

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

**TUESDAY, AUGUST 13, 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, August 13, 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 Annie Perkins; Councilmember Lon Turner

Staff Present: Town Manager Cecilia Gritman; Town Attorney Andrew McGuire; Public Works Director/Town Engineer Frank Marbury; Police Chief Chuck Wynn; Police Lieutenant Randy Chapman; Police Officer Dave McNally; Community Services Director Scott Bruner; Water Advisor Mark Holmes; Administrative Technician Kathy Frohock (videographer); Town Clerk Jami Lewis (recorder)

Mayor Croft called the meeting to order at 6:01 p.m. and led the Pledge of Allegiance.

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

- a)** Announcement regarding the retirement of the Police Department's K9, Gus. (Chuck Wynn, Police Chief)

Police Chief Wynn introduced K-9 Gus, who had been with the Police Department for six years, and announced he was retiring to become a house pet in Officer McNally's home. Officer McNally detailed K-9 Gus' career with the Police Department.

Chief Wynn and Officer McNally introduced the new K-9 dog, Lisko, who was purchased from a kennel in the Netherlands through private donation funds; and he had been trained and certified in narcotics detection, and will be trained in apprehensions.

- b)** Report by Elizabeth Vicory on the results of the Summer Fun Kids Club held at the Library.

Elizabeth Vicory, Eagle Level Frontier Girl, reported on the Summer Fun Kids Club, which filled the need for a summer book club for children. She spoke about consulting with her advisor team to design and implement the project to best fill the needs of the community and provided an overview of the volunteer time and services to the 222 children that attended the program.

Community Services Director Scott Bruner commended Miss Vicory for this project.

- c)** Presentation by Jeff Frohock and Lorette Brashear regarding a proposal to establish a repertory theater in the Town. (Cyndi Thomas, Assistant Community Services Director)

Lorette Brashear introduced Jeff Frohock, who presented a proposal for a repertory theater in the Town. Mr. Frohock spoke about his experience as an educator and in theater, the necessary steps to establish a theater, and the money to be made for the community from the arts. The first production planned was a holiday melodrama in December.

The Mayor stated that the Town needed to support Mr. Frohock and thought his ideas would benefit the Town.

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.

Sarah Bradley spoke of concerns expressed on Chino Valley social media pages regarding alleged criminal activity at a property adjacent to the Chamber of Commerce and asked about the Town addressing the issue. The Mayor stated it was currently in the courts and that the Town Manager would speak with her further.

Ryan Roberts spoke about a conflict with the Town over property he owned on Perkinsville Road that he was unable to develop due to not being able to have septic installed since Town utilities would eventually be run down the easement, but having no timeline or cost for such utilities. The Mayor stated that the Town Manager would speak with him further.

David Melde spoke about the same utilities issue regarding his own property on Perkinsville Road that he was now unable to split and was paying interest while development was stalled. The cost of Town utilities, which he did not believe applied to his property, would cost him more than the value of the land. He suggested that impact fees be used to cover the cost if he was going to be forced to connect to Town utilities. The Mayor stated that the Town Manager would speak with him further.

Perry Stone spoke about a potential situation with hemp and medical marijuana farming, in that cross pollination between the two crops would render marijuana crops useless and put growers out of business. He requested that the Town create a study group with the other five cultivation sites in the Town to consider an ordinance that would require a certain distance between the two crops.

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.

Mayor Croft reported on Congressman Gosar's roundtable on the second amendment and participation in Chino Valley officer recognition; and the upcoming Territorial Days event.

Councilmember Perkins reported on the Boys and Girls Club's ribbon cutting, and the grand opening of the Compass Training Center at the Chino Valley Shooting Range and initial membership of 95 persons.

Vice Mayor Miller reported on the upcoming Chino Valley Mud Run, and Community Services Director Bruner spoke further about the event.

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

Town Manager Grittmann reminded everyone that there would be no Council Study Session next week due to the League of Cities conference.

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.

Council set down items (c) and (e).

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Mike Best to approve the Consent Agenda Items as written, 6(a), (b), (d) and (f).

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

7 - 0 PASSED - Unanimously

- a)** Consideration and possible action to adopt Resolution No. 2019-1145 approving an Intergovernmental Agreement with Yavapai County Free Library District for library support services and membership in the Yavapai Library Network. (Scott Bruner, Community Services Director)

- b) Consideration and possible action to approve a Cooperative Purchasing Agreement between the Town and Simpson Norton Corporation for purchase of a Parks Mower in the amount of \$53,218.23 and a Parks Utility Cart in the amount of \$24,842.58, totaling \$78,060.81. (Scott Bruner, Community Services Director)
- c) Consideration and possible action to approve First Amendment to Cooperative Purchasing Agreement between the Town and PFVT Motors (dba Peoria Ford) for the purchase of a 2020 Police Interceptor Utility Vehicle, in the amount of \$35,043.02. (Chuck Wynn, Police Chief)

Police Lieutenant Randy Chapman was present to answer questions. Councilmember Miller apologized, noting that he set down the item by accident.

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Cloyce Kelly to approve item (c) as written.

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

7 - 0 PASSED - Unanimously

- d) Consideration and possible action to approve a Cooperative Purchasing Agreement between the Town and Don Sanderson Ford for purchase of a 2020 Ford Escape for the Building Department, in the amount of \$29,446.48. (Frank Marbury, Public Works Director/Town Engineer)
- e) Consideration and possible action to award a contract for biosolids removal services to Waste Management of Arizona, Inc. (Frank Marbury, Public Works Director)

Vice-Mayor Miller stated that there was no dollar amount included on the agenda. Mr. Marbury stated that it was an annual bid for services and that the Town had estimated about \$75,000 for the year. Town Manager Gritman added that the dollar amount, estimated between \$50,000-\$100,000 annually, was in the staff report and the cost was determined by the tonnage amount that was transported. Council asked that staff include dollar amounts on agenda items, when applicable.

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Cloyce Kelly to approve item (e) as read.

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

7 - 0 PASSED - Unanimously

- f) Consideration and possible action to accept the July 16, 2019, study session minutes.

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) Public Hearing and consideration and possible action to recommend approval of an application from Mario Estrada for a new Series 12 (Restaurant) Liquor License for El Paraiso Mexican Italian Restaurant, located at 1150 S. State Route 89, Chino Valley. (Jami Lewis, Town Clerk)

Recommended Action:

- (i) Hold Public Hearing.
- (ii) Recommend approval for a new Series 12 Liquor License for El Paraiso.

Town Clerk Lewis reported that the applicant had applied for a Series 12 Restaurant liquor license. The State required the Town to hold a public hearing. All legal requirements were met and staff had not received any comments for or against the application.

MOVED by Vice Mayor Jack Miller, seconded by Councilmember Cloyce Kelly to hold a public hearing.

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

Vote: 7 - 0 PASSED - Unanimously

No one from the public spoke.

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 Annie Perkins, Councilmember Lon Turner

Vote: 7 - 0 PASSED - Unanimously

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Cloyce Kelly to recommend approval of the new Series 12 Liquor License for El Paraiso.

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

7 - 0 PASSED - Unanimously

- b) Consideration and possible action to execute a Professional Services Agreement between the Town and Montgomery & Associates, in the amount of \$49,436.00, for a Groundwater Physical Availability Demonstration and Projection of Recharge Area of Impact, in support of future applications for Certificates of Assured Water Supply. (Frank Marbury, Public Works Director)

Recommended Action: Execute a Professional Services Agreement between the Town and Montgomery & Associates, in the amount of \$49,436.00, for a Groundwater Physical Availability Demonstration and Projection of Recharge Area of Impact, in support of future applications for Certificates of Assured Water Supply.

Water Advisor Mark Holmes reported that:

- This was a proposal for a water physical availability determination for the Town's entire water service area for now and the future. The purpose of the study was to determine how much groundwater was physically available to serve water customers for 100 years. The study would determine the area of hydrologic impact from the recharge facility and help the Town to establish recovery wells to recover reclaimed water.
- Direct benefits included: (i) The Town could potentially lock up part of this water supply for Old Home Manor, initially for 10 years, and with two additional five-year renewal terms; (ii) The physical availability could be shared with other entities for certificates of assured water supply, saving them a year or more from having to produce their own study; (iii) The Town could recover reclaimed water, which could be provided to other entities; and (iv) The Town would have the ability to utilize its reclaimed water, which was the only increasing renewable supply that it had in its water portfolio.
- The proposal was to have Montgomery Associates perform the necessary groundwater modeling used to determine the physical availability determination and the area of hydrologic impact from the recharge facility. The consultant had knowledge of the Town's AMA aquifer and Big Chino region, and had performed the previous hydrologic analysis of assured water for the Town.
- If approved, the tasks would be completed by the end of November. Upon completion of the work, he recommended coordinating with the Water and Utility Subcommittee to determine the appropriate ADWR applications, determine the amounts of water to apply for in the permits, and complete the necessary recovery wells permit applications.

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Lon Turner to execute a Professional Services Agreement between the Town and Montgomery & Associates, in the amount of \$49,436.00, for a Groundwater Physical Availability Demonstration and Projection of Recharge Area of Impact, in support of future applications for Certificates of Assured Water Supply.

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

7 - 0 PASSED - Unanimously

- c) Consideration and possible action to authorize Water Attorney Bill Staudenmaier and Manager Grittmann to purchase 20 acre feet of assured water supply for \$20,000 an acre foot. (Cecilia Grittmann, Town Manager)

Recommended Action: Authorize Water Attorney Bill Staudenmaier and Town Manager Cecilia Gritman to purchase 20 acre feet of assured water for \$20,000 an acre foot, for a total of \$400,000.00.

Mayor Croft requested that this item be forwarded to the August 27 meeting, as there was more work to be done.

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Mike Best to table Item 7(c) to the next meeting.

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

7 - 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.

- a) An executive session pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with attorneys for the Town in order to consider the Town's position and instruct the attorneys for the Town regarding the Town's position regarding a potential intergovernmental agreement with the City of Prescott relating to water service.

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Cloyce Kelly to adjourn to executive session at 7:00 p.m.

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

7 - 0 PASSED - Unanimously

9) ACTION ITEMS RESUMED

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

Mayor Croft reconvened the regular meeting at 7:40 p.m.

10) ADJOURNMENT

MOVED by Councilmember Lon Turner, seconded by Councilmember Cloyce Kelly to adjourn the meeting at 7:40 p.m.

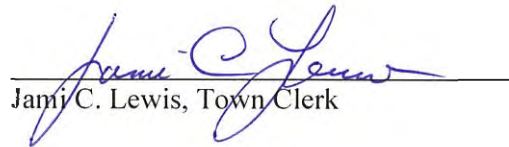
AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best,
Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember
Annie Perkins, Councilmember Lon Turner

7 - 0 PASSED - Unanimously



Darryl L. Croft, Mayor

ATTEST:

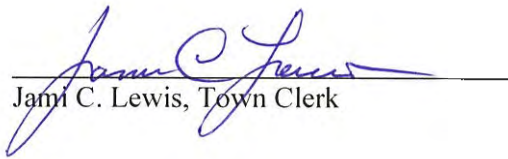


Jami C. Lewis, Town Clerk

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 13th day of August, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 10th day of September, 2019.



Jami C. Lewis, Town Clerk