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

TUESDAY, AUGUST 23, 2011
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 23, 2011.

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

Council Present: Mayor Chris Marley, Vice-Mayor Carl Tenney, and Councilmembers Mike Best, Darryl Croft, Dean Echols, Linda Hatch, and Lon Turner.

Staff Present: Town Manager Michael Scannell, General Services Director Cecilia Watts, Town Attorney Tom Kack, Police Commander Chuck Wynn, Development Services Director Pat Clingman, Town Engineer/Public Works Director Ron Grittman, Transit Consultant Jason Kelly, Administrative Technician Hilda Little, and Town Clerk Jami Lewis (recorder).

Vice-Mayor Tenney gave the invocation and Mayor Marley led the pledge of allegiance.

2) <u>Introductions, Presentations and Proclamations</u>

2a) Proclamation by the Chino Valley Elks declaring September 5-11, 2011 National Patriotism Week.

Mayor Marley read the proclamation and presented it to Elks Club members.

3) <u>Call to the Public</u>

No one from the public spoke.

Mayor's Response to the Public:
- Marty Klein thanked Council for the extending pool schedule.
- Development Services Director NAME received a building official award.
- Council referred the Senior Center Foundation to contact the Town Manager regarding use of the Senior Center Kitchen.

4) <u>Mayor/Council/Manager Report</u>

Mayor Marley reported on:
- Council researching ways to reduce costs without reducing services and encouraging public input;
- study sessions to be held in September;
- a letter to the state regarding redistricting available for review by Council and the public;
- his letter to councilmembers regarding meeting decorum and Robert's Rules of Order.

Councilmember Best reported on current CYMPO projects.

Consent Agenda

5) Consideration and possible action to waive Park Rental Fees of $90.00 for Memory Park rental on September 16, 17, and 18, 2011 for a Geocaching event planned around Arizona's Centennial Theme, and in conjunction with the County's Centennial celebration.

Kim Eldridge reported that she had been contacted by the County Centennial Committee about coordinating a geocaching event in the Chino Valley area as part of Arizona's centennial celebration. She had planned a 2½ day event on September 16, 17 and 18, 2011, at Memory Park and hoped to have at least 200 participants. There was no fee for participation.

Vice-Mayor Tenney MOVED, seconded by Councilmember Hatch, to accept Consent Agenda item 5. The motion PASSED unanimously 7-0.

Action Items

6) Consideration and possible action regarding the Town of Chino Valley Transit Program.

Transit Consultant Kelly and Finance Director Smith reported that:

- On May 5, 2011, staff presented options to modify or eliminate the Transit Program. On May 24, 2011, Council authorized staff to continue the Transit Program for a period of 90 days. As the 90-day period had now passed, a review was in order.
- As of June 30, 2011, remaining LTAF II funds were $34,246.
- Total costs for year two were estimated high at $84,625, with the local share being at most $29,373, with $17,000 being from the LTAF II general fund match. The local match could be met through a hard match from LTAF II and the general fund or soft match from in-kind general fund expenses, in-kind personnel, and in-kind volunteer match.
- Chino Valley had the only transit entity with this level of volunteerism.

Ron Romley, transit volunteer, reported that:

- The volunteer committee and bus drivers had surpassed Council's expectations to improve the system. The Transit Advisory Committee took a proactive role to search for private and government transit grants and was considering advertising on buses as well as other ways to replace LTAFF II dollars, and the Town only needed $16,000 in match money to keep the program running.
- The remaining funds would allow the program to run for 19 months, but the Committee was asking for a 12-month extension to re-evaluate the program, because if the grant was returned to ADOT, Chino Valley would never be considered for another such grant.
- It was unclear how long funds would last if Council signed an LTAF II extension and reverted to the voucher system as there was no one to advocate for more vouchers. Privatization of the program was being researched although it would most likely not provide the same personal service as the current program.
- Federal funds for the current fiscal year were already in the state budget, but ADOT was about a year behind. The current cost of the program was $8,000 per year and was anticipated to be around $5,000 in 2012.
- ADOT would be consulted regarding: the feasibility of making the Transit System a 501(c)(3); the Town being locked into this service delivery model if it signed for a two-year grant; how to stretch funds; and petitioning for modification of the grant.
- The Transit Program would probably never be self-supporting and would require federal government funds.

- Ridership to date on the local route had increased to three passengers per service hour each month, except June, due to phone service problems. The goal of the program was two passenger trips per hour.
- The program was a quality of life issue for many riders, as 27 percent were ADA compliant.

Mr. Scannell added that he will petition ADOT to assign consultant Amy Ostrander to the Town for some consulting to evaluate options. In previous conversations with her and ADOT, they were amenable to this proposal. As the Transit System was not one of the Town's core competencies, Council could instruct staff to discuss a takeover with a not-for-profit, and/or ask ADOT about modifying the grant.

Vice-Mayor Tenney MOVED, seconded by Councilmember Croft, to authorize the Mayor to sign the transit grant application for the fiscal year 2011/2012 and instructed staff to work with ADOT and consultants to evaluate service delivery options, including not-for-profit delivery options for future years. The motion PASSED unanimously 7-0.

Mayor Marley recessed the meeting at 7:05 p.m. and reconvened it at 7:13 p.m.

7) *Continued from August 9, 2011:* Consideration and possible action to authorize the Police Department to expend approximately $11,500 to expand the current fenced impound yard at the Police Department to accommodate additional vehicles impounded under A.R.S.§ 28-3511.

Commander Chuck Wynn reported that:

- Beginning in 2006, the Police Department (PD) revised its tow policy to reflect changes made to A.R.S.§ 28-3511, which dealt with vehicle immobilization, impoundment and storage. The statute mandated under certain criteria that vehicles be impounded or immobilized for a period of up to 30 days. Up to this point, the PD had relied upon private towing companies to provide storage for these vehicles due to the current size of the department's impound yard.
- Staff determined that expanding the fenced impound yard would enable the PD to store vehicles towed under this statute on site and provide a viable source of revenue for the Town. In addition, the recommended changes would provide a more streamlined process for citizens whose vehicles had been impounded under this statute, by allowing citizens to take care of all their paperwork and payment at one location, as well as during extended hours.
- Supervision of this program will fall under the auspices of the department's Management Assistant, who supervised the Civilian Officers that will be tasked with handling the day to day duties associated with this program.
- Two meetings were held with the local tow companies which resulted in an agreement that will be brought to Council on September 13. The Police Department would like authorization to move forward with the project since two-thirds of the fence would be built regardless of impounding approval, as part of the PD expansion project.

Council generally supported the PD's and tow companies handling of the process.

Vice-Mayor Tenney MOVED, seconded by Councilmember Hatch, to authorize the Police Department to expend $11,500 to expand the current fenced impound yard at the Police Department to accommodate additional vehicles impounded under A.R.S.§ 28-3511. The motion PASSED unanimously 7-0.

8) PUBLIC HEARING and possible action to approve application from Timothy Smith for person transfer of a Series 6 (Bar) Liquor License for Doreen's Back Street Bar & Grill, located at 2879 Arizona Trail in Chino Valley.

Town Clerk Lewis reported that:

- A.R.S. § 4-201 provided that the local governing body make a recommendation to the State Liquor Board with regard to liquor licensing applications.
- Timothy Smith had applied with the state for transfer of a Series 6 (Bar) Liquor License for Doreen's. The Police and Planning Departments reviewed the application and recommended approval with no comments.
- Staff posted the establishment with the necessary notices to meet the required 20-day period, and did not receive any written arguments in favor of or in opposition to the application.

Vice-Mayor Tenney MOVED, seconded by Councilmember Hatch, to open the public hearing. The motion PASSED unanimously 7-0.

Mayor Marley read the provisions for the Series 6 Liquor License.

No one from the public spoke.

Vice-Mayor Tenney MOVED, seconded by Councilmember Hatch, to close the public hearing. The motion PASSED unanimously 7-0.

Vice-Mayor Tenney MOVED, seconded by Councilmember Hatch, to approve application for a new Series 6 Liquor License transfer for Doreens, located at 2879 Arizona Trail. The motion PASSED unanimously 7-0.

9) Discussion and possible recommendations with regard to the 2011 resolutions submitted for consideration by the League of Arizona Cities and Towns Resolution's Committee.

Councilmember Best reported that:

- Each year the League asked cities and towns to submit resolutions based on issues of concern to their local communities. The resolutions were considered by the Resolutions Committee at the Annual League Conference, and some were selected to go into the League's Municipal Policy Statement, which outlined the League's legislative priorities for the coming year.
- Council customarily reviewed the proposed resolutions and provided feedback so that the Town's representative on the Resolutions Committee could represent the entire Council's view at the resolutions meeting.
- Many of the resolutions were not applicable to the Town, nor would they harm the Town.

Vice-Mayor Tenney MOVED, seconded by Councilmember Echols, to lay item 9 on the table. The motion PASSED unanimously7-0.

(The following portion of item 9 was heard after item 10 but is retained here for clarity.)

Vice-Mayor Tenney MOVED, seconded by Councilmember Croft, to remove from the table item 9. The motion PASSED unanimously 7-0.

Councilmember Best led a discussion of the resolutions and recommended that Council support the recommendations made by the submitters.

Councilmember Croft MOVED, seconded by Councilmember Echols, to support the recommendations of the committee. The motion PASSED unanimously 7-0.

10) *Continued from August 9, 2011:* Discussion and possible action with regard to the 2011/2012 Chino Valley Area Chamber of Commerce ("Chamber") contract.

Vice-Mayor Tenney reported that:

- The Finance Committee met with Chamber CEO Ab Jackson to review the contract and work out certain issues.
- The contract focused on enhancing economic development through the visitor center; annual printed directory of businesses; and business retention and expansion for businesses in the corporate limits of the town.
- Three specific professional services called out in the agreement were: sponsoring the business-to-business discount purchase program; promoting the Shop Local program; and sponsoring and holding the annual Home, Health and Business Expo.
- The agreement also contained a clause that the Chamber might not use the Town's funds or resources for political purposes.
- Payment of $38,000 would be made in two installments: one within 10 days of the execution of the contract, and the second in January 2012.

Mayor Marley added that the Finance Committee had diligently reviewed the contract with input from Town and Chamber officials and the Town Attorney reviewed it.

Vice-Mayor Tenney MOVED, seconded by Councilmember Croft, to hear from the public. The motion PASSED 6-1, with Mayor Marley voting "no."

Public comments:

Ab Jackson, CEO, Chino Valley Area Chamber of Commerce, spoke about the Chamber's and his commitment to the Town and the $38,000 being far below the amount needed to promote the Town.

Jim Klein, resident, spoke about the business-to-business discount and suggested Chamber directories be distributed to multiple business locations.

Eric Spurgeon, former Chamber volunteer director, spoke about the need for sufficient funding to ensure the Chamber's success.

Mike Tobey, Paulden resident, spoke about the need for the two entities to work together, not against each other.

Marti Klein, resident, spoke in favor of the compromise reached between the Chamber and the Town and the importance of the Chamber being neutral in any political dealings.

Bob Layton, business owner, spoke about the Chamber providing services in excess of the proposed amount and Council being open-minded with Chamber funding.

Michael Edmonds, resident, spoke about a detailed accounting related to the contract.

Town Attorney Kack advised that the version of the contract in the agenda packet was not the correct version. However, he had no objections to Council approving that version if they included verbiage that the Chamber was the sole provider for the bundled service.

Councilmember Croft called for the question.

Vice-Mayor Tenney MOVED, seconded by Councilmember Echols, to approve the service contract with the Chino Valley Chamber of Commerce for the FY 2011/2012, recognizing that they were the sole service provider for this bundled group of services: to promote, develop, enhance tourism and economic development for the Town and render specific professional and technical services to the Town as delineated in this agreement in the amount of $38,000. Councilmember Hatch requested a roll call vote. The motion PASSED unanimously 7-0.

Town Manager Scannell encouraged Council to submit agenda items in a timely manner so as not to place undue demands on staff.

11) Adjournment.

Vice-Mayor Tenney MOVED, seconded by Councilmember Hatch, to adjourn the meeting. The motion PASSED unanimously 7-0 at 7:59 p.m.

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 23rd day of August, 2011. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 8th day of October 2015.

Jami C. Lewis

Jami C. Lewis, Town Clerk