



**MINUTES OF THE REGULAR MEETING OF THE COMMON COUNCIL OF YOUNGTOWN, AZ**  
**THURSDAY, September 17, 2015, TOWN CLUBHOUSE, 12033 N. 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, Judy Johnson, June Miller and Charles Vickers  
**Staff present:** Town Manager Jeanne Blackman, Town Attorney Trish Stuhan, Town Attorney Kelly Schwab, Public Safety Manager Mike Kessler, Community Development Manager Gregory Arrington, Court Administrator Lisa Lipinski, Public Works Manager Marty Mosbrucker, Library Manager Heidi Speed, Citizen Services Specialist Nicole Dubé and Town Clerk Stacy Anderson.
3. **Pledge of Allegiance and Invocation:** The Pledge was led by Town Attorney Schwab and the Invocation was given by Vice Mayor Duran.
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

- Tonight is Town Attorney Schwab's last night with the Town. She will be moving forward with her professional career and has taken a position with the City of Mesa. We will miss you!
- I just want to remind everyone that the construction for the Peoria Realignment Project should start next month and will probably last six months. This is that crazy intersection on Peoria and 113<sup>th</sup> Avenues that has the 90 degree dog leg that leads to the Agua Fria Ranch development. We will be improving that intersection by straightening the road. We will keep you informed. We plan on being very transparent and informative with the public to let them know about any road closures or disruptions in traffic.
- I attended a Greater Phoenix Economic Council (GPEC) Board meeting this morning. Youngtown is one of many towns and cities in the Valley who are members. We had our quarterly board meetings and this morning it was a privilege to have Governor Ducey address the members. He is very bullish on Arizona, very forward thinking and a dynamic and positive speaker. I agree with him that Arizona has a great untapped potential and that greater days are ahead. He is all about economic development. If we can get this economy back up on all four wheels, most of our other problems will go away. One of the things that he talked about was his plan to find more funding for K-12 education. He has a plan that will utilize some of the untapped money that is in the Arizona Land Trust. I believe that there are approximately 140,000 acres and eight billion dollars in assets that are in that Trust. The Trust set aside those assets to benefit education. The funds have largely been untapped in the past and the Governor has proposed to make those funds more accessible to education. This would provide an additional \$400 million to help fund K-12 education in the State. If we are successful in doing that, Arizona will become the state that has put more new money into education than any other state in the country. This will be a political battle. I support the Governor's plan to improve the quality of education and his support of economic development.

Councilmember Mello

- CDAC (Community Development Advisory Committee) had their first meeting last Wednesday. The Town received an award for me being the Vice-Chair of the committee. I am now the Chair of CDAC.

Mayor LeVault

- As those of you in the audience know, our Town has been very successful in terms of being awarded Community Development Block Grant (CDBG) money that is allocated through CDAC. We plan on continuing to enjoy those successes as we move forward. Thank you again Councilmember Mello for your dedication and hard work.

Councilmember Chittenden

- I would like to add that with the Mayor being on MAG (Maricopa Association of Governments) and me and Councilmember Mello on CDAC; our little Town is very well represented in the County and the West Valley. I would like to see all the Town's awards displayed in a case here in the Council Chambers. This is where people come and they could see what we have been involved in and will continue to be involved in.

**B. Communications from Staff:**

Town Manager Blackman

- Once again you have before you the staff report. I would like to mention a few things:
  - The G.A.I.N. Event is scheduled for October 3<sup>rd</sup> from 7 to 11 a.m. There will be a free pancake breakfast from 7 to 8 a.m. We had some difficulties securing griddles, so we are working with McDonald's to provide us with

the pancake meals. We would like to have Council, MCSO (Maricopa County Sheriff's Office) and SCFD (Sun City Fire and Medical District) to distribute the meals to the residents.

- The Town is sponsoring the Relay for Life. You have a copy of the flyer but when I printed it, a portion of the flyer was cut off. The flyer will give you some of the basic information. The event is at Gateway Park in El Mirage and starts at 6:00 p.m. Saturday, November 7<sup>th</sup> and goes until 6:00 a.m. Sunday, November 8<sup>th</sup>. We are sponsoring teams and asking for volunteers. Teams and volunteers can be comprised of Councilmembers, staff and the public.
- I had a meeting with the Northwest Valley Partners this morning regarding the Dial a Ride with Valley Metro. They should be coming back to us with additional information on the cost of fares. We have had discussions with them on how we can reduce the cost of fares to our ADA (Americans with Disabilities Act) riders.
- We had a great meeting with the TNDD (Traditional Neighborhood Development District) team from the Thunderbird School of Global Management this morning. They will be reaching out to businesses, residents and Council very soon.

5. **Response to Call to the Community:**

- No response to Call to the Community

6. **Citizen Comments/Appearance from the Floor:**

Youngtown Resident Betty Trolen

- Mrs. Trolen spoke about the upcoming Youngtown Halloween Parade around Maricopa Lake on Saturday, October 31, 2015 at 4:00 p.m. A donation of \$2.00 to benefit the Youngtown Citizens' Dog Park is appreciated. The parade will be advertised in the Youngtown Village Reporter and be posted around Town.
- We now have horses living here in Youngtown. I and others would like to know if having horses is legal in our Town. I had a friend that had chickens and she had to get rid of the chickens. She had only hens and no rooster. I would like to know if selective law enforcement has come to Youngtown.

Mayor LeVault

- Since your last comment was a criticism, I believe I now can respond. We are going to research this further and staff will get back to you. I can tell you that I had some preliminary research done. Horses and chickens and fowl are actually allowed as per Town Code, which dates back to the 1960's, as long as the animals do not become a nuisance.

Youngtown Resident Betty Trolen

- So we could have goats in our yard, pigs in our yard, and burros in our yard?

Mayor LeVault

- Yes, as long as you are within the limits of the Code. We will have staff research this for you and get back to you with the specifics in Code.

7. **Consent:**

A. **Approval of Minutes:** Regular Meeting Minutes of September 3, 2015 with the following corrections:

- Correcting Councilmember Mello's name in the Section 2 – Roll Call
- Changing the header to read Regular and not Special Meeting

Motion – Councilmember Mello

2<sup>nd</sup> – Vice Mayor Duran

Motion passed unanimously with a voice vote

8. **Business**

A. **Presentation and/or Discussion Re:** Sun City Fire and Medical Department (SCFD) report for June, 2015 and July 2015 by Fire Marshall Jim Fox (see attached reports).

Fire Marshall Fox

- Please note that in the June Fire Inspections area there were no commercial inspections. My volunteers are off the month of June and we did 17 commercial inspections in the month of July with 30 violations. Those are being followed up on.

Councilmember Johnson

- On the inspection summary, what are the residential inspections for?

Fire Marshall Fox

- Those would be the multi-family residences; i.e. apartments.

**B. Presentation and/or Discussion Re:** Maricopa County Sheriff's Department report for July 2015 and August 2015 by Lt. Chris Dowell (see attached reports)

Lt. Chris Dowell

- We have made some changes to the way we are reporting to you monthly. We are being more proactive and more aggressive. The report that you were getting previously were just numbers being pulled from items being dispatched. Now my Deputies, at the end of every shift, reports to me with a stats form. This stats form provides what services that they are giving to the Town. Now, on a monthly basis, you will see the stat forms that are in front of you. Some of the things that you have in front of you are quite lengthy. I was not sure what you wanted to see, so I included just about everything.
- The business contact is when the Deputies are going into the business and introducing themselves. The business check is when the Deputy is shaking doors to be sure they are locked. You might see a Deputy in a parking lot or in the back side of the business checking doors to make sure that they are locked. It is amazing how many doors that you find open and how much we can prevent just by shaking doors. We want our Deputies to go in when the business is open and shake doors when they are closed.
- I have included the number of times that the Deputy is engaging in proactive law enforcement.
- You will also see stats on any arrests and how many hours the Deputy is tied up processing the arrest. It can take up to four hours to process one in custody.
- You will also see how many hours that the Town parks are being patrolled. We realize how important it is having potential criminal activity in the parks decreased and we know how important it is to the Town.
- Vacant houses are included in the stats. When our Deputies see a vacant house they will stop to make sure that no one is in there. We will also work closely with the Town's Code Enforcement Department to make sure that vacant houses are boarded up and secure.
- Community contacts are also captured here. Community contacts are when my Deputies are having a conversation with a resident of Youngtown just to say hello and see how things are going. When you know a person by name, it changes the way we are viewed and the way that people interact with us. I encourage this stat.
- We are also working on a relationship with the Town's Code Enforcement Department. We will work hand in hand with them. When we serve search warrants, we will allow Code to enter the property and inspect for and violations. In the last two weeks, we have served two search warrants and we have more to come.
- One more stat that was added was assists with Youngtown car. Whenever a Deputy comes into Youngtown from another beat to assist in an arrest or search warrant, we want to capture this. I think that it is important that you know when our deputies are coming into your Town to assist. The other day at 113<sup>th</sup> and Tennessee we had nine cars there. When you take six people into custody, it takes that many Deputies to get that kind of job done.
- I am encouraged in what our Deputies are doing.

Councilmember Miller

- I have a friend who lives at 113<sup>th</sup> and Tennessee and she was thrilled to see the nine cars there. All she could say was finally we are getting some help.

Councilmember Johnson

- I live in Agua Fria Ranch and this afternoon I came up to Town Hall. I was very happy to see three cars patrolling the school bus stops during my journey this afternoon.
- About three weeks ago, in Agua Fria Ranch there was a car parked and they said that they were bounty hunters. They sat there for several hours. Can they do that?

Lt. Chris Dowell

- There are not any regulations in Arizona regulating bounty hunters. If you believe they are suspicious then you can call it in. We will be more than happy to go out and investigate.

Councilmember Chittenden

- When the Youngtown Police Department was still active they had an emergency contact name and number for every business in Town. Does MCSO have that information?

Lt. Chris Dowell

- We can do that. We can contact the business owners and ask them if they want to participate in the program. We could provide stickers for the business windows.

Fire Marshall Fox

- SCFD has a listing of all businesses and their emergency contact information. We could share that with you if you would like it.

**C. Presentation and/or Action Re:** Rejection of all bids for the 2015 Municipal Council Chambers Renovation Project and direction to Town staff to perform or contract for the removal and replacement of the Council dais at a cost not to exceed \$20,938.00

Public Works Manager Mosbrucker

- As you know, we have put this project out to bid for three times and all three times we have rejected all the bids for various reasons. We are looking for Council to reject all of the bids and give direction to staff to perform or contract for the removal and replacement of the Council dais at a cost not to exceed \$20,938. The Public Works department would act as the general contractor and manage the construction. We will contract various portions of the project according to the Town's Purchasing Policy and then we will also demo the Council Chambers, lay the carpet squares, paint, hang the ceiling fans, hang the window treatments, install the sound system, etc. We have two companies so far that have bid on the construction of the dais and a third coming next week.

Mayor LeVault

- The reason that Public Works cannot do the entire project is because there is a State statute that limits the dollar amount that we can spend in-house, including labor. I believe that it is a piece of legislation that is driven by contractors.

Councilmember Miller

- Will you be building a new dais or just refurbishing the old one?

Public Works Manager Mosbrucker

- We will be demolishing the current dais and will contract the construction of a new dais. We are still looking at the same construction timeframe that has been discussed in prior meetings. We will start on Monday, September 21<sup>st</sup> and the projected will be completed at the end of October.

Motion – Councilmember Miller

2<sup>nd</sup> – Councilmember Johnson

Motion passed unanimously with a voice vote

**D. Presentation and/or Discussion Re:** Council recessed at 7:44 p.m. to share refreshments with the public and Town Attorney Schwab as she continues her professional career with the City of Mesa, Arizona.

Council reconvened at 8:14 p.m.

**10. 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 Regular Council Meeting on October 1, 2015 at 7:00 p.m.

**9. Call for Executive Session:**

- A. An Executive Session pursuant to A.R.S. § 38-431.03(A)(3) for discussion or consultation with Town Attorney for legal advice on the Open Meeting Law, public records, conflicts of interest and the Council-Manager form of government.
- B. An Executive Session pursuant to A.R.S. § 38-431.03(A)(1) for discussion and consideration of the Town Manager's yearly performance evaluation and planning and setting goals for 2016.

Mayor LeVault called for the Council to go into Executive Session at 8:15 p.m.

Motion – Councilmember Miller

2<sup>nd</sup> – Councilmember Chittenden

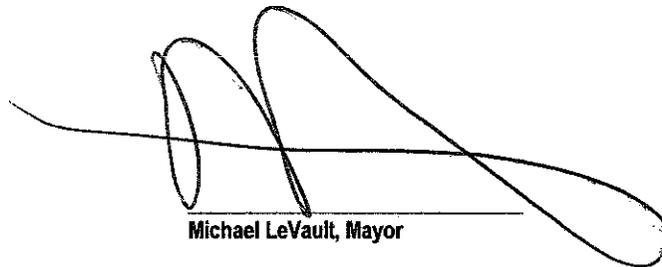
Motion passed unanimously with a voice vote

Council adjourned the Executive Session and reconvened into the Regular Council meeting at 9:49 p.m.

Motion to Adjourn: Councilmember Mello

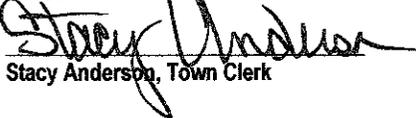
Second – Councilmember Miller

Meeting Adjourned 9:50 p.m.



Michael LeVault, Mayor

Attest:



Stacy Anderson, Town Clerk

Minutes approved at October 1, 2015 regular meeting