



MINUTES OF THE REGULAR MEETING OF THE COMMON COUNCIL OF YOUNGTOWN, AZ
THURSDAY, December 4, 2014, TOWN CLUBHOUSE SQUARE, 12033 CLUBHOUSE SQUARE

1. **Call to Order:** Mayor LeVault at 7:01 p.m.
2. **Roll Call:** Council present: Mayor Michael LeVault, Vice Mayor Jacob Duran, Councilmembers Margaret Chittenden, Dorena Mello, Shirley Gustafson, Judy Johnson and June Miller. Staff present: Town Manager Jeanne Blackman, Town Attorney Trish Stuhan, Community Development Coordinator Gregory Arrington, Economic Development Manager Gayle Cooper, Public Safety Manager Mike Kessler, Public Works Manager Marty Mosbrucker, Library Manager Heidi Speed and Town Clerk/Treasurer Diane Cordova.
3. **Pledge of Allegiance and Invocation:** Councilmember Gustafson led the Pledge of Allegiance and Vice Mayor Duran offered the Invocation.
4. **Communications:** Comments, Commendations and Presentations by Mayor, Council Members, staff or members of the public. The Council may not propose, discuss, deliberate or take any legal action on the information presented pursuant to A.R.S. 38-431.02.

A. Communications from Council:

Mayor LeVault

- As you are all aware of, there was a 25 acre wood mulch fire at the southwest corner of Olive and Dysart in which every Fire Department responded, from the Cities of Glendale, El Mirage, and Surprise. The problem was that the property is on County Island, which means no jurisdiction; it's Rural Metro Fire Districts. Trying to extinguish the mulch with water and turning it inside out did not solve the problem, it actually created more smoldering smoke into the atmosphere which caused terrible air quality, effecting PM10 and PM 2.5. This situation promulgated a conference call with all the West Valley Mayors and Managers to solve the problem on how to respond and communicate to one another if a situation like this would ever happen again. The owner of the property did step up and brought in heavy equipment in.
- There is an article in the Sun City Independent where I'm reading for the record to the Arizona Corporation Commission the letter that was signed by the entire Council stating that rate structures are flawed regarding EPCOR Water Company's district consolidation request. That means an 89% increase in sewer rates, which does not make good sense. The meeting was held at the Sun Dial in Sun City. There were about 1,500 people in attendance. There seem to be an agreement, a compromise not to do a full consolidation. There probably will be a rate increase next fall so the battle is not over.
- Maricopa Association of Governments (MAG) continues to work towards enhancing trade with Mexico.

Councilmember Miller

- Town Manager Blackman and I also attended the EPCOR consolidation hearing meeting.

Councilmember Johnson

- The Arts Commission will be hosting a ginger bread house contest on Saturday, December 20, 2014 from 9 am to noon.

Councilmember Chittenden

- There will be a Dog Park Committee meeting this Saturday, December 6, 2014 at 9:00 a.m.
- A Pet Blessing will take place at Greer Park on Saturday, December 13, 2014 from 1:00 pm to 3:00 pm. Pictures with your pet and Santa will be available for a donation.

Councilmember Gustafson

- I will not be here for the next council meeting. I will be having surgery and will be in the hospital for five days.

B. Communications from Staff:

Town Manager Blackman (staff report attached)

- I asked the Departments to type up their top hits and report has been provided to Council.
- This Saturday is the Winter Miracle Event from 5 p.m. to 8 p.m. The staff is having a holiday tree decorating contest. The winning team will be taken out to lunch.
- Youngtown hosted the West Valley Managers' meeting this morning. MAG provide an update on the West Valley Vision.
- Purchased laptops for Council. Budgeted at \$5,000 spent \$3,000. Will have laptops ready to go in January.

5. Citizens Comments/Apearances from the floor:

None

6. Business

A. Discussion and/or Action Re: Authorize the Public Works Manager to enter into contract negotiations with Verizon Wireless to install a monopole cell site on the Town's right of way at 111th Avenue and Louisiana Avenue.

Public Works Manager Mosbrucker

- About a year ago Verizon Wireless approached me about installing a monopole cell site on the Town's right-of-way at 111th Avenue and Louisiana Avenue. The area will contain one 30' high pole with a microwave dish atop and equipment box 3 to 5 feet tall.

Mayor LeVault

- Has Verizon tested the site for optimum location?

Public Works Manager Mosbrucker

- Yes they have. They were looking at locating the monopole on the east side of 111th Avenue. That side is County property, which working with the County can be very difficult.

Councilmember Miller

- Has this been communicated to the surrounding residents?

Public Works Manager Mosbrucker

- No, first there will be a planning and zoning hearing process that we will have to go through and that is when the residents will be notified.

Vice Mayor Duran

- I negotiated with Verizon for the monopole on the Aurora Village property.

Councilmember Chittenden

- Why does this one have a microwave dish?
- Can we make it look like a palm tree?
- Will the electric lines interfere with the signal?

Public Works Manager Mosbrucker

- The monopole will meet all requirements and is non-reflective.

Community Development Coordinator Arrington

- During the planning and zoning process, staff will make all recommendations as per tonight's discussions.

Motion made to authorize the Public Works Manager to enter into contract negotiations with Verizon Wireless to install a monopole cell site on the Town's right of way at 111th Avenue and Louisiana Avenue. – Councilmember Miller

Second – Vice Mayor Duran

Motion passed unanimously on a voice call.

B. Discussion and/or Action Re: Approval of Resolution 14-20 related to the adoption of a development agreement for Riverview Place located at the vacant land surrounding the Quik Trip gas station at the northwest corner of Olive Avenue and Agua Fria Ranch Parkway.

Economic Development Manager Cooper

- This development agreement has come before Council in an executive session and on a work session for discussion. The development agreement provides the developers with a credit not to exceed \$50,000 against Youngtown permit fees, including plan check and building permit fees.

Councilmember Johnson

- Is this to include the landscaping?

Economic Development Manager Cooper

- Yes, it is earmarked for landscaping.

Councilmember Miller

- Will there be any other costs to the town?

Economic Development Manager Cooper

- No, the \$50,000 is the full amount. Waiving fees is an incentive for developers. For the \$4.5 million project it is only 1% which is a very minimal amount for an incentive.

Mayor LeVault

- This property is a Planned Area Overlay District (P.A.D.), have the Agua Fria Ranch (AFR) subdivision Covenants, Conditions and Restrictions (CC&R's) been taken into consideration?

Community Development Coordinator

- A copy of the CC&R's has been given to the developer. The project will go through a project design review process to make sure all regulations are met with the AFR CC&R's and Town code regulations.

Mayor LeVault

- Looking at the plot plan, its location is running perpendicular now, before it was horizontal.
- Will the design of the building look attractive from the Parkway?
- The perimeter on the south side appears to be 30 to 40 feet, will that be landscaped?

Economic Development Manager Cooper

- Yes, looking at it, it forms an "L" shape coming out to the street front. The reason for this is that it is easier to market the businesses.
- Yes, it will be facing the Parkway and it will be attractive.

Community Development Coordinator Arrington

- There will be landscaping islands to soften the area.

Councilmember Gustafson

- Will the landscaping be low water desert plants?

Councilmember Johnson

- Will it be compatible with the AFR landscaping?

Councilmember Miller

- Will the Town have a say so on what comes in as landscaping?

Community Development Coordinator Arrington

- The design review will have and include all landscaping elements.

Councilmember Mello

- Agua Fria Ranch CC&R's has very specific landscaping requirements.

Community Development Coordinator Arrington

- For the design review, the developers will be using the CC&R's as their guide.

Mayor LeVault

- The Agua Fria Ranch Homeowner's Association will be having a meeting next Wednesday, December 10, 2014 at 7:30 p.m. it would be a great idea to do a presentation on the future development.

Economic Development Manager Cooper

- Yes, we will be attending.

Motion made to Approve Resolution 14-20 related to the adoption of a development agreement for Riverview Place located at the vacant land surrounding the Quick Trip gas station at the northwest corner of Olive Avenue and Agua Fria Ranch Parkway. – Councilmember Johnson

Second – Councilmember Mello

Motion passed unanimously on a voice call.

C. Discussion and/or Action Re: WC Scoutten, Municipal Engineers and Planners, assignment of Professional Services Agreement to EPS. Engineering Services.

Town Manager Blackman

- W.C. Scoutten has been acquired by EPS Group, Inc. for On-Call Professional Services. This is a housekeeping item to make sure that assignment warrants the necessary credentials for services as a town engineer due to the assignment of W.C. Scoutten to EPS Group.

Town Attorney Stuhan

- This is formalizing a relationship agreement with W.C. Scoutten the assignor assigns the assignee EPS Groups all of the rights, duties, obligation, liabilities and responsibilities of assignor under the agreement. What needs approval is the consent to assignment that the assignee represents the Town of Youngtown with all appropriate licenses and credentials.

Motion to approve the consent to assignment. – Councilmember Gustafson

Second – Councilmember Chittenden

Motion passed unanimously on a voice call.

D. Discussion and/or Action Re: The closing of Administrative Offices during the week of December 22 through 26, 2014.

Town Manager Blackman

- The Town Manager is requesting the consideration of approving that Town Hall office be closed for the week of Christmas, December 22 through December 26. The City of Glendale, in the past, closed for two weeks. Many municipalities over the years have provided additional time off for staff above their normal earned vacation.

Many offices are relatively quiet as folks are shopping, baking, traveling over the holiday season. This will allow our employees to spend time with their families. If approved by Council, departments have agreed to be on call in case of any emergency. Of course SCFD and MCSO will also be ready and available.

- We are a very small staff and have been short staffed in key areas of our operation for a better part of the year. This is a small token of appreciation for the successes staff has accomplished this past year. We wear many hats and have worked hard on our general plan (70% voter approval) budget, primary and general elections, signage, events (60th Anniversary and Winter Miracle). Our event budget will come in at \$7000 under budget as staff worked hard to gather sponsorships.
- Last year we processed only one business license and one commercial permit during the same timeframe.

Councilmember Miller

- I am in agreement. This staff has worked hard this year. This would be a super Christmas bonus.

Councilmember Mello

- I appreciate staff and all they do, however I look at running the Town as a business. I would ask, will this pass the headline test? I'm in full agreement with time off. Half day on the Wednesday, Christmas Day, and the following day is also a day off. That goes the same with New Year's. They will be getting 2 and half day off each week. I think it's a bad business decision. I have a hard time with this.

Councilmember Chittenden

- I am concerned about all the departments being closed, especially the library, since all the children are off from school. I don't think it looks good having the library closed. I'm in agreement with Councilmember Mello. I appreciate the staff, but we need to think about the residents. Do we know the stats for the library?

Library Manager Speed

- The library stats are low in December.

Mayor LeVault

- I remember I came out to read to the children and we had no children.

Town Manager Blackman

- Library Manager Speed has agreed to put out the Wi-Fi password, and the location of another library.

Councilmember Johnson

- I believe Fairway on 107th and Peoria Avenue are closed Tuesday through Friday of the same week.
- For the last eight months, there has been a huge undertaking planning of the 60th Anniversary and the Winter Event. This is all in addition to the daily tasks. I think Council should do something special for our employees. We should give them some time off.
- I don't understand the headline test.

Mayor LeVault

- If Council approves the week off, notices will be posted on Town Square Building with cell phone numbers of the Town Manager, the Mayor's and Public Works?

Town Manager Blackman

- Yes that is correct Mayor. We can also have a message on the incoming call to the Town and on our website.

Mayor LeVault

- We here in Youngtown have had to do much with such limited resources. I do however agree with Councilmember Mello that government should run like a business. Looking at the operation, the percentage for our budgeted payroll is very low. We do have a high performing staff. If we compare our salaries to other municipalities, Youngtown is one of the lowest. I would be in favor of experimenting the closure for this year; it would be less expensive than augmenting wages. Looking at both sides, we have been running like a business. I think it would be worth doing, let's take a step, if anything arises, Department Heads know that they would have to come in.

Councilmember Miller

- If this is not going to cost us anything, let's experiment this one time and let it be a Christmas bonus for everyone.
- I do understand what Councilmember Mello is saying.

Vice Mayor Duran

- Councilmember Mello, explain to me the headline test.

Councilmember Mello

- At one of the Community Development Advisory Committee (CDAC) meetings, the County Attorney was called to investigate whether a situation was in violation, the "headline" appeared in the newspaper; it leaves a bad feel and a bad taste, so when situations come up for questioning, ask, will it pass the "headline test."
- I understand that staff works very hard, they are given compensatory time.

Town Manager Blackman

There is no compensatory time, it is all from salary.

Councilmember Mello

- Last year we found, after retirement of some employees, we had many years of accrued vacation time on the books; vacation was accruing each year. The payout amounts affected our budget at the end of fiscal year. We dealt with it last year, and it is no longer allowed.

Town Manager Blackman

- The accruals for a new salary employee start on the first day of employment, which amounts to 80 hours at the end of their first year.
- All of our Department Heads are exempt employees and they accrue 120 hours each year.

Town Attorney Stuhan

- It is in the personnel guidelines; hours over the maximum accrual will be lost; use it or lose it.

Councilmember Miller

- For most companies, it's gone.

Vice Mayor Duran

- I am not so concerned about the headlines. We are not controlled by the newspapers. We are unique and we deal with situations differently here, we deal with issues and we will deal with residents.

Councilmember Mello

- We need to have a balance with our employees and with our residents. Employees are already given two extra days. I just don't agree with shutting down the whole town. We need to be here for our residents.

Library Manager Speed

- The library has an outdoor drop box for turning in books. The library will not be charging late fees for that entire week if books are returned late. We will post signage and it will be stated on the receipts we give out. We will also post the Wi-Fi password. Currently we have people sitting outside that utilized the Wi-Fi.

Councilmember Chittenden

- If we test this closure this year, we should take stats.
- I think we should still be open on Monday and Tuesday with working till noon on Wednesday and off on Thursday and Friday.

Town Manager Blackman

- The stats for the library go down in number as already mentioned. We had one business renewal and one commercial permit issued last year.
- I lived the headline test at Arizona Public Services (APS); I understand what is being said.

Councilmember Gustafson

- I say give them the time off.

Councilmember Johnson

- The whole purpose is to do something for our staff. Let's give them the extra time off, the whole week this year.

Mayor LeVault

- As Vice Mayor Duran stated, we are a unique town and we run this town in many unorthodox ways. Every decision ever made has been for the good of this town. Several of the staff has not gotten a raise in three years. There has been placed a 3% across the board in the budget this year for salary increases; that will be upon the Town Manager discretion. There was a Council action in which we gave ourselves an increase. I know some staff members felt negative about it. I think the week off would be worth doing as long as it is monitored.

Motion for the closure of Administrative Offices during the week of December 22 through 26, 2014 however the day after New Year's will be a regular work day. – Councilmember Miller

Second – Councilmember Johnson

Motion passed on a roll call vote 5 – 2

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| Councilmember Gustafson – Yes | Councilmember Chittenden - No |
| Councilmember Johnson - Yes | Councilmember Mello - No |
| Councilmember Miller - Yes | Mayor LeVault - Yes |
| Vice Mayor Duran - Yes | |

8. Call for Executive Session

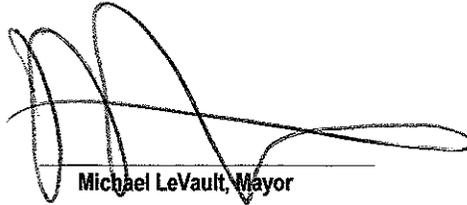
No call was made.

9. Future Agenda & Meetings:

A. There may be discussion of whether to place an item on a future agenda and the date, but not the merits of the item.

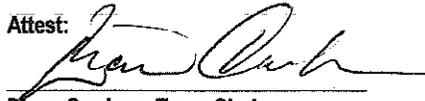
B. Announcement of next Regular Council Meeting: Thursday, December 18, 2014 at 7:00 p.m.

Motion to adjourn: Councilmember Chittenden
Second – Councilmember Mello
Meeting Adjourned at 8:12 p.m.



Michael LeVault, Mayor

Attest:



Diane Cordova, Town Clerk

Minutes approved at the December 18, 2014 council meeting.