

# DRAFT

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

**TUESDAY, MARCH 10, 2020  
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, March 10, 2020.

Present: Mayor Darryl Croft; Councilmember Mike Best; Councilmember Cloyce Kelly; Councilmember Corey Mendoza; Councilmember Lon Turner

Absent: Vice-Mayor Jack Miller; Councilmember Annie Perkins

Staff Present: Town Attorney Andrew McGuire; Finance Director/Acting Town Manager Joe Duffy; Police Chief Chuck Wynn; Police Sergeant Mike Pereda; Sergeant at Arms Fernando Silva; Public Works Director/Town Engineer Frank Marbury; Development Services Director Joshua Cook; IT Manager Spencer Guest (videographer); Deputy Town Clerk Erin Deskins (recorder)

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

Mayor Croft called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

### 2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

- a) Proclamation re-affirming the Council's commitment to the Second Amendment to the United States Constitution and Article II Section 26 of the Constitution of the State of Arizona.

Mayor Croft read the proclamation reaffirming the Council's commitment to the Second Amendment in the U.S. and State of Arizona Constitutions, stating that the Town Council would utilize available resources to oppose any proposed legislation that would infringe upon the citizens right as guaranteed by the Second Amendment.

- b) Presentation by Regina Pecoraro with Compass Training Center regarding quarterly update and report. (Chuck Wynn, Police Chief)

John Stankewicz, Founder and CEO, and Ms. Pecoraro, Director of Compass Training Center, presented an activity update. Key points were:

- *Statistics:* The facility opened August 1 and had logged 5,039 visits, obtained 197 subscription members, and had over 1,300 volunteer hours provided. They offered daily and subscriber rates, and veteran, active duty, and first responder discounted rates. They had acquired the Well-Armed Women from Prescott and Prescott Valley and were training about 85 women with about 20-25 women a month in the Center's class.
- *Events:* The Desert Brutality competition brought in 787 people. They were planning to book the event again for the upcoming year, as well as a mini event on the Fourth of

July weekend.

- *Projects:* They were working with Larry Holt on the 9/11 Memorial. Sherwin Williams donated paint for the Center bays and office interior. Other facility upgrades were in process.
- *Grants:* They received two grants from Friends of the NRA for the gravel completion of the 200-yard bay and 10 Ruger .22 fire rifles for the Junior program. They were awaiting the approval for a \$50,000 in-kind grant from Fish and Game with the help of Chief Wynn.
- *Future goals:* These included a building for customer check-ins, classroom and retail shop; additional range space for cowboy action shooters, long range shooting, archery ax throwing and private rental bays; overhang for the new picnic area; rental fleet of fire arms; and more local, national and international shooting competitions and events.

### 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.*

Ken Dingman, resident, asked for clarification on overnight parking in the Highlands Ranch Subdivision. Their local CC&Rs did not allow for overnight parking, but there was an argument that since the Town maintained the roads, and because they were not a gated community, the homeowners' association (HOA) could not dictate parking restrictions. Council explained that they could not provide an answer during this meeting. Police Chief Wynn explained that the Town did not enforce HOA rules, but according to state law, there was nothing wrong with parking on the street. Council directed Mr. Dingman to talk with the Chief and Development Services Director for further explanation.

### 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) Questions regarding the proposed Brook Apartments development and Town zoning regulations.

Development Services Director Cook reported that:

- Brook Apartments would be required to meet all minimum code requirements with regard to landscaping, parking, and screening, and their current proposal did that. The PAD process from the previous year would have allowed some flexibility in design and would have given the Council the option to dictate parking, landscaping and screening. The current code did not allow that, but there were specific codes that needed to be met.
- Staff was unaware of any future plans that the developer had other than the proposed 96 units.
- The UDO subcommittee was currently meeting to help update the code, but the zoning law was not antiquated and was used to facilitate the development of all residential, industrial and commercial development and property within Town.

- b) Comments with regard to lot splits, Town regulations, and a disagreement between citizens and Town staff.

Mayor Croft reported that Council was forwarding this item to the study session on April 21.

**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.

Councilmember Best reported on the upcoming Barn Dance, associated with the 50th Anniversary Celebration.

- b) Status report by Town Manager Cecilia Gritman regarding Town accomplishments, and current or upcoming projects.

**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 Councilmember Mike Best, seconded by Councilmember Cloyce Kelly to accept the Consent Agenda 6 a, b, and c.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best, Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Annie Perkins, Councilmember Lon Turner

**7 - 0 PASSED - Unanimously**

- a) Consideration and possible action to authorize the Police Department to apply for a Government of Highway Safety (GOHS) grant. (Chuck Wynn, Police Chief)
- b) Consideration and possible action to approve the Professional Service Agreement with Henry & Horne, LLP as the Town's Audit firm, as recommended by the Finance Subcommittee, to perform Professional Audit Services for the Fiscal Years Ending June 30, 2020 through June 30, 2024. (Joe Duffy, Finance Director)
- c) Consideration and possible action to approve the February 18, 2020, study session 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) Public Hearing and consideration and possible action to recommend approval of an application from Owner Christopher F. Hoult for a new Series 007 (Beer and Wine) Liquor License for Granite Creek Vineyards Wine & Beer Garden, located at 2515 N Road 1 East, Chino Valley. (JoAnn Brookins, Customer Service Manager)

Recommended Action:

- (i) Hold Public Hearing  
(ii) Recommend approval for a new Series 007 Liquor License for Granite Creek Vineyards.

Development Services Director Cook reported that Granite Creek Vineyards Wine and Beer Garden applied for a new liquor license to be allowed to sell and consume beer on their property. Staff reviewed and followed the legal requirements for notification and was recommending approval.

MOVED by Councilmember Mike Best, seconded by Councilmember Cloyce Kelly to open the meeting to the Public Hearing.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best, Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Annie Perkins, Councilmember Lon Turner

**7 - 0 PASSED - Unanimously**

No one from the public spoke.

MOVED by Councilmember Mike Best, seconded by Councilmember Cloyce Kelly to close the Public Hearing.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best, Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Annie Perkins, Councilmember Lon Turner

**7 - 0 PASSED - Unanimously**

MOVED by Councilmember Mike Best, seconded by Councilmember Lon Turner to approve the new Series 7 Liquor License for Granite Creek Vineyards.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best, Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Annie Perkins, Councilmember Lon Turner

**7 - 0 PASSED - Unanimously**

- b) Public Hearing regarding Resolution No. 2020-1153, proposing an extension of the alternative expenditure limitation—home rule option. (Joe Duffy, Finance Director)

Recommended Action: Hold public hearing.

Mr. Duffy presented the following:

- *Background:* In June 1980, Arizona voters approved a constitutional amendment prescribing that every college, town, city, and county have an expenditure limitation for the purpose of controlling expenditures and limit future increases in spending. Every four years the Town had to have a ballot measure to get voter approval to continue with Home Rule for local control. The Town had been under the same expenditure limitation from 1970 to 1985 and then the citizens voted in the Home Rule option and it had been voted in every four years since. The current option would expire in June 2021.
- *Expenditure limits:* There were three limits under the State Expenditure Limitation (“state limit”) Laws: (i) the state limit; (ii) permanent base adjustment, which allowed the Town to set the limit one time and raise it high enough that the Town did not need to have the Home Rule option every four years; and (iii) the Home Rule Option, which was what the Town had always done. 19 towns and cities were under the State Limit, 33 had done permanent base adjustments, and 45 fell under the Home Rule option.
- *State limit:* Spending was limited under the State Limit. It did not look at how much revenue could be brought in. For the first fiscal year (“FY”) of 2022 under that option, the Town would only be able to spend approximately \$9.8 million dollars. The Town was projecting to bring in about \$23.5 million in revenues. If the Town stayed under the state limit, it could not spend 58% of that revenue. The state limit formula was dictated by population and inflation increases. In theory, it was a good idea to cap government spending, but in practice it did not work. The Town’s population was five times larger and there were so many more services provided currently than was provided in 1978. The formula did not keep up with reality and the demand for services from citizens was greater than what the state limit would allow.
- *State limit v. Home Rule:* Under the state limit, the same level of services could not be provided and cuts would be necessary. Citizens needed to decide if they wanted State control or local control that was determined by the local Council. A ‘yes’ vote would allow the Town to set their expenditures based on actual revenues and local needs for the next four years.
- Staff recommended the Town continue to use the Home Rule option. There was information available on the Town’s website, through presentations and brochures, videos, podcasts and radio presentations. There will be another presentation at the next meeting and a resolution would be adopted.

MOVED by Councilmember Mike Best, seconded by Councilmember Cloyce Kelly to open the meeting to the public hearing.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best, Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Annie Perkins, Councilmember Lon Turner

**7 - 0 PASSED - Unanimously**

No one from the public spoke.

MOVED by Councilmember Mike Best, seconded by Councilmember Cloyce Kelly to close the Public Hearing.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best, Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Annie Perkins, Councilmember Lon Turner

**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 Lon Turner, seconded by Councilmember Cloyce Kelly to adjourn the meeting at 6:36 p.m.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best, Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Annie Perkins, Councilmember Lon Turner

**7 - 0 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 10th day of March, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Jami C. Lewis, Town Clerk

