



Town of Chino Valley

MEETING NOTICE TOWN COUNCIL

**REGULAR MEETING
Tuesday, September 9, 2014
6:00 P.M.**

**Council Chambers
202 N. State Route 89
Chino Valley, Arizona**

AGENDA -- AMENDED*

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

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

- a) Proclamation declaring September 22-26, 2014 as National Employer Support of the Guard and Reserve Week, sponsored by the Arizona Office for Employer Support of the Guard and Reserve. (Mayor Marley)
- b) Proclamation declaring September 8-14, 2014 as "National Patriotism Week," sponsored by the Chino Valley Elks Lodge. (Mayor Marley)

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) First amendment rights as they pertain to citizens speaking on agenda items.

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

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.

- a) Consideration and possible action to approve the June 10, 2014 regular meeting minutes. (Jami Lewis, Town Clerk)
- b) Consideration and possible action to approve changes to Personnel Policy No. 605, "Overtime: Non-Exempt Employees," to the Town of Chino Valley's Personnel Manual, dated September 12, 2002. (Cecilia Gritman, General Services Director)
- c) Consideration and possible action to authorize the Town Manager to sign two Governor's Office of Highway Safety (GOHS) grant contracts, in an amount not-to-exceed \$10,000 for high visibility impaired driver/DUI enforcement, and an amount not-to-exceed \$6,139 for accident and crime scene software and training; and accept and authorize expenditure of said funds. (Chuck Wynn, Police Chief)

7) ACTION ITEMS

- a) *Continued from August 26, 2014:* Discussion and possible action to address a complaint filed by Vice-Mayor Croft pursuant to Town Code Chapter 35 Code of Ethics Section 35.04 Conduct in Public Office paragraph (D). (Mayor Marley; Vice-Mayor Croft)

Recommended Action: Call upon Councilmember Hatch to publicly apologize to Ms. Schimikowsky, President/CEO, Chino Valley Area Chamber of Commerce, and to refrain from conversing in an intimidating manner when discussing Town business with visitors and staff.

- b) Consideration and possible action to adopt Resolution No. 14-1045, authorizing the Mayor to sign all documents related to the submission of a grant application to the Arizona Commerce Authority Rural Economic Development Grant in the amount of \$250,000 and pledge 10% of the qualified costs in matching funds, not to exceed \$90,000. Matching funds will be budgeted for upon receipt of the Grant. (Ruth Mayday, Development Services Director)

Recommended Action: Adopt Resolution No. 14-1045, authorizing the Mayor to sign all documents related to the submission of a grant application to the Arizona Commerce Authority Rural Economic Development Grant in the amount of \$250,000 and pledge 10% of the qualified costs in matching funds, not to exceed \$90,000.

- c) Consideration and possible action to approve Funding Agreement with the Arizona Department of Housing, in the amount of \$275,000, for the Owner Occupied Housing Rehabilitation Program. Funds to come from Arizona Department of Housing. (Ruth Mayday, Development Services Director)

Recommended Action: Authorize the Mayor to sign all documents necessary related to the execution of the Funding Agreement with the Arizona Department of Housing for the Owner Occupied Housing Rehabilitation Program, and authorize staff to take all actions necessary to complete the obligations set forth in the Funding Agreement.

- d) Consideration and possible action to approve the Leasing Services Proposal from NB: AZ Public Financial Services, a Division of Zions First National Bank and Affiliate of National Bank of Arizona and Lease Purchase Agreement; and approve Resolution No. 14-1042 authorizing the Mayor to execute the Agreement and all related documents necessary to the consummation of the transactions contemplated by the Agreement. (Joe Duffy, Finance Director)

Recommended Action: Approve the Leasing Services Proposal from NB: AZ Public Financial Services and Lease Purchase Agreement; and approve Resolution No. 14-1042.

- e) Consideration and possible action to approve the purchase of four Ford Police Interceptors from Berge Ford in an amount not to exceed \$115,473.60 (\$28,868.40 each,) two Ford 550 from Berge Ford in an amount not to exceed \$111,512.50 (\$55,756.25 each,) one John Deere 544K front end loader from RDO Equipment Company in an amount not to exceed \$166,503.38, and one 410K backhoe from RDO Equipment in an amount not to exceed \$107,898.66 and one 10-Wheel Dump Truck from Empire Machinery in an amount not to exceed \$180,000 for a combined total of \$681,388.14, all financed through a lease/purchase agreement with Zions First National Bank. (Ron Grittman, Public Works Director/Town Engineer)

Recommended Action: Approve the purchase of four Ford Police Interceptors from Berge Ford in an amount not to exceed \$115,473.60 (\$28,868.40 each,) two Ford 550 from Berge Ford in an amount not to exceed \$111,512.50 (\$55,756.25 each,) one John Deere 544K front end loader from RDO Equipment Company in an amount not to exceed \$166,503.38, and one 410K backhoe from RDO Equipment in an amount not to exceed \$107,898.66 and one 10-Wheel Dump Truck from Empire Machinery in an amount not to exceed \$180,000 for a combined total of \$681,388.14, all financed through a lease/purchase agreement with Zions First National Bank.

- f) Consideration and possible action to approve change order number 1 to the existing Yavapai County Intergovernmental Agreement by \$447,020.00 for phase 1 of the Chino Meadows Flood Control Project for a total project amount of \$450,000.00. Funds to come from Yavapai County Flood Control. (Ron Grittmann, Public Works Director/Town Engineer)

Recommended Action: Approve change order number 1 to the existing Yavapai County Intergovernmental Agreement by \$447,020.00 for phase 1 of the Chino Meadows Flood Control Project.

- g) Consideration and possible action to adopt Resolution No. 14-1047 adopting a policy for the prioritization of roadways for the Town's annual roadway resurfacing program. (Ron Grittmann, Public Works Director/Town Engineer)

Recommended Action: Adopt Resolution No. 14-1047 adopting a policy for the prioritization of roadways for the Town's annual roadway resurfacing program.

- h) Consideration and possible action to approve the spring 2015 roadway resurfacing program in an amount not to exceed \$170,000 from Highway User Revenue Funds and \$50,000 from Road Impact Fees for the streets identified in the staff report. (Ron Grittmann, Public Works Director/Town Engineer)

Recommended Action: Approve the spring 2015 roadway resurfacing program in an amount not to exceed \$170,000 from Highway User Revenue Funds and \$50,000 from Road Impact Fees for the streets identified in the staff report.

- i) Consideration and possible action to adopt Resolution No. 14-1046 authorizing acquisition of real property for right-of-way purposes for Center Street from Road 1 East to the East side of the Santa Cruz Wash and accepting the dedication of said property as set forth in the deeds attached to the staff report. (Ron Grittmann, Public Works Director/Town Engineer)

Recommended Action: Adopt Resolution No. 14-1046 and accept the dedications of real property as set forth in the deeds attached to the staff report.

- j) Consideration and possible action to accept the Right-of-Way dedications for Road 1 East between Road 4 South and Kalinich Avenue, Brownlow Avenue, Road 4 1/2 South and Kalinich Avenue. (Ron Grittmann, Public Works Director/Town Engineer)

Recommended Action: Accept the Right-of-Way dedications for Road 1 East between Road 4 South and Kalinich Avenue, Brownlow Avenue, Road 4 1/2 South and Kalinich Avenue.

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) Pursuant to A.R.S. § 38-431.03(A)(1) for discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of the Town Attorney. (Councilmember Hatch; Councilmember McKee; Councilmember Wojcik)
- b) Pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the Town's position regarding a Settlement and Release Agreement that is the subject of negotiations related to the Construction Manager at Risk Contract between the Town of Chino Valley and Fann Contracting, Inc. dated June 12, 2003 and all amendments thereto. (Robert Smith, Town Manager)
- c) *Pursuant to A.R.S. § 38-431.03(A)(1) for discussion or consideration of employment, assignment, appointment, demotion, dismissal, disciplining or resignation of Planning and Zoning Commissioners Michael Edmonds and Robert McCaullay. (Mayor Marley)

9) **ACTION ITEMS RESUMED**

After the executive session, Council will reconvene the Regular Meeting.

- a) *Consideration and possible action to terminate the appointment and remove Commissioners Michael Edmonds and/or Robert McCaullay from the Planning and Zoning Commission. (Mayor Marley)

10) **ADJOURNMENT**

Dated this 4th day of September, 2014.

*Amendment dated September 8, 2014.

By: **Jami C. Lewis, Town Clerk**

The Town of Chino Valley endeavors to make all public meetings accessible to persons with disabilities. Please call 636-2646 (voice) or 1-(800) 347-1695 (Arizona Relay Service) 48 hours prior to the meeting to request a reasonable accommodation to participate in this meeting.

Supporting documentation and staff reports furnished to the Council with this agenda are available for review on the Town website at <http://www.chinoaz.net/clerk/townagenda.shtml>, and in the Public Library and Town Clerk's Office.

CERTIFICATION OF POSTING

The undersigned hereby certifies that a copy of this notice was duly posted at Chino Valley South Campus, Chino Valley Post Office, and Chino Valley North Campus in accordance with the statement filed by the Town Council with the Town Clerk.

Date: _____ Time: _____ By: _____
Jami C. Lewis, Town Clerk