to adopt Resolution No. 16-1086, levying and assessing an ad valorem tax on the assessed value of all real and personal property within the boundaries of the Town of Chino Valley Street Lighting Improvement Districts (CVSLID) for fiscal year 2016/2017, pursuant to Section 48-616, Arizona Revised Statutes. (Joe Duffy, Finance Director)

Recommended Action: Approve Resolution No. 16-1086, levying and assessing the ad valorem tax for the Town of Chino Valley Street Lighting Improvement Districts for fiscal year 2016/2017.

Mr. Duffy reported that this was the final step to levy the tax for the street lighting improvement district in Bright Star Subdivision. The Town had no related expense; it just managed funds by receiving the money from the county and paying APS.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Lon Turner to approve Resolution No. 16-1086, levying and assessing the ad valorem tax for the Town of Chino Valley Street Lighting Improvement Districts for fiscal year 2016/2017.

Vote: 6 - 0 PASSED - Unanimously

- g) Consideration and possible action to appoint members of the Council as the Town's representative and alternate representative to the Central Yavapai Metropolitan Planning Organization (CYMPO). (Mayor Marley)

Recommended Action: Appoint Councilmember Best as representative and Vice-Mayor Croft as alternate representative to CYMPO.

Mayor Marley reported that the councilmember currently serving as representative had been working out of town or out of state, and there were two other councilmembers willing to serve.

MOVED by Councilmember Jack Miller, seconded by Vice-Mayor Darryl Croft to appoint Councilmember Best as representative and Vice-Mayor Croft as alternate representative to CYMPO.

Vote: 6 - 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.

Mayor Marley recessed the regular meeting at 6:37 p.m. and reconvened the meeting at 6:45 p.m.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Jack Miller to go into executive session at 6:45 p.m.

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 with Prescott Sportsmen's Club related to management of the Chino Valley Shooting Range Facility that is the subject of negotiations. (Mayor Marley)

9) ACTION ITEMS RESUMED

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

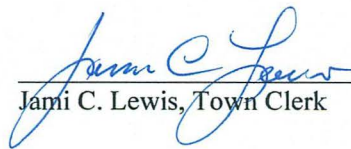
Mayor Marley reconvened the regular meeting at 7:59 p.m.

10) ADJOURNMENT

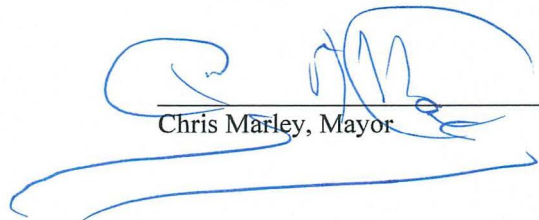
MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Jack Miller to adjourn the meeting at 8:00 p.m.

Vote: 6 - 0 PASSED - Unanimously

ATTEST:



Jami C. Lewis, Town Clerk

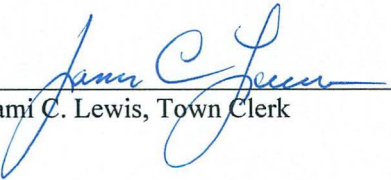


Chris Marley, Mayor

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 12th day of July, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 26th day of July, 2016.



Jami C. Lewis, Town Clerk