

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

**TUESDAY, AUGUST 24, 2021
6:00 P.M.**

**CHINO VALLEY COUNCIL CHAMBERS
202 N. STATE ROUTE 89, CHINO VALLEY, AZ**

Present: Mayor Jack Miller; Vice-Mayor Annie Perkins; Councilmember Tom Armstrong; Councilmember Eric Granillo; Councilmember Cloyce Kelly; Councilmember Lon Turner

Staff Town Manager Cindy Blackmore; Town Attorney Andrew McGuire; Interim Development Services

Present: Director Laurie Lineberry; Public Works Director/Town Engineer Frank Marbury; Economic Development Project Manager Maggie Tidaback; Senior Planner Will Dingee; Planner Bethan Hang; Police Chief Chuck Wynn; Lieutenant Josh McIntire; Lieutenant Randy Chapman; Civilian Operations Supervisor Marrilee Easton; Audio Visual Technician Lawrence Digges; Deputy Town Clerk Traci Lavelle (recorder); Town Clerk Erin Deskins (recorder)

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

Mayor Miller called the meeting to order at 6:07 p.m. and led the Pledge of Allegiance.

CM Armstrong and CM Turner were remote via Zoom.

At the direction of Mayor Miller, Item 6(a) was moved and heard before item 2(a).

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

- a)** Presentation by Jack Berry, President of Sons of the American Revolution - Prescott Chapter, of a commendation medal/certificate to Officer Jeff Pizzi. (Chuck Wynn, Police Chief)

Chief Wynn had been approached by the Sons of the American Revolution about recognizing a police officer for their outstanding service. SRO (School Resource Officer), Officer Pizzi had been involved in several issues that went above the call of duty. He bonded well with students and had been involved in an incident in which a youth had passed away. He had gone above and beyond in handling the situation, and dealing with family members.

Mr. Berry provided information and history on the Sons of the American Revolution. The National Headquarters of the Sons of the American Revolution had five categories for public service awards that covered a wide variety of services, actions, and people. To receive the law enforcement award, the recipient had to go above the call of duty and be recommended

by a supervisor. Mr. Berry presented the Law Enforcement Commendation Medal and Certificate to Officer Pizzi.

- b) Presentation of commendation awards by the Chino Valley Police Department to eight local kids for taking an active role in making their community a better place. (Officer Jeff Pizzi)

Officer Pizzi, and Officer Giuliani had attended an elite active shooter training, which taught officers how to respond to an active shooter. The training was standardized throughout the State, and included the fire department. Because of Covid restrictions, they were limited on the number of people who could attend. Officer Giuliani volunteered his children and their friends to act as role players. He commemorated Amarissa Giuliani, Judah Giuliani, Adiya Giuliani, Uriah Giuliani, Emma Janisch, AJ Timlick, Ellie McLaughlin, and Ayden Quinn for participating in the training, and giving back to their community.

- c) Presentation and recognition to Dave, Paula, Nathaniel, and Wyatt Pizinger for their volunteer hours at the 9/11 memorial site. (Mayor Miller and Vice-Mayor Perkins)

Mayor Miller postponed this item to a later date.

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. Individuals who wish to speak, please state your first and last name and if you reside in Chino Valley Town Limits.

- Lary Holt – They were 99% done with the 9/11 Memorial and would be ready for the Memorial Service. He invited the entire Town to come to the event. He thanked all the volunteers for their work.
- Teena Meadors – She was a Planning and Zoning Commission Member and requested the Council consider an item for New Business. She explained there had not been a UDO Meeting since the beginning of the year. She wanted the Council to consider an addition to the UDO Code Section 3.1 Establishment of Zoning Districts, to create and SR-0.50 to be inserted between 3.11 SR-1 and 3.12 SR-0.16. It would create a new zoning district that was less than one-acre and more than the 7000 square foot tract home lots. She would be bringing this to the next Planning and Zoning meeting, but wanted to give notice to Council. They had been getting developers that wanted properties smaller than an acre, and only had the one option of six residential units per acre. They were taking advantage of the code, but the community was not happy about the congestion, houses, and the number of wells per acre.

4) **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 Granillo reported:

- The 50th Anniversary Celebration would take place on September 4, 2021. He thanked the volunteers and board members.
- The high school and youth football teams would be at the Cougar opening game September 11, 2021.

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

Town Manager Blackmore introduced the new Planner, Bethan Hang.

5) **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 Annie Perkins, seconded by Councilmember Cloyce Kelly to approve Consent Agenda Items 5 (a), (b), (c), (d), (e), (f), and (g) as written.

AYE: Mayor Jack Miller, Vice-Mayor Annie Perkins, Councilmember Tom Armstrong, Councilmember Eric Granillo, Councilmember Cloyce Kelly, Councilmember Lon Turner

6 - 0 PASSED - Unanimously

- a) Consideration and possible action to approve ORD 2021- 904 to rezone parcel 306-17-015A, applicants Craig and Cheryl Dillenbeck, in order to divide the property. (Will Dingee, Senior Planner)
- b) Consideration and possible action to approve the proposed Groundwater Extinguishment Credits Purchase Agreement with Richard E. Peterson and Susan Peterson for 350.1 acre feet of extinguishment credits in the amount of \$84,024.00. (Frank Marbury, Public Works Director/Town Engineer)

- c) Consideration and possible action to approve the Indigent Legal Services Agreement with Brian Pursell to provide legal defense services for indigent defendants in Chino Valley Municipal Court from July 1, 2021 to June 30, 2022, in the amount of \$15,000.00. (Ronda Apolinar, Court Administrator)
- d) Consideration and possible action to award a Professional Services Agreement (PSA) for design and post design services for the Municipal Water System Improvement Project to Civiltec Engineering, Inc. in the amount of \$126,802.00. (Frank Marbury, Public Works Director/Town Engineer)
- e) Consideration and possible action to approve the Ichor Airsoft lease for approximately 36.72 acres of land at Old Home Manor. (Maggie Tidaback, Economic Development Project Manager)
- f) Consideration and possible action to approve the June 22, 2021, regular meeting minutes. (Erin N. Deskins, Town Clerk)
- g) Consideration and possible action to approve the July 13, 2021, regular meeting minutes. (Erin N. Deskins, Town Clerk)

6) 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 (i) appoint John McCafferty to fill the vacant position on the Town Council and (ii) administer the Oath of Office to the newly appointed Councilmember. (Erin N. Deskins, Town Clerk)

Recommended Action: Appoint John McCafferty to fill the vacant position on the Town Council and administer the Oath of Office.

At the direction of Mayor Miller, item 6(a) was moved and heard before item 2(a) and is retained here for clarity.

Councilmember Turner reported that the Appointments Committee had received several applications and conducted interviews for the open Council Position. The Committee held a Public Meeting August 12, 2021, to choose their recommended candidate.

MOVED by Councilmember Lon Turner, seconded by Councilmember Cloyce Kelly to appoint John McCafferty to fill the vacant Town Council position and administer the Oath of Office.

Erin Deskins administered the Oath of Office to Mr. McCafferty, and he took a seat on the dais.

AYE: Mayor Jack Miller, Councilmember Tom Armstrong, Councilmember Eric Granillo, Councilmember Cloyce Kelly, Councilmember Lon Turner

NAY: Vice-Mayor Annie Perkins

5 - 1 PASSED

- b)** PUBLIC HEARING and consideration and possible action to approve a Conditional Use Permit on parcel 306-17-007R, applicant Alie Amato, to allow for the construction and use of a sanctuary for house cats. (Will Dingee, Senior Planner)

Recommended Action: (1) Hold public hearing; and (2) Approve a Conditional Use Permit to allow for the construction and use of a sanctuary for house cats with the following stipulations:

1. The Conditional Use Permit be granted with a two (2) year review period by staff. If staff determines that there has been a negative impact on the surrounding area, staff will bring the item through the public hearing process for reconsideration. If staff determines there is no need for reconsideration, the use will be granted in perpetuity as long as stipulations 2, 3 and 4 are met.
2. The operation will need to be consistent with the Business Plan outlined in the staff report.
3. In the event of issues arising from valid code enforcement complaints such as excess noise, odor or visual appearance or deviation from stipulation 2, staff can bring the item back before Council at any time for reconsideration, modification or revocation.
4. The onsite dumpster will need to be screened from public view per Town Code.

Will Dingee presented the following:

- The Conditional Use Permit (CUP) was for a house cat sanctuary on the subject property.
- The six-acre property location and surrounding property locations were reviewed.
- The surrounding property uses included medical marijuana cultivation facilities, and the Wine Cats Vineyard which was owned by the applicant.
- The current use of the property was the cultivation of grapes used for wine making.
- The project would be limited to the southern portion of the property.
- The proposal included three prefab buildings oriented in a U-shape, which would contain two open air enclosures called catios. This allowed the animals to be outdoors while being contained.
- Buildings would be behind the setbacks, and would be shielded from the adjacent roadway by trees.
- Staff had received comments in favor and in opposition of the proposal.
- The Planning and Zoning Commission forwarded a recommendation of approval for the CUP with stipulations.

Council and staff discussed the following:

- The property would continue to be a winery. The cat sanctuary would be on a separate parcel from the winery. The sanctuary would be on the same parcel as the vineyard.

Mayor Miller opened the public hearing. There were no comments, and the public hearing portion was closed.

MOVED by Vice-Mayor Annie Perkins, seconded by Councilmember Cloyce Kelly to approve a Conditional Use Permit on parcel 306-17-007R, to allow for the construction and use of a sanctuary for house cats.

AYE: Mayor Jack Miller, Vice-Mayor Annie Perkins, Councilmember Tom Armstrong, Councilmember Cloyce Kelly, Councilmember Lon Turner

NAY: Councilmember Eric Granillo

5 - 1 PASSED

- c) PUBLIC HEARING and consideration and possible action to approve ORD 2021-903 to rezone parcel 306-23-003B, applicant Meurs Country West, LLC, to develop a Recreational Vehicle Park. (Will Dingee, Senior Planner)

Recommended Action: (1) Hold public hearing; and (2) Approve ORD 2021-903 to rezone approximately 2.21 acres of real property from CL (Commercial Light) to CH (Commercial Heavy) with a PAD (Planned Area Development) to develop a Recreational Vehicle Park with the following stipulations:

1. The project must conform substantially to the provided conceptual plan.
2. The use on this property is restricted solely to an RV Park; any subsequent uses will need to come through the public hearing process for Council approval.
3. All loading spaces, maneuvering areas, driveways, and fire lanes shall be paved per UDO §4.22.4(B)(2) and all turning radii shall conform to the AASHTO guidelines. This does not include RV Stalls.
4. A water and sewer agreement will be needed between the Town and the property owner.
5. An accessible path between the new development and the existing clubhouse located in parcel #306-23-003B will be required.
6. Per Town Code of Ordinances §150.081, except as exempted in § 150.082, all existing and new utility and telephone lines, electric utility distribution lines, cable television lines and all other communication and utility lines adjacent to or within new residential subdivision shall be undergrounded.

Will Dingee presented the following:

- The application was for a rezone with a Planned Area Development (PAD) for the new phase of the Country West RV Park.
- The subject parcel location and surrounding property locations were reviewed.
- The property was currently vacant. Before the applicant purchased the subject property in 2020, it existed as an established RV Park through a CUP issued in 1988. The new owner demolished all structures and improvements on the property because of the state of disrepair.
- The applicant was required to submit a conceptual plan in which would be tied to the rezone.
- The conceptual plan included 31 graveled stalls, with a central one way looped access drive.
- The property would be served by Town water and sewer.
- The PAD would restrict the property to solely an RV Park. Any changes to the

property or the plan would require going through the public hearing process.

- Staff had not received any comments on the proposal.
- The Planning and Zoning Commission forwarded a recommendation of approval with stipulations.

Council, the applicant Megan Meers, and staff discussed the following:

- The entrance through Country West would be through their private driveway.
- Tenancy laws changed after 180 days, so stays at the RV Park were limited to less than that time.
- It would only be RV's.
- The biggest space could fit a 45-foot RV.
- There would be space in the Pepperjacks parking lot for the RV's to turn.
- There would be a wall at the back of the RV's but not along the road.
- The current RV area would remain the same.

Mayor Miller opened the public hearing. There were no comments, and the public hearing portion was closed.

MOVED by Vice-Mayor Annie Perkins, seconded by Councilmember Cloyce Kelly to approve ORD 2021-903 to rezone approximately 2.21 acres of real property from CL (Commercial Light) to CH (Commercial Heavy) with a PAD (Planned Area Development) to develop a Recreational Vehicle Park.

AYE: Mayor Jack Miller, Vice-Mayor Annie Perkins, Councilmember Tom Armstrong, Councilmember Eric Granillo, Councilmember Cloyce Kelly, Councilmember Lon Turner

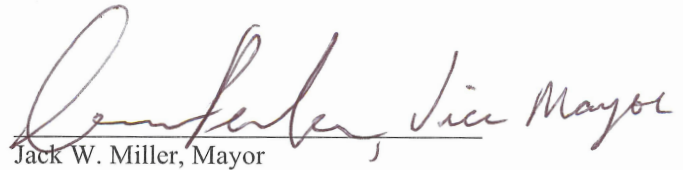
6 - 0 PASSED - Unanimously

7) **ADJOURNMENT**

MOVED by Councilmember Lon Turner, seconded by Councilmember Cloyce Kelly to adjourn the meeting at 6:39 p.m.

AYE: Mayor Jack Miller, Vice-Mayor Annie Perkins, Councilmember Tom Armstrong, Councilmember Eric Granillo, Councilmember Cloyce Kelly, Councilmember Lon Turner

6 - 0 PASSED - Unanimously


Jack W. Miller, Mayor

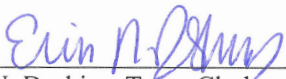
ATTEST:


Erin N. Deskins, 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 24th day of August, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 14th day of September, 2021.


Erin N. Deskins, Town Clerk