



Town of Chino Valley

MEETING NOTICE TOWN COUNCIL

**REGULAR MEETING
Tuesday, December 10, 2013
6:00 P.M.**

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

AGENDA

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

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

- a)** Presentation by Jerry Hart, President, Government Finance Officers Association of the Arizona of Distinguished Budget Presentation Award to the Town of Chino Valley. (Joe Duffy, Finance Director)
- b)** Presentation by Rick Nichols of the Chino Valley Model Aviators' Annual Report. (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)** Final purchase price and cost of improvements related to the Road 4 South extension contract approved on October 22.

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.

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 October 22, 2013 regular meeting minutes. (Jami Lewis, Town Clerk)
- b) Consideration and possible action to approve the November 5, 2013 study session/retreat minutes. (Jami Lewis, Town Clerk)
- c) Consideration and possible action to approve the November 12, 2013 regular meeting minutes. (Jami Lewis, Town Clerk)
- d) Consideration and possible action to approve Financial Report for the month ended October 31, 2013. (Joe Duffy, Finance Director)
- e) Consideration and possible action to declare as public right-of-way Road 4 South from the terminus of the existing Road 4 South across the northern line of Section 1, Township 15 North, Range 2 West, also known as the Deep Well Ranch, to the eastern side of the Peavine Trail. (Ron Grittman, Public Works Director/Town Engineer)
- f) Consideration and possible action to approve Change Order Number 1 to contact with Hot AZ Hell Welding in the amount of \$7,470.96 for additional potholing required as part of the North Campus gas line replacement project. Funds to come from General Fund Contingencies. (Ron Grittman, Public Works Director/Town Engineer)
- g) Consideration and possible action to approve the rental agreements with ECCO Equipment Corporation, for one CAT D-8R/T Bulldozer and one CAT 623 F/G Paddlewheel Scraper, and United Rentals, for one 12-Ton Bomag BW 213 Sheeps Foot, in an amount not to exceed \$109,000.00 and \$17,644.00, respectively, for construction of Road 4 South Phases 1 and 2. Funds to come from Roads Impact Fees and will be accounted for in the Capital Improvement Fund. (Ron Grittman, Public Works Director/Town Engineer)

7) ACTION ITEMS

- a) Consideration and possible action to to approve Ordinance No. 13-779, declaring the document entitled "Amendments to the Unified Development Ordinance of the Town of Chino Valley Unified Development Ordinance Related to Medical Marijuana Facilities, dated December 10, 2013" as a public record; adopting the "Amendments to the Unified Development Ordinance of the Town of Chino Valley, Arizona related to Medical Marijuana Facilities, dated December 10, 2013" by reference, and amending the Town of Chino Valley Unified Development Ordinance, as follows: (1) Chapter 2 Definitions, Section 2.1 Meaning of Words and Terms, to add definitions related to Medical Marijuana and amend the definition of "Greenhouse, Commercial"; (2) Chapter 3 Zoning Districts, by amending Sections 3.5.2 Permitted Uses ("AR-36" - Agricultural/Residential (36 Acre Minimum)), Section 3.5.3 Conditional Uses (Conditional Use Permit Required) ("AR-36" - Agricultural/Residential (36 Acre Minimum)), Section 3.6.2 Permitted Uses ("AR-5" - Agricultural/Residential (5 acre minimum)), Section 3.6.3 Conditional Uses (Conditional Use Permit Required) ("AR-5" - Agricultural/Residential (5 Acre Minimum)), Section 3.7.2 Permitted Uses ("AR-4" - Agricultural/Residential (4 Acre Minimum)), Section 3.7.3 Conditional Uses (Conditional Use Permit Required) ("AR-4" - Agricultural/Residential (4 Acre Minimum)), Section 3.15 "CL" - Commercial Light, Section 3.16.2 Permitted Uses ("CH" - Commercial Heavy), Section 3.17.2 Permitted Uses ("I" - Industrial); (3) Chapter 4 General Regulations, by amending Section 4.30 Commercial Greenhouse Standards, and adding Section 4.31 Medical Marijuana Dispensaries, Cultivation Sites, and Infusion Facilities as a public record and adopt Ordinance No. 13-779 by reference. (Ruth Mayday, Planner)

Recommended Action: Approve Ordinance No. 13-779, approving and adopting the amendments to the Unified Development Ordinance by reference, all related to regulating medical marijuana uses and facilities in the Town of Chino Valley.

- b) Consideration and possible action to award the construction contract for the Shade Structure at the Police Tactical Shooting Range to Hot AZ Hell Welding in the amount of \$60,276.78 for the base bid and \$3,000 for alternative number 1 for a total contract amount not to exceed \$63,276.78. Funding to come from Police Grants for Law Enforcement Shooting Range, to be reimbursed from the R.I.C.O. seizure funds. (Ron Grittman, Public Works Director/Town Engineer)

Recommended Action: Award the construction contract for the Shade Structure at the Police Tactical Shooting Range to Hot AZ Hell Welding in the amount of \$60,276.78 for the base bid and \$3,000 for alternative number 1 for a total contract amount not to exceed \$63,276.78.

- c) Consideration and possible action to approve the Agreement for Professional Consulting Services with California Skate Parks for design of the Town of Chino Valley Community Center Skate Park in an amount not to exceed \$34,255.00. Funds to come from Parks Impact Fees. (Ron Grittman, Public Works Director/Town Engineer)

Recommended Action: Approve the Agreement for Professional Consulting Services with California Skate Parks for design of the Town of Chino Valley Community Center Skate Park in an amount not to exceed \$34,255.00.

- d) Consideration and possible direction to staff with regard to purchasing a bench for placement at the Community Center Park to honor the 19 Granite Mountain Hotshot Firefighters. Funds to come from General Fund Contingencies. (Ron Gritman, Public Works Director/Town Engineer)

Recommended Action: Direction to staff.

- e) Discussion and possible action with regard to setting guidelines for Council members to request staff projects. (Mayor Marley)

Recommended Action: None.

- f) Consideration and possible action with regard to a Council request for a Staff Project related to the Road 4 South extension project. (Councilmember McKee; Mayor Marley)

Recommended Action: Discussion and possible approval of the Staff Project or other direction to staff.

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)(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 in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation in the matter of Cortez v. Town of Chino Valley. (Robert Smith, Town Manager)

9) **ACTION ITEMS RESUMED**

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

- a) Consideration and possible action to approve the proposed agreement with Cortez Enterprises, Inc. in settlement of claims and contemplated litigation. (Robert Smith, Town Manager)

10) **ADJOURNMENT**

Dated this 5th day of December, 2013.

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 636-1787 (TDD) 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