

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

**TUESDAY, SEPTEMBER 24, 2013
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 24, 2013.

Present: Mayor Chris Marley; Vice-Mayor Darryl Croft; Councilmember Linda Hatch; Councilmember Pat McKee; Councilmember Don Wojcik

Absent: Councilmember Mike Best; Councilmember Lon Turner

Staff Present: Town Manager Robert Smith; General Services Director Cecilia Watts; Town Attorney Phyllis Smiley; Police Chief Chuck Wynn; Police Lieutenant Vince Schaan; Police Officer Gary Bruso; Police Officer Mike Pereda; Town Engineer/Public Works Director Ron Gritman; Town Clerk Assistant Liz Hart (recorder)

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

Mayor Marley called the meeting to order at 6:05 p.m.

Vice-Mayor Croft gave the invocation and Mayor Marley led the Pledge of Allegiance.

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

- a)** Proclamation declaring September 22-28, 2013 as "Employer Support of the Guard and Reserve Week," sponsored by ESGR.

Vice-Mayor Croft read the proclamation and presented it to Darren Venters with ESGR, who acknowledged the Town's support.

- b)** Presentation of \$10,000 donation from Sturm, Ruger to the Chino Valley Police Department for the new canine, Bronco. (Chuck Wynn, Police Chief)

Chief Wynn spoke about expanding the Police Department's canine program by bringing on a second canine, Gus. Mark Lang with Sturm, Ruger spoke about their desire to support the Town's Police Department and presented the check to Chief Wynn Vice-Mayor Croft.

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.

Marti Klein spoke about a problem with weeds through the center of Town, and needing to make the Town more appealing to prospective residents and businesses.

Rob Layhee spoke about times past in which the citizens themselves cleaned up the highway and roadways, rather than depending on the government.

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.

Councilmember Hatch reported that District 22 Arizona Senator Judy Burgess was in attendance and she reported on a recent Magistrate Evaluation Subcommittee meeting.

Mayor Marley acknowledged Councilmember Hatch for her efforts on the rural economic development grant, and read a letter to the Town from the Prescott Recreation Services Department, Senior Olympic Games Committee, regarding the success of their shooting events held at the Town's shooting facility.

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

- a) Consideration and possible action to approve License Agreement between the Town of Chino Valley and Yavapai Regional Transit for continued use of Town property and/or right of ways and/or easements for picking up and dropping off passengers, effective October 1, 2013. (Councilmember Linda Hatch; Councilmember Pat McKee)

Acronym used in this item:

YRT (Yavapai Regional Transit)

Councilmember Hatch and Town Attorney Phyllis Smiley reported that:

- On October 1, 2013, Chino Valley Transit will complete its transition to YRT, a 501(c)(4) organization, which will assume ownership of the transit signs, bus stops, and benches, some of which were located on Town property and/or rights-of-way.
- As part of the transition process, YRT needed an agreement with the Town, authorizing them to use Town rights-of-way and/or roadway easements to retain, maintain, repair and replace these facilities as needed, as well as add more facilities in the Town rights-of-way in the future, should that be needed.
- As there was some difficulty in determining whether several of these facilities were on Town or private property, further research was needed.
- Staff was recommending that Council approve a license agreement giving YRT the right to be on these properties, and as the facilities were accurately located, Exhibit A, which listed the facilities with photographs and GIS coordinates, will be amended.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Linda Hatch to approve the License Agreement between the Town of Chino Valley and Yavapai Regional Transit, effective October 1, 2013.

Vote: 5 - 0 PASSED - Unanimously

- b) Consideration and possible action to appoint applicants to fill vacancies on various public bodies. (Jami Lewis, Town Clerk)

Town Clerk Assistant Liz Hart reported that the Council Appointments Subcommittee met on September 9, 2013 to review applications for several public bodies and they were recommending that Council:

- Re-appoint Lillian Morales to the Board of Adjustment.
- Re-appoint Travis Bard to the Industrial Development Authority.
- Re-appoint Eric Smith and Sue Spahr, and appoint Bruce Thomson to the Parks and Recreation Advisory Board.
- Re-appoint Darryl Croft and Ron Romley, and appoint Glenda Williamson to the Roads and Streets Committee.
- Appoint Nancy Herrero and Delores Barwick to the Senior Center Advisory Board.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Pat McKee to appoint applicants to the Chino Valley Board of Adjustment, Industrial Development Authority, Parks and Recreation Advisory Board, Roads and Streets Committee, and Senior Center Advisory Board as recommended by the Appointments Subcommittee.

Vote: 5^{*} - 0 PASSED - Unanimously

** Corrected to reflect scrivener's error*

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:

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember ^{Don Wojcik *} ~~Lon Turner~~ to go into executive session for items 8a and 8b at 6:40 p.m.

Vote: ~~5~~ - 0 PASSED - Unanimously * Corrected to reflect scrivener's error

- a) Council may vote to go into executive session pursuant to A.R.S. § 38-431.03(A)(3) and (7) for discussion or consultation with the Town Attorney for legal advice and with designated representatives of the Town in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property that is an extension of the existing Road 4 South to the east, in the immediate vicinity of the section line, consisting of approximately 8.6 acres. (Robert Smith, Town Manager)
- b) Council may vote to go into executive session 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 an intergovernmental agreement with the City of Prescott related to payments for the transportation of water that is the subject of negotiations. (Robert Smith, Town Manager)

9) **ACTION ITEMS RESUMED**

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

Mayor Marley reconvened the Regular Meeting at 7:45 p.m.

- a) Consideration and possible action to approve either or both a Letter of Intent and a Purchase Agreement with Deep Well Ranches #1 LLC, related to and setting forth the terms of the purchase by the Town of approximately 8.6 acres of real property, generally located in the vicinity of the section line as an extension of the existing Road 4 South to the east to lands immediately adjacent to the Peavine Right of Way's eastern limit for the purpose of extending the Road 4 South right-of-way to Peavine Road. (Robert Smith, Town Manager)

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Don Wojcik to approve Letter of Intent between the Town and Deep Well Ranch #1, LLC, for the Town to purchase 8.569 acres of land with changes to Exhibit "B" to: delete the second paragraph of subsection 6.b; and in Subsection 6.c delete "and on both sides of Buyer's Peavine Trail public right-of-way;" and add subsection 6.h to read "The amount of the reimbursement by Buyer to Seller for construction of the improvements set forth herein shall not exceed \$55,000."

Vote: 5 - 0 PASSED - Unanimously

- b) Consideration and possible action to approve an Intergovernmental Agreement with the City of Prescott related to Payments for the Transportation of Water. (Robert Smith, Town Manager)

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Linda Hatch to approve an Intergovernmental Agreement with the City of Prescott related to payment for transportation of water, if there are no material changes.

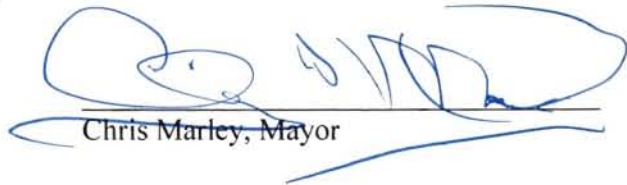
Vote: 5 - 0 PASSED - Unanimously

10) **ADJOURNMENT**

MOVED by Councilmember Linda Hatch, seconded by Councilmember Don Wojcik to adjourn the meeting at 7:50 p.m.

Vote: ^{*}5 - 0 PASSED - Unanimously

*Corrected to
reflect
scrivener's error



Chris Marley, Mayor

ATTEST:

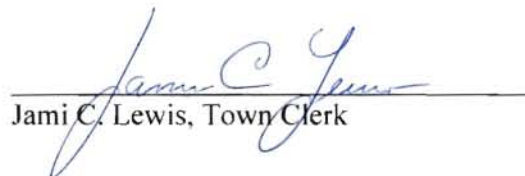


Jami C. Lewis, Town Clerk

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 24th day of September, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 8th day of October, 2013.



Jami C. Lewis, Town Clerk