

**MINUTES OF THE STUDY SESSION  
OF THE TOWN COUNCIL OF THE TOWN OF CHINO VALLEY**

**TUESDAY, JANUARY 24, 2023  
5:00 PM**

**CHINO VALLEY COUNCIL CHAMBERS  
202 N. STATE ROUTE 89, CHINO VALLEY, AZ**

Present: Mayor Jack Miller, Vice-Mayor Eric Granillo, Councilmember Annie Perkins, Councilmember Tom Armstrong, Councilmember John McCafferty, Councilmember Sherri Phillips, Councilmember Robert Schacherer

Absent:

Staff Present: Town Manager Cindy Blackmore; Town Attorney Andrew McGuire; Assistant to the Town Manager Terri Denemy; Water Consultant Mark Holmes; Development Services Director Laurie Lineberry; Human Resources Director Laura Kyriakakis; Senior Planner Will Dingee; Civilian Operation Supervisor Marrilee Easton; Police Chief Chuck Wynn; Public Works Director/Town Engineer Frank Marbury; Community Services Director Cyndi Thomas; Audio Visual Technician Lawrence Digges; Deputy Town Clerk Sara Burchill; Town Clerk Erin Deskins

**1. CALL TO ORDER; ROLL CALL**

Mayor Miller called the meeting to order at 5:00 p.m.

**2. DISCUSSION ITEMS**

- a.** Presentation and discussion on proposed changes to the Chino Valley Town Code Chapter 90, relating to animals.

Chief Wynn and Marrilee Easton presented the following:

- This item had been presented to Council previously and continued to receive more input from the public.
- Staff met with Mrs. Armstrong who was involved in writing the original ordinance. Minor changes were made.
- Green markups reflected changes made from the last time it was presented to Council.
- Various changes to the Ordinance were presented and discussed.
- The word “continuous” had been a concern, but the decision had been made to keep it in the Ordinance to be defined by a judge. Staff had looked up five calls from the last year regarding this issue in which animal control officers had noted that dogs had barked for 10 continuous minutes, took a break for one to two minutes, and then continued barking for another 10 minutes.

- Council and staff discussed potential court outcomes using interpretive language such as “continuous” and what a court might find as “reasonable” under the law.
- Council directed that staff would present a clean copy for vote by Council. After approval the public could be brought in again to view the entire code regarding animals to see what other changes might need to be changed.
- Council and staff discussed the procedures animal control officers used to record and remedy barking complaints and incidents.
- Council, Staff, and Town Attorney, Andrew McGuire, discussed the following:
  - Regarding the word “continuous” is discretionary, just like a speed being “reasonable and prudent.”
  - If the town wanted to make it for an undefined period of time it would be applied exactly the same way.
- Mayor Miller opened the meeting for public comment.
  - Donna Armstrong – Staff was very easy to work with. Mrs. Armstrong agrees with what was proposed. What community members had been afraid of had been fixed. It was a give and take and they were supporting the changes made, but there were other things they wanted to come back and adjust.
  - Debby Pomeroy – She was confused on the changes or what they were allowed to speak on since Mrs. Armstrong had stated that everyone agreed with it. 9012c was totally unenforceable and it puts too much work on the police officers. She wondered how they would keep track of days, times, occurrences, and complaints. She would prefer that officers were out picking up speeders, drug addicts, and doing drug busts rather than worrying about barking dogs. She stated she was told not to speak about her experience. She stated that a person moved in three doors up that did not like her dogs and calls the police about it all the time, the police would come down her road, hide, and listen for her dogs who were not barking. She stated that they needed to be doing something else. She stated that people should not have their dogs out at night, and during the day dogs would play, horses next door would tease them, and feral cats would run by. She stated some people are not happy unless they were complaining, and it seemed like too much emphasis had been put on casual, daytime barking. She stated that it had been mentioned that this was to address high density areas, but the Ordinance stated that dog noises could not leave the property line, but if she was talking to someone in her back yard, the neighbor two and a half acres away could hear.

**b.** Discussion on future study session items in which Councilmembers are interested in pursuing.

- Councilmembers discussed that the intent of this item was to discuss some items that they would want to see put on the agenda as a comprehensive review of Town issues for Council education and the public.
- Items presented for consideration included:
  - Study Sessions to establish the Town’s framework on strategies to ensure Chino Valley’s water security and economic health.
  - Plans to communicate complex water issues to the community.
  - What is the Town’s formal water policy if there is one.

- Establish future economic impacts water will have on the community.
- Regional cooperation regarding water.
- How Arizona Department of Water Resources determines the 100-year guaranteed water supply.
- Tightening code enforcement procedures and loopholes.
- Enforcing historical natural water flow issues that are missing from Town Code.
- Examine the livestock authorized on single family residential.
- Term limits.
- Training on proper procedures for meetings.
- Roads and Streets.
- Council would submit their proposed items to the Town Manager by the end of next week.

3. ADJOURNMENT

MOVED by Councilmember Annie Perkins, seconded by Eric Granillo, Vice-Mayor to adjourn the meeting at 5:33 p.m.

AYE: Mayor Jack Miller, Councilmember Annie Perkins, Councilmember Tom Armstrong, Vice-Mayor Eric Granillo, Councilmember John McCafferty, Councilmember Sherri Phillips, Councilmember Robert Schacherer

NAY:

7 – 0 PASSED

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Jack W. Miller, Mayor

ATTEST:



*Erin N. Deskins*

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Erin N. Deskins, 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 24th day of January, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 14th day of March, 2023.

*Erin N. Deskins*

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Erin N. Deskins, Town Clerk