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

TUESDAY, AUGUST 11, 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, August 11, 2015.

Present: Mayor Chris Marley; Vice-Mayor Darryl Croft; Councilmember Corey Mendoza; Councilmember Lon Turner

Absent: Councilmember Mike Best

Staff Present: Town Manager Robert Smith; Town Attorney Phyllis Smiley; Police Lieutenant Vince Schaan; Police Sergeant Mat Gronek; Assistant Public Works Director/Town Engineer Michael Lopez; Deputy Town Clerk Liz Hart; Town Clerk Jami Lewis (recorder)

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

Mayor Marley called the meeting to order at 6:01 p.m.

Vice-Mayor Croft gave the invocation; Mayor Marley led the Pledge of Allegiance.

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

a) Proclamation declaring August 2015 as "America the Beautiful & Bag Ready Jobs Month," sponsored by the Mayors and Councils of the Quad Cities.

Mayor Marley read the proclamation and presented it to Gary Chamberlain with the Bag Ready Jobs program.

b) Proclamation by Governor Douglas A. Ducey declaring August 2015 as "Child Support Awareness Month."

Mayor Marley read the proclamation.

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.

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) Response to the need for dust abatement on Center Street.

Mayor Marley reported that the recent rain had helped and he had contacted the Engineering Division about some type of temporary solution.

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.

Mayor Marley reported on:

- the release of his latest Mayor's Report;
- the recent Highway 89 project ribbon cutting;
- local Horses With Heart rider, Jeremiah Schedlock, winning a gold medal at the Special Olympics World Games;
- Councilmember Don Wojcik's resignation from the Council;
- Councilmember Pat McKee's resignation from the Council; and
- a letter commending building permit staff for excellent service.

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

Mr. Smith reported on the September 5, 2015 Territorial Days events.

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 Lon Turner to accept the July 14, 2015 regular meeting minutes.

Vote: 4 - 0 PASSED - Unanimously

a) Consideration and possible action to accept the July 14, 2015 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) Presentation by Scott Freitag, Fire Chief of the Central Yavapai and Chino Valley Fire Districts, and discussion regarding Fire Authority. (Robert Smith, Town Manager)

Chief Freitag reported that:

- In an effort to contain costs and continue providing the highest level of service, the Central Yavapai and Chino Valley Fire Districts had been looking for ways to work more closely together. After analyzing the available legal options, they determined that the best solution was for the two agencies to come together as a joint powers authority (JPA), as permitted under A.R.S. 48-805.01, and enter into an intergovernmental agreement (IGA) to create a Fire Authority.
- The Authority will create a smaller, more efficient, and sustainable government by controlling and reducing costs—estimated at an annual savings of $377,730—and decreasing redundant positions. Chino and Central will form a third entity through the IGA, which will employ the whole staff and run operations, while each entity will retain its own authority for taxing, bonding, and elections purposes.
- Community feedback had been positive and the official start date for the JPA will be July 1, 2016.

b) Consideration and possible action to approve the Professional Services Agreement with Civil Tec Engineering, Inc., for the preparation of engineering construction plans for the Old Home Manor Industrial Park project. in an amount not to exceed $175,120.00. Funds to come from the grant line item and will not be expended until final Economic Development Administration (EDA) funding is secured. (Ron Grittman, Public Works Director/Town Engineer)

Recommended Action: Approve the professional services agreement with Civil Tec Engineering, Inc., for the preparation of engineering construction plans for the Old Home Manor Industrial Park project. in an amount not to exceed $175,120.00.

Assistant Public Works Director/Town Engineer Michael Lopez reported that:

- The Town was pursuing development of an industrial park at Old Home Manor with the assistance of a series of grants from various private, state, and federal sources.
- The subject agreement will enable preparation of a bid-ready set of construction plans to meet the various requirements for each funding source. The plans will include roadway improvements, federal flood map adjustments, sewer improvements, and water main improvements.
- Layering of funding was typical with such economic development projects, and coordinating the various layers of funding could be tricky, as deadlines did not always coincide with each other. Because Congress did not approve an appropriations bill in a timely manner, the 2014 bill ran out, leaving no funding for the December 2014 round, which was canceled and forced all applications to the March 2015 round. This delayed the project three months, which conflicted with the terms of the ACA Rural Economic Development Grant (REDG) that required initiation of the project within six months of signing the REDG contract.
- Staff then petitioned the ACA for an extension and the ACA extended the contract by 60 days to an August 19, 2015 deadline. Staff will direct the significant engineering portion,

so that it will be performed upon final approval of funding by the EDA, which will also have final approval of construction plans.

- In the unlikely event that the EDA did not fund this project, the agreement could be canceled. Staff expected final notice of the award to occur between August 1 and August 19, 2015.

Mayor Marley disclosed that he lived near the project but would not be affected as his home already had sewer.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Lon Turner to approve the professional services agreement with Civil Tec Engineering, Inc., for the preparation of engineering construction plans for the Old Home Manor Industrial Park project. in an amount not to exceed $175,120.00.

Vote: 4 - 0 PASSED - Unanimously

c) Consideration and possible action to direct staff to schedule a Strategic Planning Retreat for the Town Council, to be scheduled by the end of October 2015. (Cecilia Grittman, Assistant Town Manager)

Recommended Action: Direct staff to work with the Mayor in scheduling a Strategic Planning Retreat for the Town Council, to be scheduled by the end of October 2015.

Town Manager Smith reported that:

- Council held a Strategic Planning Retreat in 2013 and prioritized the items developed in the retreat in May 2014. It was now appropriate for Council to revisit the Strategic Plan, include new projects and capital plan, create and prioritize tasks and goals, refine the mission statement, and communicate their vision.
- The Mayor desired that a day-long retreat be held by the end of October 2015. He also suggested that Council invite the Chamber of Commerce Board to attend the last two hours of the retreat, so that the two Boards may discuss and develop some common goals and vision.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Corey Mendoza to direct staff to work with the Mayor in scheduling a Strategic Planning Retreat for the Town Council, to be scheduled by the end of October 2015.

Vote: 4 - 0 PASSED - Unanimously

d) Consideration and possible action to update the appointment of Councilmembers and staff to various regional and state entity committees. (Jami Lewis, Town Clerk)

Recommended Action: Appoint Councilmembers and/or staff to fill vacant positions on various entity committees and update existing appointments, as applicable.

Mrs. Lewis reported that Council needed to appoint members to agency or entity positions left vacant by Linda Hatch's resignation from the Council.

Council reviewed the open positions. Mayor Marley volunteered for the YRMC Board of Electors and Upper Verde River Watershed Protection Coalition, and Vice-Mayor Croft volunteered for the Risk Pool.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Lon Turner to appoint Councilmembers and/or staff to fill vacant positions on various entity committees and update existing appointments, as discussed.

Vote: 4 - 0 PASSED - Unanimously

e) Consideration and possible action to fill vacancies and/or modify members on Council subcommittees (Appointments, Economic Development, Finance, Program Review, Public Safety, and Water and Utilities). (Jami Lewis, Town Clerk)

Recommended Action: Fill vacancies and modify subcommittee members as discussed.

Mayor Marley reported that the Council's six subcommittees now had vacancies due to the recent resignations of three councilmembers. Ms. Lewis stated that, at this time, the main issue was making sure each subcommittee had a quorum.

Councilmember Mendoza volunteered to fill the three slots left vacant by former Councilmember Hatch.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Lon Turner to fill vacancies and modify subcommittee members as discussed.

Vote: 4 - 0 PASSED - Unanimously

f) Consideration and discussion regarding the procedure to appoint a councilmember to the vacant position and possible action to instruct staff to proceed with such procedure. (Mayor Marley)

Recommended Action: Instruct staff to proceed with appointment procedure per Council's discussion.

Ms. Lewis reported that:

- On August 6, 2015, Councilmember Don Wojcik submitted his resignation from the Council on August 7, 2015. In addition, Councilmember Pat McKee submitted her resignation on August 10, 2015. Mr. Wojcik's and Ms. McKee's terms end in December 2018. Pursuant to state law, because the resignations occurred more than 30 days before the nomination petition deadline for the next regularly scheduled council election in November 2016, an appointee will serve until the person elected at the November 2016 election is seated. The person elected at the November 2016 election to fill this seat will serve only the remaining two years of those terms.
- When a vacancy of the Council occurred in May 2015, the Town Attorney provided a memorandum explaining the relevant existing laws and Town policy, and offering several options regarding a procedure for appointment of a new councilmember. Staff also provided a draft timeline for recruitment. Council reviewed these materials and instructed staff to proceed with recruitment, resulting in an appointment on July 28, 2015.

- The Town Attorney recommended the same process for the new vacancies.

Vice-Mayor Croft recommended that staff retain the applications from the previous recruitment and re-advertise for the positions; and the Appointments Subcommittee interview new applicants and make a recommendation to Council.

Council asked about Councilmember Mendoza attending the subcommittee interviews. Town Attorney Smiley advised that including another councilmember would constitute a quorum of the Council and would violate the Open Meeting Law.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Lon Turner to proceed with appointment procedure per Council's discussion, which is to go back and re-advertise and go through the interview process.

Vote: 4 - 0 PASSED - Unanimously

g) Discussion regarding the effect of modifying sections 50.56, 51.137, and 51.155 of the Town Code (Town sewer ordinance mandatory hookup requirements) (Mayor Marley)

Recommended Action: Refer to the Water & Utilities Subcommittee.

Mayor Marley reported that he opened this discussion a few meetings back and now suggested that Council refer the matter to the Water and Utilities Subcommittee.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Lon Turner to refer item g to the Water and Utilities Subcommittee.

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.

9) ACTION ITEMS RESUMED

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

10) ADJOURNMENT

MOVED by Councilmember Corey Mendoza, seconded by Vice-Mayor Darryl Croft to adjourn the meeting at 6:56 p.m.

Vote: 4 - 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 11th day of August, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 8th day of September, 2015.

Jami C. Lewis, Town Clerk