

DRAFT

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

**TUESDAY OCTOBER 23, 2018
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, October 23, 2018.

Present: Mayor Darryl Croft; Vice-Mayor Lon Turner; Councilmember Mike Best; Councilmember Cloyce Kelly; Councilmember Corey Mendoza; Councilmember Jack Miller

Absent: Councilmember Annie Perkins

Staff Present: Town Manager Cecilia Grittman; Town Attorney Andrew McGuire (electronically); Economic Development Project Manager John Coomer; Finance Director Joe Duffy; Police Chief Chuck Wynn; Public Works Director/Town Engineer Frank Marbury; Development Services Director Jason Sanks; Planner Alex Lerma; Community Services Director Scott Bruner; Administrative Technician Kathy Frohock (videographer); Deputy Town Clerk Vickie Nipper; Town Clerk Jami Lewis (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 declaring November 2018 as "Charitable Tax Credit Giving Month," sponsored by Yavapai Big Brothers Big Sisters. (Mayor Croft)

Mayor Croft read the proclamation and presented it to Cheryl Main with Yavapai Big Brother Big Sisters, who thanked the Town for its support.

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.

Anita DeMello and Mary Racchio spoke about an upcoming family dance at the Senior Center on October 25.

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) Comments regarding the Town's code compliance processes and signage for small businesses.

Mayor Croft reported that code compliance staff had undergone additional training and guidance on dealing with issues in a different way; and sign code changes would be addressed and reworked as necessary.

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 Kelly announced that the American Legion collected \$300 worth of socks for the schools' Socktober and canned food drive.

- b) Status report by Town Manager Cecilia Grittman and/or Town staff members regarding Town accomplishments, and current or upcoming projects.

Ms. Grittman reported that:

- During Customer Service Week, staff members nominated fellow employees for customer service recognition. The winner of the drawing and a gift card was Technical Services Librarian Stacey Johnson, who was nominated for her ability to reach out and help people.
- Approximately 20 people attended the last community outreach meeting with she and the Mayor. They had a good discussion about the Road Maintenance Program.
- The public outreach for the Road Maintenance Program will begin this week.

- c) Quarterly status report on residential and commercial building permits, code compliance matters, and UDO rewrite. (Jason Sanks, Development Services Director)

No report was given.

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.

Mayor Croft explained that item 6b had been placed on the Consent Agenda, as it was a very simple rezone request with no contest, but if there were any issues, it could be removed. No councilmembers objected.

MOVED by Vice-Mayor Lon Turner, seconded by Councilmember Cloyce Kelly to accept the consent agenda items.

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

PASSED - Unanimously

- a) Consideration and possible action to approve the Notice of Intent to call an election for the purpose of requesting authorization to levy a primary property tax for the purpose of funding a Roads Maintenance Program. (Jami Lewis, Town Clerk)
- b) Consideration and possible action to adopt Ordinance 18-854, rezoning 5 acres of real property from AR-5 (Agricultural Residential-5 acre minimum) zoning district to SR-1 (Single Family Residential-1 acre minimum) zoning district. The property, Assessor's Parcel No. 306-29-111A, is located 625 feet south of the southeast corner of West Center Street and South Road 1 West. (Owner/Applicant: Jeff Lira) (Alex Lerma, Planner)
- c) Consideration and possible action to accept the September 25, 2018 regular meeting minutes. (Jami Lewis, Town Clerk)
- d) Consideration and possible action to accept the October 9, 2018 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) Presentation by Prescott Council Member Alexa Scholl, and consideration and possible action to appropriate funds for the Granite Mountain Hotshots Memorial Partnership for a memorial at the Courthouse Square in the City of Prescott, in an amount to be determined by the Council. (Cecilia Grittman, Town Manager)

Recommended Action: Authorize appropriation of \$ _____ toward the Granite Mountain Hotshots Memorial Partnership for a memorial honoring the Hotshots at the Courthouse Square in the City of Prescott.

Ms. Scholl, Board Member of the Granite Mountain Hotshots Memorial Partnership, introduced Board Members Bruce Martinez and Danny and Michelle Parker, and presented the following:

- The Board had been in existence for four and a half years, representing a broad cross section of Yavapai County, and was in the process of commissioning a physical memorial for the 19 fallen Granite Mountain Hotshots that would be located on the southeast corner of the Yavapai County Courthouse Plaza in downtown Prescott.
- A Request for Proposals process resulted in the selection of Deborah Fellows, a bronze artist from Sonoita, Arizona, who was most known for her Barry Goldwater statue at the

U.S. Capitol, and who had another statue in Prescott.

- The Board was requesting a donation from the Town for the memorial. The City of Prescott had donated \$50,000; the Town of Dewey Humboldt donated \$2,500; and the Town of Prescott Valley would be voting on a \$50,000 donation.
- They had currently raised \$200,000 of a desired \$500,000 and hoped to unveil the memorial on June 30, 2019, but would take whatever time was necessary to make sure it was done right.

Finance Director Duffy related that the Town's contingency budget was intended for this type of expense. He and Mayor Croft had determined that \$10,000 would be appropriate based on the Town's population.

MOVED by Vice-Mayor Lon Turner, seconded by Councilmember Jack Miller to authorize appropriation of \$10,000 toward the Granite Mountain Hotshots Memorial Partnership for a memorial honoring the Hotshots at the Courthouse Square in the City of Prescott.

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

PASSED - Unanimously

- b) Consideration and possible action to adopt Ordinance 18-852, rezoning 7.06 acres of real property from AR-5 (Agricultural Residential-5 acre minimum) zoning district to SR-2 (Single Family Residential-2 acre minimum) zoning district. The property, Assessor's Parcel No. 306-21-119, is generally located approximately 900 feet east of Sycamore Vista Drive and 638 feet north of West Center Street. (Owner: Horst Gempe; Applicant: Gesine Gempe) (Jason Sanks, Development Services Director)

Recommended Action: Adopt Ordinance 18-852, rezoning 7.06 acres of real property from AR-5 (Agricultural Residential-5 acre minimum) zoning district to SR-2 (Single Family Residential-2 acre minimum) zoning district.

(This item was addressed after Item 2a but is retained here for clarity.)

Mayor Croft reported that he would like to postpone Agenda Item 7b to the first meeting in December.

MOVED by Vice-Mayor Lon Turner, seconded by Councilmember Jack Miller to remove item 7b and continue it to the first meeting in December.

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

PASSED - Unanimously

- c) Presentation, discussion, and possible action regarding Yavapai County Ordinance 2018-2: Regulating Portable Communication Devices and Texting While Operating a Motor Vehicle. (Chuck Wynn, Police Chief)

Recommended Action: Discuss the ordinance and provide input to staff.

Chief Wynn reported that:

- Yavapai County, the City of Prescott, and several towns and cities in Arizona had passed ordinances on hand held devices and texting.
- Distracted driving was a danger to all citizens on the roadway as well as pedestrians. Nine people were killed and 1,000 injured per day due to distracted driving, and teenagers at a higher rate than adults.
- Currently, Chino Valley officers could cite under the Yavapai County ordinance, but the officer and the ticketed person would need to appear in court in Prescott.
- Under a Town ordinance, a citation would be a primary offense and there was no other reason necessary to pull someone over. The probable cause would be an officer seeing any handheld device in the hands of a driver. The offense would be a civil violation with no points and would fit into the Town's fee schedule. There would be a base fine plus surcharges.
- There would be an education campaign and phased-in enforcement. Staff would also be looking at posting signs that it was a violation.

Craig Brown, Yavapai County Supervisor, added that:

- The County had ordered 46 signs to be placed on County roads. The hope was that the State and ADOT would make it a state-wide regulation.
- The new County law will be effective November 2. A citizen could still be cited by a county sheriff or a local law enforcement officer within the Town limits under the county law.
- There would be a division of fines for whatever law was cited, so the Town would need to cite under the Town's provisions to get the fee.

MOVED by Vice-Mayor Lon Turner, seconded by Councilmember Jack Miller to direct law enforcement to go forward with regulating portable communication devices and texting while operating a motor vehicle.

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

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 Jack Miller, seconded by Mayor Darryl Croft to adjourn the meeting at 6:32 p.m.

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

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 23rd day of October, 2018. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 13th day of November, 2018.

Jami C. Lewis, Town Clerk