

**Jack Miller**  
Mayor

**Tom Armstrong**  
Vice-Mayor

**Eric Granillo**  
Councilmember

**Annie Perkins**  
Councilmember

**John McCafferty**  
Councilmember

**Sherri Phillips**  
Councilmember

**Robert Schacherer**  
Councilmember



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## **TOWN COUNCIL NOTICE & AGENDA**

**EXECUTIVE SESSION**  
**TUESDAY, SEPTEMBER 10, 2024**  
**5:00 PM**

**COUNCIL CONFERENCE ROOM | 202 N. STATE ROUTE 89 | CHINO VALLEY, ARIZONA 86323**

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### **AGENDA**

- 1. CALL TO ORDER; ROLL CALL**
- 2. An executive session pursuant to A.R.S. § 38-431.03(A)(3) for discussion or consultation for legal advice with the attorneys for the Town regarding a notice received from Pima County IDA.**
- 3. Executive Session pursuant to A.R.S. § 38-431.01 (A)(3) & (4) with the attorneys for the Town in order to consider the Town's position and instruct its attorneys regarding the Town's position regarding the Paul D. Levie, *et al.* v. Town of Chino Valley matter.**
- 4. ADJOURNMENT**



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## **TOWN COUNCIL NOTICE & AGENDA**

**REGULAR MEETING**  
**TUESDAY, SEPTEMBER 10, 2024**  
**6:00 PM**

**COUNCIL CHAMBERS | 202 N. STATE ROUTE 89 | CHINO VALLEY, ARIZONA 86323**

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*A majority of the Councilmembers may attend a private invocation in the Council Conference Room immediately prior to the Council meeting. No Town business will be discussed.*

### **AGENDA**

- 1. CALL TO ORDER; PLEDGE OF ALLEGIANCE; ROLL CALL**
- 2. INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS**
  - a. Announcement and swearing in ceremony for the appointment of Joshua McIntire as Chino Valley Police Chief.
  - b. Presentation by Cyndi Thomas, Community Services Director, on the successful 2024 Territorial Days.
- 3. CALL TO THE PUBLIC - Individuals requesting to speak, please complete a Speaker**

## **Comment Card and return to the Clerk.**

*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 at the discretion of the Council and not required by law. Individuals are limited to speak for three (3) minutes, yielding of time will not be permitted. 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. Disrespectful behavior will not be tolerated; this includes loud outbursts, profanity, and disruptive discussions among our audience.*

## **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.
- b. Status report by Acting Town Manager Terri Denemy regarding Town accomplishments, and current or upcoming projects.

## **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*

- a. Consideration and possible action to approve the Cooperative Purchasing Agreement for the purchase of a 2024 Ford F150 Police Responder from San Tan Ford for \$52,722.75.
- b. Consideration and possible action to approve the Cooperative Purchasing Agreement for the purchase of a 2024 Ford F150 4x4 SuperCab pickup from San Tan Ford for \$49,997.57.
- c. Consideration and possible action to approve the Cooperative Purchasing Agreement for the purchase of a Trail King Transport Trailer from Empire Truck & Trailer for \$53,548.84.
- d. Consideration and possible action to approve the August 13, 2024, special meeting minutes.
- e. Consideration and possible action to approve the August 27, 2024, special meeting minutes.

## **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. Public hearing, consideration, and possible action to approve Ordinance No. 2024-945, to rezone approximately 1.5 acres of vacant land located at 3381 N State Route 89 from Commercial Light/Agricultural Residential, 5-acre minimum (CL/AR-5), to Commercial Heavy (CH).

**Recommended Action:** i) Hold a Public Hearing ii) Approve Ordinance No. 2024-945

- b. Public hearing, consideration, and possible action to approve Ordinance No. 2024-946, to rezone approximately 10 acres of land located on the north side of East Road 2 North, between Peppertree Place and James Drive, from Agricultural Residential, 5-Acre Minimum (AR-5), to Single Family Residential, 12,000 square foot minimum (SF-12,000).

**Recommended Action:** i) Hold a Public Hearing ii) Approve Ordinance No. 2024-946

- c. Public hearing, consideration, and possible action to approve Ordinance No. 2024-943, amending the Town of Chino Valley Unified Development Ordinance, Chapter 154, to define metal storage containers, to allow metal storage containers as accessory structures in certain zoning districts, and to add Section 4.32, Metal Storage Containers.

**Recommended Action:** i) Hold a Public Hearing ii) Approve Ordinance No. 2024-943

- d. Consideration and possible action to allow a policy deviation for offsite improvements to South Road 1 West adjacent to the proposed Homestead Subdivision.

**Recommended Action:** Staff recommends Council approve one of the following three options:

1. Direct Staff to enforce the current policy of a 24' roadway with 5' paved shoulders and relocating power poles as necessary to maintain AASHTO clearzone standards, or
2. Approve a policy deviation for offsite improvements to South Road 1 West adjacent to the proposed Homestead Subdivision to allow the use of a 24' roadway with curb and gutter in this rural area, or
3. Approve a policy deviation for offsite improvements to South Road 1 West adjacent to the proposed Homestead Subdivision to allow the use of a 24' roadway with approximately 2' paved shoulders and guardrail as needed at the power pole location.

- e. Consideration and possible action to approve Resolution No. 2024-1270 regarding the Notice received from the Industrial Development Authority of the County of Pima.

**Recommended Action:** Approve Resolution No. 2024-1270 regarding the Notice received from the Industrial Development Authority of the County of Pima.

- f. Consideration and possible action relating to potential appeal in the Paul D. Levie, *et al.* v. Town of Chino Valley matter.

**Recommended Action:** Direct staff regarding the options related to the Paul D. Levie, *et al.* v. Town of Chino Valley matter.

- g. Consideration, discussion, and possible action regarding the recruitment process for the position of Town Manager.

**Recommended Action:** Direct staff on the recruiting process for the position of Town Manager.

## 7. ADJOURNMENT

Dated this 4th day of September, 2024.

By: *Erin N. Deskins, Town Clerk*

The Town of Chino Valley endeavors to make all public meetings accessible to persons with disabilities. Please call 928-636-2646 (voice) or 711 (Telecommunications Arizona Relay Service) 48 hours prior to the meeting to request reasonable accommodation to participate in this meeting.

Council meetings are live-streamed on Town of Chino Valley Facebook page.

### 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: \_\_\_\_\_

Erin N. Deskins, Town Clerk