

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

**TUESDAY, SEPTEMBER 13, 2016
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 13, 2016.

Present: Mayor Chris Marley; Vice-Mayor Darryl Croft; Councilmember Mike Best; Councilmember Susie Cuka; Councilmember Jack Miller; Councilmember Corey Mendoza; Councilmember Lon Turner

Staff Present: Town Manager Robert Smith; Assistant Town Manager Cecilia Grittmann; Town Attorney Phyllis Smiley (via Skype); Finance Director Joe Duffy; Public Works Director/Town Engineer Michael Lopez; Development Services Director Ruth Mayday; GIS/CAD/Web Technician Jan Mazy; Town Clerk Assistant Amy Pyeatt-Lansa; Town Clerk Jami Lewis (recorder)

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

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

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

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.

Lillian Morales, resident, spoke about the recent election results and topics of community interest that she had heard from citizens during her campaign, including more recreational and community activities; better buses for the school district; and the Chino Valley-Williamson Valley connector. Mayor Marley asked Ms. Morales to provide her list of recreational ideas to the town manager.

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.

- a) Status reports by Mayor and Council regarding current events.

Councilmember Best reported on the recent Territorial Days events.

Vice-Mayor Croft reported on the recent League of Arizona Cities and Towns Conference.

- b) Status report by Town Manager Robert Smith 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 Vice-Mayor Darryl Croft, seconded by Councilmember Corey Mendoza to approve consent agenda items a, b, c and d.

Vote: 7 - 0 PASSED - Unanimously

- a) Consideration and possible action to accept the July 26, 2016 regular meeting minutes. (Jami Lewis, Town Clerk)
- b) Consideration and possible action to accept the August 9, 2016 regular meeting minutes. (Jami Lewis, Town Clerk)
- c) Consideration and possible action to accept the August 16, 2016 special meeting minutes. (Jami Lewis, Town Clerk)
- d) Consideration and possible action to accept the August 16, 2016 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) Consideration and possible action to approve the intergovernmental agreement (IGA) between the Town of Chino Valley and Yavapai County authorizing payment for General Drainage Improvements within the Town of Chino Valley. (Michael Lopez, Public Works Director/Town Engineer)

Recommended Action: Approve the intergovernmental agreement (IGA) between the Town of Chino Valley and Yavapai County for General Drainage Improvements within the Town of Chino Valley.

Mr. Lopez presented on this item:

- Funding in the amount of \$110,000 was available from Yavapai County for local drainage improvements and materials. The Town had received much more last year, so staff will also explore grant match options to increase funding.
- Per the 2014 drainage study, which identified several needed projects in the Town, staff had developed a priority list for the projects, some of which had already been completed. The next project in line was too costly to tackle this year, but the IGA included general drainage materials and three improvement projects: Road 2 South at SR 89, Juniper Drive, and the Road 1 East at Road 3 South low water crossing.
- The IGA was written for general drainage improvements to provide flexibility for staff to use the money where it was most needed.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Lon Turner to approve the intergovernmental agreement (IGA) between the Town of Chino Valley and Yavapai County for General Drainage Improvements within the Town of Chino Valley.

Vote: 7 - 0 PASSED - Unanimously

- b) Consideration and possible action to adopt Resolution No. 16-1091 authorizing the acquisition of certain real property for right-of-way (ROW) and temporary construction easement purposes for re-construction of the intersection of Road 1 West and Road 2 North, authorizing the Mayor, Town Manager and Town Attorney to acquire title to such real property on behalf of the Town by dedication and to obtain the temporary construction easement by purchase for an amount not to exceed \$3,500.00, plus acquisition and closing costs; and to authorize the Mayor, Town Manager, and Town Attorney to perform all acts necessary to acquire the property, all as set forth in the Resolution. (Michael Lopez, Public Works Director/Town Engineer)

Recommended Action: Adopt Resolution No. 16-1091, authorizing the acquisition of certain real property.

Mr. Lopez presented on this item:

- The Town and School District entered into an intergovernmental agreement (IGA) in 2014 for project funding using the District's Adjacent Ways funding. Per the IGA, the Town managed construction projects for the District, and the District reimbursed the Town. The District currently had about \$200,000 available.
- This project would expand the southwest corner of Road 2 North and Road 1 West to improve bus movement. Two future items will address improvements to the northwest corner of this intersection, as well as a portion of land in the back of the school, where school officials intended the majority of buses to use.
- Affected private property owners had been gracious in offering the right-of-way for a good price.
- School Superintendent Scholl preferred that the project be done in late June/early July.

Councilmember Cuka affirmed that that corner was very difficult for bus turning, and the corner could not be shaved due to utility poles and an irrigation system.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to adopt Resolution No. 16-1091, authorizing the acquisition of certain real property.

Vote: 7 - 0 PASSED - Unanimously

- c) Consideration and possible action to adopt Resolution No. 16-1090, declaring and adopting the results of the primary election held on August 30, 2016. (Jami Lewis, Town Clerk)

Recommended Action: Adopt Resolution No. 16-1090, declaring and adopting the results of the primary election held on August 30, 2016.

Ms. Lewis affirmed that under consolidated elections, the final election results took somewhat longer and no general election was needed.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Jack Miller to adopt Resolution No. 16-1090, declaring and adopting the results of the primary election held on August 30, 2016.

Vote: 7 - 0 PASSED - Unanimously

- d) Consideration and possible action to approve Ordinance No. 16-825 amending the Town of Chino Valley Town Code, Title XI Business Regulations by repealing Chapter 114 Cable Television in its entirety and adopting new Chapter 114 Cable Television, including new Sections 114.01 through 114.61, setting forth definitions, licensing requirements and procedures, and regulations related thereto and requirements related to access channels and subscriber services for cable television providers within the Town of Chino Valley. (Cecilia Grittmann, Assistant Town Manager)

Recommended Action: Approve Ordinance No. 16-825 declaring that document entitled "Town of Chino Valley Cable Television Regulations, dated September 13, 2016" to be a public record, and amending the Town of Chino Valley Town Code, Title XI Business Regulations, by repealing Chapter 114 Cable Television in its entirety and adopting by reference new Chapter 114 Cable Television, as set forth in that document entitled "Town of Chino Valley Cable Television Regulations, dated September 13, 2016".

Ms. Grittmann reported that this item was vetted through a study session and Town Attorney Smiley could answer any questions. Council had no questions.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to approve Ordinance No. 16-825 declaring that document entitled "Town of Chino Valley Cable Television Regulations, dated September 13, 2016" to be a public record, and amending the Town of Chino Valley Town Code, Title XI Business Regulations, by repealing Chapter 114 Cable Television in its entirety and adopting by reference new Chapter 114 Cable Television, as set forth in that document entitled "Town of Chino Valley Cable Television Regulations, dated September 13, 2016."

Vote: 7 - 0 PASSED - Unanimously

- e) Consideration and possible action to approve the 2016 Strategic Plan. (Ruth Mayday, Development Services Director)

Recommended Action: Approve the 2016 Strategic Plan as presented.

Ms. Mayday reported that no changes had been made to the document since it was last before Council, except to add some graphics.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Lon Turner to approve the 2016 Strategic Plan as presented.

Vote: 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.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Jack Miller to adjourn to executive session at 6:33 p.m.

Vote: 7 - 0 PASSED - Unanimously

- a) An executive session pursuant to A.R.S. § 38-431.03(A)(1) for discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of Town Manager, Robert Smith. (Councilmember Corey Mendoza; Councilmember Lon Turner)
- b) An 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 a contract with Prescott Sportsmen's Club related to management of the Chino Valley Shooting Range Facility that is the subject of negotiations. (Mayor and Council)

9) ACTION ITEMS RESUMED

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

Mayor Marley reconvened the regular meeting at 10:03 p.m.

- a) Consideration and possible action regarding employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of Town Manager, Robert Smith. (Councilmember Corey Mendoza; Councilmember Lon Turner)

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Jack Miller to direct town attorney to prepare a letter to the town manager setting forth assignment pursuant to his employment agreement.

Vote: 7 - 0 PASSED - Unanimously

10) ADJOURNMENT

MOVED by Councilmember Jack Miller, seconded by Councilmember Mike Best to adjourn the meeting at 10:04.

Vote: 7 - 0 PASSED - Unanimously

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 13th day of September, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 27th day of September, 2016.

Jami C. Lewis, Town Clerk