

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

**TUESDAY, JULY 14, 2020
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, July 14, 2020.

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

Absent: Councilmember Lon Turner

Staff Present: Town Manager Cecilia Gritman; Town Attorney Andrew McGuire(remotely); Administrative Services Director Joe Duffy; Public Works Director/Town Engineer Frank Marbury; Customer Service Manager JoAnn Brookins; Officer Jon Szymanski (Sergeant-at-Arms); IT Manager Spencer Guest (videographer); Administrative Technician Kathy Frohock (videographer); Town Clerk Jami Lewis (recorder)

- 1) CALL TO ORDER, PLEDGE OF ALLEGIANCE; ROLL CALL**
- 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.

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 Meridian Parkway located in the Bright Star Subdivision.**

Mayor Croft stated this would be the last Response to the Public item on any upcoming agendas. This item would be removed completely from the agenda as Council directs staff to respond to any Call to the Public item. Call to the Public would remain on future agendas.

Public Works Director/Town Engineer Frank Marbury reported since the dust complaint on Unity Road, staff had presented several options to Roads and Streets Committee. Their recommendation was to provide a dust palliative, which was a stabilization applied to the road which should hold the road together until a developer paved the road. It could last up to a year. Staff was reaching out to vendors for the necessary materials and would be applying it to the

road as soon as they were able. It was estimated that the developer would have the road paved within a year's time.

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 Perkins reported that the emails had been received regarding the Planning & Zoning property zone change issue.

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

Cecilia Grittmann reported that the Yavapai Community Organization had awarded a \$10,450 grant to the Yavapai Trails Organization to continue trail improvements on 5.3 miles of the Rails to Trails segment in Chino Valley. The grant will cover the expenses of an informational kiosk, dog waste stations, trail signs at road crossings and parking lots, trail materials, trail bench, and trail tools for volunteer trail maintenance people. The improvements would be a step closer to connecting the Peavine segments into one contiguous trail with the City of Prescott and Prescott Valley. The Town had started discussions with the City of Prescott regarding connectivity of the Peavine Trail.

- c) Report regarding upcoming Alternative Expenditure Limitation (Home Rule) option. (Joe Duffy, Administrative Services Director)

Joe Duffy presented the following:

- This would be on the upcoming August 4, 2020, ballot.
- In 1980 Arizona voters amended the AZ State Constitution to require expenditure limitations for all cities, counties, towns and community college districts to control expenditures and limit future increases in spending.
- The change only allows increases in expenditures based on increased population and inflation, which did not work for the majority of towns.
- Since 1985, Town has taken this question to the voters, and they have consistently voted for the Home Rule Option, which is an alternative to the State-imposed limit.
- The current Home Rule Option approval expires June 2021.
- There were three options the Town had: State limit, permanent base adjustment or the Home Rule option.

The recommendation was for the Town to continue with the Home Rule option.

- Under the state limit, the Town could only spend approximately \$10 million a year, but the town received \$23-\$24 million in revenue each year. The Town would not be able to spend the remaining revenue under the State Limit option.
- The state limit formula was developed in 1980 and based on 1980 data.
- The Home Rule option left the decision to local elected officials.

- A yes vote allowed the Town, for the next four years, to set their own spending cap based on actual revenues received. A no vote would set a spending cap based on the State formula for the next two years.
- Information could be found through brochures, pamphlets, website, mailers, media reports and direct contact with the staff.

Public Questions:

- Ryan Roberts – Asked about the permanent base adjustment. Staff explained that the permanent base adjustment took whatever the base limit from 1980 and adjusted it to today. If Town did a permanent base adjustment, staff recommended that they do \$25 million as the expenditure limit. It would then grow by population and inflation. The problem with the base adjustment option was that if it was not set high enough and the community was growing, the adjustment would need to be done again after a couple of years. The only option on the ballot in August was a yes or no for the Home Rule Option; permanent base adjustment is not on the ballot.

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 consent agenda items (a) through (e).

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

6 - 0 PASSED - Unanimously

- a) Consideration and possible action to approve an extension of Town Prosecutor Contract with Lexington Law firm through June 30, 2022, for a monthly amount of \$3,250.00. (Cecilia Gritman, Town Manager)
- b) Consideration and possible action to adopt Resolution No. 2020-1163, 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 2020-2021, pursuant to Section 48-616, Arizona Revised Statutes. (Joe Duffy, Administrative Services Director)
- c) Consideration and possible action to adopt Resolution No. 2020-1164, designating Joe Duffy as Chief Fiscal Officer for officially submitting the Fiscal Year 2021 Expenditure Limitation Report to the Arizona Auditor General. (Joe Duffy, Administrative Services Director)
- d) Consideration and possible action to appoint applicants to the Board of Adjustment, Parks and Recreation Advisory Board, Roads and Streets Committee, Senior Center Advisory Board, Public Safety Retirement Board, Industrial Development Authority, and Municipal Property Corporation per recommendation of the Appointments Subcommittee. (Jami Lewis, Town Clerk)

- e) Consideration and possible action to approve the June 23, 2020, 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 approve a transient merchant license/ temporary use permit for Tonya Childers, Natural Ag Solutions, to conduct hay sales for more than three days, on property located at 501 N. State Route 89, Chino Valley, AZ 86323. (JoAnn Brookins, Customer Service Manager)

Recommended Action: Direction to staff per council discussion.

JoAnn Brookins presented the following:

- This type of transient merchant business license required a temporary use permit and a lease agreement from the owner of the property. There was one in place for this applicant.
- The temporary use permit for anything over three days was required to be approved by the Council.

Staff and Council discussed the following:

- This temporary permit would allow the applicant to conduct the business of hay sales for 15 days.
- This was a temporary business license with a temporary use permit attached.
- After 15 days, they would have to repeat the license process, including obtaining Council approval.
- The applicant had a business in another Town outside of Chino Valley.
- Council members thought that it would take business away from local businesses that already sold hay.

Applicants Tonya Childers, Darrel Childers and Council discussed the following:

- In the farming community, many people had been going through hard times. As opposed to selling their hay wholesale, they thought they could offer the product at a price that could be more affordable for people who were also experiencing difficult times. They would also be offering a job to a local person while they were selling in Town.
- They researched the subject with Mark Kiliman from the State's Department of Agriculture; they found out that the local area pesticides and fertilizers were wide spread if the hay was tested. They wanted to sell an organic product for the livestock at a reasonable price. They had the expertise to provide these services. It was a quality product.
- Council stated that the local vendors would still be in the area after the applicants had left.

The goal of the applicant was to sell their product 15 days every month.

MOVED by Mayor Darryl Croft, seconded by Councilmember Annie Perkins to deny the application.

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

6 - 0 PASSED - Unanimously

- b) Consideration and possible action to move the 50th Anniversary celebration for the Town of Chino Valley from September 2020 to September 2021, including the funding for the activities. (Cecilia Gritman, Town Manager)

Recommended Action: Move the 50th Anniversary celebration for the Town of Chino Valley from September 2020 to September 2021, including the funding for the activities.

Committee Chair and Councilmember Best presented the following:

- The intention of the anniversary was to have a community party.
- Since community gatherings were limited to 50 people due to the pandemic, it was his recommendation to move the event to September 2021.
- At the beginning of the planning, there had been a discussion about timing the celebration at the beginning or the end of the year.
- Since the virus comes and goes and affects people in different ways, he did not have an answer, and with everything that had happened, they were left with only a few weeks to get it setup, and he didn't know how they would make it work with the fanfare they wanted.
- The committee still wanted to get the time capsule completed on Labor Day weekend September 2020.
- Staff was creating an app to create an online auction of the 50 license plates. If they get it done, they would do it next year.
- He would not be on Council and someone else would be heading it up, but he would be happy to assist in any way wanted.
- All the funds designated for the party would be available for the next year.

MOVED by Councilmember Mike Best, seconded by Councilmember Cloyce Kelly to postpone the 50th Anniversary celebration to September 2021.

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

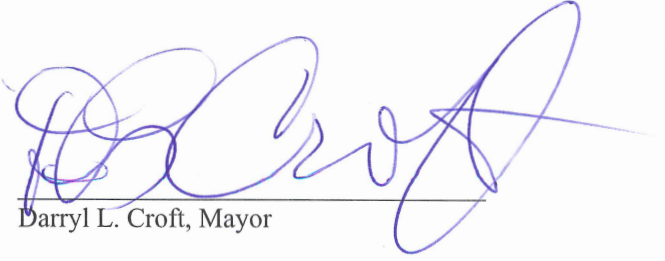
6 - 0 PASSED - Unanimously

8) ADJOURNMENT

MOVED by Councilmember Cloyce Kelly, seconded by Vice-Mayor Jack Miller to adjourn the meeting at 6:28 p.m.

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

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 14th day of July, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 28th day of July, 2020.


Jami C. Lewis, Town Clerk