

DRAFT

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

**TUESDAY JANUARY 22, 2019
6:00 P.M.**

The Town Council of the Town of Chino Valley met for a Regular Meeting in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Tuesday, January 22, 2019.

Present: Mayor Darryl Croft; Vice-Mayor Jack Miller; Councilmember Cloyce Kelly; Councilmember Lon Turner

Absent: Councilmember Mike Best; Councilmember Corey Mendoza; Councilmember Annie Perkins

Staff Present: Town Manager Cecilia Grittman; Town Attorney Andrew McGuire (electronically); Police Lt. Randy Chapman; Police Sgt. Mike Pereda; Police Officer Tiffany Farmer; Police Officer Dave McNally; Human Resources Director Laura Kyriakakis; Public Works Director/Town Engineer Frank Marbury; Interim Development Services Director Martin Scribner; Planner Alex Lerma; Community Services Director Scott Bruner; Administrative Technician Kathy Frohock (videographer); Town Clerk Jami Lewis (recorder)

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

Mayor Croft called the meeting to order at 6:02 p.m. and led the Pledge of Allegiance.

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

a) Presentation of donation to K-9s from Hitchin' Post BBQ. (Chuck Wynn, Police Chief)

Lt. Chapman introduced Rich and Anna Mysliwicz from Hitchin' Post BBQ, who spoke about their fundraiser and presented a check for \$7,359.34. Police Department representatives Lt. Randy Chapman, Sgt. Mike Pereda, Officer Tiffany Farmer, and Officer Dave McNally accepted the check and presented a Challenge Coin to the Mysliwiczs.

b) Semi-Annual update by the Chino Valley Area Chamber of Commerce. (Cecilia Grittman, Town Manager)

Ms. Grittman introduced Chamber Director Lorette Brashear, who spoke about the status of the Chamber since becoming Director eight months ago. Highlights included:

- Outreach from radio shows, Instagram live, and podcasts;
- New Student Ambassador Program;
- Monthly luncheons new location and new morning mixers;
- Recent and upcoming community events;
- New part time accountant and moving the director's office; and
- Membership database and website updates.

- c) Report by Council-appointed representative Chris Marley regarding the current status of the Northern Arizona Municipal Water Users Association (NAMWUA), Upper Verde River Water Protection Coalition (UVRWPC), and Groundwater Users Advisory Committee (GUAC).

Mr. Marley reported that:

- *NAMWUA*: This entity focused on legislative awareness and advocacy. It addressed possible long term solutions—30 to 50 year projects with huge price tags—for municipal water supplies in Northern Arizona. The group had been working on Non-Indian Agricultural (NIA) Water allocations that were becoming available in 2021. The Town had already decided not to participate due to the financial risk.
- *UVRWPC*: This entity focused on watershed restoration, removal of invasive species, and erosion control. In October, there was a feasibility study presentation regarding the viability of a biomass conversion facility in the quad city area, with Drake being the first choice location. Regarding proposed uses of harvested juniper, fuel pellets were found to not be feasible, but two viable markets were biochar (soil amendment) and juniper chip waddles. Regarding erosion control, they were waiting on permits for tests. In July, there was a presentation on the Big Chino Pump Storage project. Upsides were that water usage would be one-third less than current ranching uses; there was viable storage; and would be done on privately-owned property. Downsides were that the initial draw down would be tremendous and negative effects that could be mitigated with covers and liners were expensive.
- *GUAC*: This entity was a Governor’s Advisory Committee. Private well owners were ostracized by water advocacy groups, so it was good to have representation for private wells. He learned that reports from monitoring wells in the AMA, which were near creeks, were found to indicate spikes in water only from real gully washers, not from long ‘soaker’ rain events. Total usage in the AMA had increased 3.8% while population increased 1.6% from 2016 to 2017, with 8% being used for agriculture, 15% for industrial, and 77% for municipal purposes.
- *Continued representation*: He thanked Council for replacing him on NAMWUA and UVRWP. However, he desired to reapply for GUAC when his term ended in a few months. Mayor Croft did not object.

3) CALL TO THE PUBLIC

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 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.

Mike bacon, resident, asked for clarification regarding whether or not proposed property tax dollars would be spent on roads created by land divisions and what the Town intended to do about drainage issues associated with such streets and between properties.

Karen Archibald, resident, spoke about a proposed zone change on a particular property as a project not fit for the surrounding 2.5 acre minimum properties around it. She requested that a bond be posted in case water supplies were depleted and that a block wall be required; and also expressed concern about additional traffic from 36 more people, a protected wash that ran through the property, and some discrepancies to how many units would be developed.

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. 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 Town Manager Cecilia Gritman regarding Town accomplishments, and current or upcoming projects.

Ms. Gritman reported that:

- Several Town officials attended a City of Prescott Council study session to speak during a water rate study item, specifically to oppose the 30% surcharge that Prescott charged 800 Chino Valley water customers, as well as the lack of fire flow. The City Council determined that the surcharge would remain, and Town officials wanted it known on record that they do not consider that a fair charge.
- The property maintenance item that was discussed last Tuesday was deferred to the next meeting due to some Town Attorney concerns that could not be resolved in time to make it on this agenda.
- The deadline to submit arguments for the May 21 Voter Information Pamphlet was February 20th.
- The Chino Valley Shooting Range will open January 26, and be open Saturdays and Sundays. Staff was working on an RFP for an outside agency to run and manage the range.

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.

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Cloyce Kelly to accept Consent Agenda items (a) and (b).

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Cloyce Kelly,
Councilmember Lon Turner

PASSED - Unanimously

- a) Consideration and possible action to appoint applicants to the Planning and Zoning Commission. (Jami Lewis, Town Clerk)
- b) Consideration and possible action to accept the January 8, 2019 regular meeting minutes. (Jami Lewis, Town Clerk)

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) Consideration and possible action to approve a Conditional Use Permit (CUP18-006) for 12.35 acres (approx. 535,788 sq. ft.) of real property located approximately 0.25 miles east of the southeast corner of North Road 1 West and West Road 4 North at 683 West Road 4 North, Assessor's Parcel Number 306-14-003S, to allow the existing single family residential use within the CL (Commercial Light) zoning district. (Owner of Record: Donald K. Cox and Catherine Cox) (Alex Lerma, Planner)

Recommended Action: Continue this item to the February 12, 2019 Regular Council Meeting per the applicant's request.

Mr. Lerma reported that at the request of the applicant, staff was recommending that Council continue items 7a and 7b to the next scheduled Council meeting on February 12.

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Cloyce Kelly to continue this item and item (b) to February 12, 2019.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Cloyce Kelly,
Councilmember Lon Turner

PASSED - Unanimously

- b) Consideration and possible action to approve Ordinance 2019-856 to rezone 12.35 acres (approx. 535,788 sq. ft.) of real property located approximately 0.25 miles east of the southeast corner of North Road 1 West and West Road 4 North at 683 West Road 4 North, Assessor's Parcel No. 306-14-003S, from SR-1 (Single Family Residential-1 acre minimum) zoning district to CL (Commercial Light) zoning district to allow a wholesale nursery. (Owner of Record: Donald K. Cox and Catherine Cox) (Alex Lerma, Planner)

Recommended Action: Continue this item to the February 12, 2019 Regular Council Meeting per the applicant's request.

(Council voted under Item 7a to continue this item to the February 12 regular council meeting per the applicant's request.)

- c) Consideration and possible action to approve Ordinance 2019-860 to rezone 1.48 acres of real property generally located 1,663 feet south and 300 feet west of southwest corner of West Road 2 South and State Route 89 at 1328 South State Route 89, Assessor's Parcel Number 306-33-005K from CL (Commercial Light) zoning district to CH (Commercial Heavy) zoning district. (Owner of Record: Dawn Lee Henrickson) (Alex Lerma, Planner)

Recommended Action: Adopt Ordinance 2019-860 rezoning 1.48 acres of real property from CL (Commercial Light) zoning district to CH (Commercial Heavy) zoning district.

Mr. Lerma presented on this item:

- *Proposal:* The applicant proposed to develop the property for more intensive uses, such as welding and manufacturing, and convert the existing manufactured home into an office building.
- *Current condition:* The property was located directly south of Lantana Plaza and was accessed through a 50-foot easement.
- *Conformance:* The requested zoning conformed to the General Plan land use designation of Commercial/Multi-Family Residential, neighboring Lantana Plaza's CH zoning, and would have low impact on undeveloped neighboring properties.
- *Recommendation:* The Planning and Zoning Commission had no questions or concerns about the request and both Commission and staff recommend approval.

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Lon Turner to adopt Ordinance 2019-860 rezoning 1.48 acres of real property from CL (Commercial Light) zoning district to CH (Commercial Heavy) zoning district.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Cloyce Kelly,
Councilmember Lon Turner

PASSED - Unanimously

- d) Consideration and possible action to approve Ordinance 2019-861 to rezone 5.62 acres of real property generally located 2,250 feet south of the southwest corner of West Road 2 South and State Route 89 at 1458 South State Route 89, Assessor's Parcel Number 306-33-005M, from CL/AR-5 (Commercial Light/Agricultural Residential-5 acre minimum) zoning district to CH (Commercial Heavy) zoning district. (Owner of Record: TDH Investments LLC) (Alex Lerma, Planner)

Recommended Action: Adopt Ordinance 2019-861 rezoning 5.62 acres of real property from CL/AR-5 (Commercial Light/ Agricultural Residential-5 acre minimum) zoning district to CH (Commercial Heavy) zoning district.

Mr. Lerma presented on this item:

- *Proposal:* The applicant proposed to convert an existing residence to an office building and develop the property for mini-storage and RV storage.
- *Current condition:* The property was located south of the property under agenda item 7c, owned by the same owner, and contained a single family residence and guest home.
- *Conformance:* Staff believed the request conformed with the General Plan and the current blended zoning was a challenge for staff.
- *Recommendation:* The Planning and Zoning Commission had no questions about the request and both Commission and staff recommend approval.

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Lon Turner to adopt Ordinance 2019-861 rezoning 5.62 acres of real property from CL/AR-5 (Commercial Light/ Agricultural Residential-5 acre minimum) zoning district to CH (Commercial Heavy) zoning district.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Cloyce Kelly,
Councilmember Lon Turner

PASSED - Unanimously

- e) Consideration and possible action regarding the Memorandum of Understanding between the Town of Chino Valley and the Chino Valley Police Officers Association. (Laura Kyriakakis, Human Resources Director)

Recommended Action: Accept staff recommendation regarding the Memorandum of Understanding between the Town of Chino Valley and the Chino Valley Police Officers Association.

Ms. Kyriakakis reported that staff received and responded to a proposal from the Association. She then met with the Association president and vice-president to explain the Town’s responses, which were in Council’s packet. Staff was not recommending any changes to the Memorandum of Understanding at this time.

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Cloyce Kelly to accept staff recommendation regarding the Memorandum of Understanding between the Town of Chino Valley and the Chino Valley Police Officers Association.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Cloyce Kelly,
Councilmember Lon Turner

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 Lon Turner, seconded by Councilmember Cloyce Kelly to adjourn the meeting at 6:54 p.m.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Cloyce Kelly,
Councilmember Lon Turner

PASSED - Unanimously

Darryl L. Croft, 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 22nd day of January, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 12th day of February, 2019.

Jami C. Lewis, Town Clerk