

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

**TUESDAY, SEPTEMBER 22, 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, September 22, 2015.

Present: Mayor Chris Marley; Vice-Mayor Darryl Croft; Councilmember Mike Best; Councilmember Susie Cuka; Councilmember Corey Mendoza; Councilmember Jack Miller; Councilmember Lon Turner

Staff Present: Town Manager Robert Smith; Assistant Town Manager Cecilia Grittman; Town Attorney Susan Goodwin; Police Chief Chuck Wynn; Police Lieutenant Vince Schaan; Police Officer Gary Bruso; Police Officer Deana Winn; Town Engineer/Public Works Director Ron Grittman; Assistant Public Works Director/Town Engineer Michael Lopez; Deputy Town Clerk Liz Hart (recorder)

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

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

Mayor Marley gave the invocation and led the Pledge of Allegiance.

(Town Attorney Goodwin attended via Skype.)

(Susie Cuka and Jack Miller took office at the conclusion of item 7b.)

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

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.

Norm Freeman, owner of Freeman Farms, spoke about challenges with town code and obtaining consistent information from town officials with regard to a building permit.

James Eddy, resident, spoke about access problems on Picacho Boulevard created by new fencing being installed along the right-of-way. Mayor Marley asked Town Manager Smith to look into the matter.

Chad Nanke, county resident, spoke about the Town becoming a target of medical marijuana growers and the need to fix town codes before recreational use was approved.

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, 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.

Vice-Mayor Croft reported on the start of the fall Citizens' Academy.

Mayor Marley read the monthly mayor's report, which pertained to life in a small town from a government point of view.

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

Assistant Town Manager Gritman reported on Library Director Scott Bruner receiving the Arizona Library Association's annual Leadership Award.

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.

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) Council may vote to recess the regular meeting and hold an executive session pursuant to A.R.S. § 38-431.03(A)(1) for discussion or consideration of the appointment of Susan Cuka, Dean Echols, Alex Harris, Dean Keller, Susan Keller, Agustin La Sogga, Jack Miller, Lillian Morales, Kathryn Napp, Joshua Schmidt, Julie Van Wuffen, Hans Vang, Mark Vucich, or Mark Widtfeldt to fill two vacancies on the Town Council. (Vice-Mayor Croft; Councilmember Best)

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to recess the regular session into executive session to discuss and consider the appointment of two members to the Town Council at 6:21 p.m.

Vote: 5 - 0 PASSED - Unanimously

Mayor Marley reconvened the regular meeting at 6:44 p.m.

- b) Consideration and possible action to (i) review and discuss the final applicants for the vacant Council positions as recommended by the Appointments Subcommittee; (ii) select two applicants to fill the vacant positions; and (iii) administer the Oath of Office to said selected applicants. (Vice-Mayor Croft; Councilmember Best)

Recommended Action: Discuss final applicants; select applicants to fill the vacant positions; and administer the Oath of Office.

Per the staff report by Town Clerk Lewis:

- On August 11, 2015, Council directed: (i) staff to follow the town attorney's recommendations for recruitment; and (ii) the Appointments Subcommittee to retain the applications from the previous recruitment, re-advertise for the two new vacant positions, interview new applicants, and make a recommendation to Council of five candidates for consideration.
- On September 9, 2015, the subcommittee interviewed seven applicants and ranked them alongside seven previous applicants who desired to remain in consideration. The subcommittee then forwarded the top five of the 14 total applications to Council for consideration.
- Staff informed the top five applicants that they should review the Open Meeting Law material prior to this meeting so that those selected could be seated immediately.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to recommend Susan Cuka for appointment to town council.

Vote: 5 - 0 PASSED - Unanimously

Town Clerk Lewis administered the oath of office to Ms. Cuka and Mr. Miller, who then took their seats on the dais.

Mayor Marley recessed the meeting at 6:47 p.m. and called the meeting back to order at 6:56 p.m.

- c) Consideration and possible action to waive the bidding requirements pursuant to Section 32.08 of the Town Code and to approve the purchase of two (2) used police motorcycles, including radar units, from Prescott Valley Police Department, in the total amount of \$11,500. Funds to come from the Capital Asset Replacement Fund, which has \$197,000 available that can be used for this acquisition. Funds received from the sale of the old bikes will be deposited back into this fund. (Chuck Wynn, Police Chief)

Recommended Action: Waive the bidding requirements pursuant to Town Code Section 32.08 and approve the purchase of a 2006 Harley Davidson Elektra Glide FLHTPI with ABS, Genesis II Radar system, and a 2009 Honda ST1300 with ABS Police Touring Motorcycle, rifle lock and a Kustom Golden Eagle II radar system from Prescott Valley Police Department for a total of \$11,500.

Chief Wynn reported that:

- The Prescott Valley Police Department notified the Town that they were selling all of their police motorcycles. Currently, the Town had three patrol bikes and one trainer/crash bike. Two of the patrol bikes had ongoing mechanical issues and one was lacking a radar unit; and repairs needed on the crash bike outweighed its value.
- Staff proposed to purchase two bikes from Prescott Valley, relegate one of the town's current patrol bikes to training/crash use, retain one for patrol use, and sell the two with mechanical issues to offset the purchase price of the used ones.
- The used bikes from Prescott Valley had significantly less mileage than the Town's current bikes; both had mounted radar units, which would cost approximately \$4,600 new; and were available at a reasonable price.
- Town Code Section 32.05(B) and (C) required three oral bids for purchases between \$2,500 and \$10,000 and three informal written bids for purchases between \$10,000 and \$20,000. Since it was considerably more economical to purchase the bikes from Prescott Valley than to purchase two new ones plus radar units, staff recommended that Council waive the bidding requirements per Section 32.08(B) and approve an additional \$2,000 so the bikes could be fully serviced and decaling changed.

Council asked about the town's motor program. Chief Wynn stated that the primary uses for the bikes were traffic and public relations.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Corey Mendoza to waive the bidding requirements pursuant to Town Code Section 32.08 and approve the purchase of a 2006 Harley Davidson Elektra Glide FLHTPI with ABS, Genesis II Radar system, and a 2009 Honda ST1300 with ABS Police Touring Motorcycle, rifle lock and a Kustom Golden Eagle II radar system from Prescott Valley Police Department for a total of \$11,500.

Vote: 7 - 0 PASSED - Unanimously

- d) Consideration and possible action to amend the Town Code and Town Council Rules of Procedure to authorize the mayor to designate another member of council to preside over a meeting at which the mayor is present and able to preside.

Recommended Action:

(i) Approve Ordinance No. 15-802 amending the Town Code, Title III Administration, Chapter 30 Governing Body, Subchapter Mayor, Section 30.023 Powers and Duties related authorizing the mayor to designate another councilmember to preside over a meeting at which the mayor is present and able to preside.

(ii) Approve amendment to Section 5 of the Chino Valley Town Council Rules of Procedure Section 30.067 of the Chino Valley Town Code to add Subsection C, authorizing the mayor to designate a councilmember to preside over a meeting at which the mayor is present and able to preside.

Mayor Marley reported that:

- He desired to provide opportunities for councilmembers to preside over a Council item or meeting while he was still present and he did not currently have the authority to do that.
- The town attorney determined that amendments to Town Code Section 30.023 and the Council Rules of Procedure Section 5 were needed to accommodate this.

Town Attorney Goodwin advised that mayor's action to turn a meeting over to another will be at his discretion.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to approve Ordinance No. 15-802 amending the Town Code, Title III Administration, Chapter 30 Governing Body, Subchapter Mayor, Section 30.023 Powers and Duties related to authorizing the mayor to designate another councilmember to preside over a meeting at which the mayor is present and able to preside.

Vote: 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.

9) ACTION ITEMS RESUMED

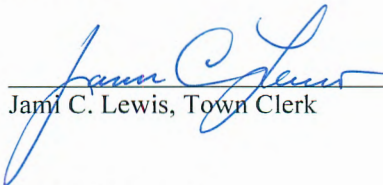
After the Executive Session, Council will reconvene the Regular Meeting.

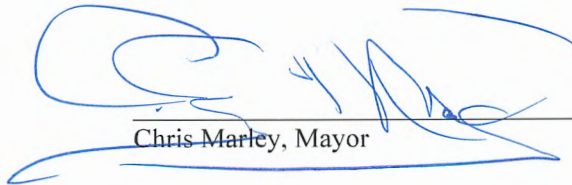
10) ADJOURNMENT

MOVED by Councilmember Jack Miller, seconded by Councilmember Mike Best to adjourn the meeting at 7:08 p.m.

Vote: 7 - 0 PASSED - Unanimously

ATTEST:

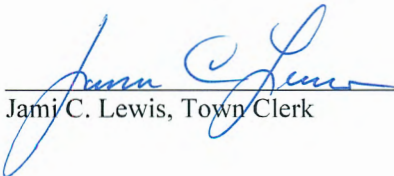

Jami C. Lewis, Town Clerk


Chris Marley, Mayor

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 22nd day of September, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 13th day of October, 2015.


Jami C. Lewis, Town Clerk