

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

**TUESDAY, JULY 14, 2015
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 14, 2015.

Present: Mayor Chris Marley; Vice-Mayor Darryl Croft; Councilmember Mike Best; Councilmember Lon Turner; Councilmember Don Wojcik

Absent: Councilmember Pat McKee

Staff Present: Town Manager Robert Smith; Assistant Town Manager Cecilia Gritman; Town Attorney Phyllis Smiley; Finance Director Joe Duffy; Police Chief Chuck Wynn; Police Officer Jonathan Ferris; Town Engineer/Public Works Director Ron Gritman; Assistant Public Works Director/Town Engineer Michael Lopez; Town Clerk Assistant Amy Pyeatt-Lansa; Town Clerk Jami Lewis (recorder)

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

Mayor Marley called the meeting to order at 6:00 p.m.

Vice-Mayor Croft gave the invocation; Mayor Marley 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 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 criticism.

Ilona Dean, Center Street resident, spoke about issues with dust, flooding, and heavy traffic along her property, and the need for Center Street to be part of the upcoming paving project.

Ronald Maines, resident, spoke about problems with recent amendments to the Unified Development Ordinance relative to protest letters (Ordinance No. 15-797, dated June 23, 2015), due to the Town's four-day work week, 15-day publication requirements, and lack of addressing those outside of the 150 feet who desire to protest. Mayor Marley asked Town Manager Smith to look into this matter.

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)** Report regarding the July 6, 2015 Appointments Subcommittee meeting and the Council appointment process. (Vice-Mayor Croft; Councilmember Best; Councilmember Turner)

Vice-Mayor Croft reported that:

- On May 28, 2015, Council directed its Appointments Subcommittee to review the applications received for the vacant Council position and make a recommendation to Council of the top five candidates.
- The subcommittee met on July 6, 2015 to review the appointment process. They met on July 14 and will meet again on July 21 and 22 to interview and rank the applicants, and present the top five to Council on July 28. Council will have the option to appoint the top candidate or go into executive session to interview the five candidates prior to selecting the appointee, who will be sworn in and seated that evening.

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

Mayor Marley:

- Acknowledged Dennis Gizzy, the Recreational Foundation, Word of Life Church, Rotary Club, Lions Club, and many other individuals for a successful 4th of July celebration.
- Acknowledged former councilmember Pat Purdin upon her passing.
- Read a complementary letter regarding improvements to Development Services processes.
- Read the Monthly Mayor's Report, which pertained to Town efforts toward a sustainable economy.
- Reported that Chino Valley Public Library volunteers had worked 6,420 hours during the past fiscal year.

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

Mr. Smith recognized Cyndi Thomas at the Senior Center for her efforts toward improvements to the center.

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 Darryl Croft, seconded by Councilmember Mike Best to approve consent agenda item 6a.

Vote: 5 - 0 PASSED - Unanimously

- a) Consideration and possible action to approve the intergovernmental agreement between the Town of Chino Valley and Yavapai County authorizing payment for the Chino Meadows Units 2 and 5 Drainage Project. The project in the amount of \$650,000 was budgeted for and will be accounted for in the Capital Improvement Fund. (Ron Grittmann, Public Works Director/Town Engineer)

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 Resolution No. 15-1063, 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 2015/2016, pursuant to Section 48-616, Arizona Revised Statutes. (Joe Duffy, Finance Director)

Recommended Action: Adopt Resolution No. 15-1063, levying and assessing the ad valorem tax for the Town of Chino Valley Street Lighting Improvement Districts for fiscal year 2015/2016.

Mr. Duffy reported that this was the last step in approving the \$4,000 total tax for the three Street Lighting Improvement Districts.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Lon Turner to adopt Resolution No. 15-1063, levying and assessing the ad valorem tax for the Town of Chino Valley Street Lighting Improvement Districts for fiscal year 2015/2016.

Vote: 5 - 0 PASSED - Unanimously

- b) Consideration and possible action to adopt Resolution No. 15-1064 to authorize staff to pursue the right-of-way acquisition for construction of Road 1 East between Road 3 South and Road 4 South. Funds to come from Roads Impact Fees. (Ron Grittmann, Public Works Director/Town Engineer)

Recommended Action: Adopt Resolution No. 15-1064 to authorize staff to pursue the right-of-way acquisition for construction of Road 1 East between Road 3 South and Road 4 South.

Mr. Grittmann reported that:

- As part of the Town's intergovernmental agreement with the Arizona Department of Transportation that authorized construction of the roundabout at Kalinich Road and SR 89, the Town committed to construct Road 1 East between Road 3 South and Road 4 South, Kalinich and Brownlow Avenues, and Road 4½ South within six months of the SR 89 project completion in August.
- This resolution will formally authorize staff to acquire the real property necessary for the project's right-of-way (ROW) through purchase, dedication, or condemnation.

- In addition to obtaining ROW, some adjacent ROW not needed for this project will be abandoned via a separate resolution.
- The Town will acquire all needed ROW at no cost by donation, except one. Glenarms asked for \$500,000 for its ROW. The property appraised at \$8,000 and the Town offered \$12,000. Glenarms preferred that the Town exercise its right of eminent domain. Every effort will be made to avoid this, but if an impasse became a threat to the project's viability, the Town might seek this avenue.
- Staff expected to begin construction around October 2015.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Lon Turner to adopt Resolution No. 15-1064 to authorize staff to pursue the right-of-way acquisition for construction of Road 1 East between Road 3 South and Road 4 South.

Vote: 5 - 0 PASSED - Unanimously

- c) Discussion and possible action to require Councilmembers to pay all costs associated with any records request generated by that Councilmember. (Mayor Chris Marley)

Recommended Action: Require Councilmembers to pay all costs associated with any records request generated by that Councilmember.

Mayor Marley reported that:

- No formal policy existed to provide direction to Council and staff regarding records requests that were submitted by councilmembers.
- Currently, the public paid for records requests, but councilmembers did not, unless a councilmember declared that the request being submitted was of a personal nature and he/she desired to pay for the request.
- Staff polled several municipalities on this issue. Half the municipalities polled charged all citizens, including elected officials, for records requested. The primary exception to this rule was records requested that were associated with their council-duties. Historically, the Town's councilmembers had only submitted formal records requests for records related to them personally.

Town Manager Smith added that councilmembers had a unique position in that they did not have to submit a records request to receive Town records. If a councilmember was not satisfied with the data received, he/she could ask Council to request it as an official work item. Records requests could be used as a third venue for obtaining information.

Council discussion: Council generally agreed that they should not be charged for records associated with their duties, but they should pay for requests of a personal nature.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to require councilmembers to pay all costs associated with any records request generated by that Councilmember for non-Council related purposes.

Vote: 5 - 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 Vice-Mayor Darryl Croft, seconded by Councilmember Lon Turner to go into executive session following a 10 minute break at 6:42 p.m.

Vote: 5 - 0 PASSED - Unanimously

Mayor Marley reconvened the regular meeting at 7:34 p.m.

- a) An executive session pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town's Attorney in order to consider its position and instruct the Town's Attorney regarding the Town's position on a contract that is the subject of negotiations concerning acquisition of a portion of the City of Prescott water system. (Cynthia Chandley, Water Attorney)

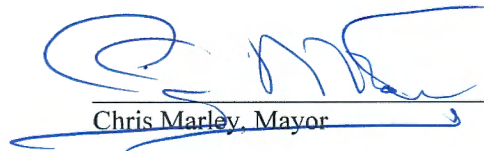
9) ACTION ITEMS RESUMED

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

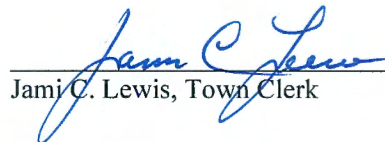
10) ADJOURNMENT

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Lon Turner to adjourn the meeting at 7:34 p.m.

Vote: 5 - 0 PASSED - Unanimously


Chris Marley, 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 14th day of July, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 11th day of August, 2015.


Jami C. Lewis, Town Clerk