



**MINUTES OF THE REGULAR MEETING OF THE COMMON COUNCIL OF YOUNGTOWN, AZ
OCTOBER 6, 2016, COUNCIL CHAMBERS, 12033 N. CLUBHOUSE SQUARE**

1. **Call to Order:** Mayor LeVault called the meeting to order at 7:06 p.m.
2. **Roll Call:** Council present: Mayor Michael LeVault, Vice Mayor Jacob Duran, Councilmembers Margaret Chittenden, Dorena Mello, Judy Johnson, and June Miller.
Council excused: Councilmember Charles Vickers.
Staff present: Town Manager Jeanne Blackman, Town Attorney Trish Stuhan, Community Development Manager Gregory Arrington, Library Manager Heidi Speed, Town Engineer Grant Anderson, Citizen Services Specialist Nicole Smart and Town Clerk Stacy Anderson.
Staff excused: Public Works Manager Marty Mosbrucker and Court Administrator Lisa Lipinski.
3. **Pledge of Allegiance and Invocation:** The Pledge of Allegiance was led by Councilmember Miller and the Invocation was given by Councilmember Mello.
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
 - Spoke about the purple lights on the building in support of Domestic Violence Awareness during the month of October and how our law enforcement agencies make more calls that involve domestic violence than any other call.
 - Commented on the Sun City Homeowners Association (SCHOA) stand against the EPCOR Wastewater Consolidation Plan. The plan would have the Sun City District going from \$18.00 in 2015 to \$41.00 in 2021. He will ask the Council to step up and stand with the rest of the Sun City District and oppose the EPCOR Wastewater Consolidation Plan.
 - Reminded everyone that the Sun City Fire and Medical District (SCFD) has a \$10 million bond on the November 8th General Election ballot. He asked that everyone take a close look at the bond and if it passes that Youngtown will get a new state-of-the-art fire station located on 111th Avenue.
 - Councilmember Chittenden
 - Acknowledged the Maricopa County Sheriff's Department (MCSO) for their assistance with the fire at the Youngtown Methodist Church.
 - Announced the Citizens' Dog Park Committee meeting for October 15th at 9:00 a.m. at the Youngtown United Methodist Church located on Alabama and 113th Avenues.
 - Councilmember Miller
 - Reported that the flag on 111th and Alabama Avenues had to be replaced as it had torn. The company agreed to mend the flag at no charge. The Town purchased an extra flag to have on hand when one needs to be replaced or repaired.
 - Councilmember Johnson
 - Announced that the Agua Fria Ranch Homeowners Association (AFR HOA) Community Yard Sale will be held on October 15th from 7:00 a.m. until noon.
 - Councilmember Mello
 - Reported that at the last Community Development Action Committee (CDAC) meeting that the Director of Human Services from Maricopa County had made a motion take away from the CDAC Board the piece for grant funding for non-profits. The motion was tabled. This would mean that the CDAC Board would no longer have the capacity to award small service project grants. The County would assume that role and award the grants.
 - B. Town Manager Blackman gave the staff report (see attached).
 - She spoke about the G.A.I.N. Event on Friday, October 28th.
 - Congratulated Library Manager Speed and her staff in the successful celebration of the Library's 20th Anniversary celebration.
 - Congratulated Town Clerk Anderson as she earned her International Institute of Municipal Clerks Certificate on September 27, 2016.
 - Town Clerk Anderson
 - Reminded the Council, staff and the audience that Early Voting for the General Election begins on Wednesday, October 12th at Town Hall.

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

There was no Response to Call to the Community.

6. **Citizen Comments/Appearance from the Floor:** There were no comments or appearances from the floor.

7. **Consent**

A. **Approval of Minutes:** Approval of the September 15, 2016 Regular Meeting Minutes.

Motion was made to approve the September 15, 2016 minutes as presented – Councilmember Miller

2nd – Vice Mayor Duran

Motion passed unanimously with a voice vote

8. **Business**

A. **Discussion and/or Action Re:** Approval of a Proclamation declaring October, 2016 as Domestic Violence Awareness Month
Mayor LeVault

- Spoke about how the public needs to be aware and help mitigate domestic violence. He also stated that there are approximately twenty other municipalities in the Valley that will be lighting their Council Chambers or Town/City Hall buildings with purple lights in support of Domestic Violence Awareness Month.

Councilmember Johnson

- Spoke about how she called MCSO on her neighbors when there was a domestic violence issue and not to be afraid to get involved when someone is being abused.

Councilmember Miller

- Commented that she is so glad that there are places for abused women and children to go when they need to get out of a domestic violence situation.

Motion was made to approve the Proclamation declaring October 2016 ad Domestic Violence Awareness Month – Councilmember Johnson
2nd – Councilmember Chittenden

Motion passed unanimously with a voice vote

B. **Presentation and/or Discussion Re:** Presentation of the Certificate of Election for Jack Duran, Susan Hout, and Charles Vickers.

Town Clerk Anderson presented Vice Mayor Duran his Certificate of Election. Councilmember Vickers and Councilmember Elect Susan Hout were not in attendance. The certificates for Councilmember Vickers and Councilmember Elect Susan Hout will be mailed.

G. **Discussion and/or Action Re:** Approval of the Youngtown Parking Committee recommendations (see attached timeline).
Town Manager Blackman

- Spoke about the concerns and issues that arise when there is parking on the Town streets. In the Agua Fria Ranch (AFR) subdivision the streets are narrow and there are times when an emergency vehicle would not be able to have access to certain parts of the subdivision because there is not enough room for the fire truck to maneuver around and through the parked cars. There are more issues with parking that the Committee has addressed or is working on that involves the Town as a whole. The Committee members have come up with a comprehensive timeline to assist in the implementation of recommendations. We have contracted Willdan to perform a traffic study, and will advertise for a Request for Proposal (RFP) for painting of curbs and on-going painting maintenance.
- The first item that we would like to implement is the removal of the "No Parking" signs on Agua Fria Parkway at Uribe Park. There are three football teams that have rented the ball field and with that increased usage of the Park increases the need for greater parking than the parking lot at Uribe Park can accommodate.
- Spoke about Phase 1 - Paint and Educate program. There are State Statutes that govern some of the restrictions on parking that we will be enforcing. The 30 feet to the approach of a stop sign and the 15 feet on either side of a fire hydrant are already in Statute. The 15 foot of area in front of the mailboxes in AFR will be painted white for a loading and unloading zone. Public Works will advertise a RFP for the painting of the curbs.
- Phase 2 - Code update & focus on enforcement address decriminalizing portions of our Code so that our Code Enforcement Officers can issue citations. We are going to update the Code Enforcement job descriptions and provide training on issuing citations.
- Phase 3 - Re-engineering of parking that will address the bottle neck that we currently have at Nofs and Fooks Drives. There is a proposal for a Peoria Avenue "wrap-around" that would go behind the north part of the subdivision and wrap around the western edge of the subdivision and connect with the Agua Fria Parkway. Discussed a possibility of additional parking by Another Garage. This is a long range phase of 3 – 5 years. Town Engineer Anderson is trying to find funding for this project.
- Spoke about having a public outreach at the G.A.I.N. Event as well as a Town Hall Forum because this will impact our community. We want the residents to have all the information and have a voice in the decisions.

Town Engineer Anderson

- Stated that the Traffic Study would look at the intersection of Nofs and a potential multi-way stop and the capacity at the intersection of Nofs and Fooks Drives and the current parking concerns. With the challenges with parking in the north end of the subdivision the traffic study will help us to analyze our options for those areas. Fire trucks need an 18 foot turning radius to make the turn at Nofs and Fooks and at this time they cannot pass through this area in a reasonable timeframe due to parking of residents, visitors and an occasional school bus. With the painting of the 30 foot area on the approach side of the stop signs, this should give them enough space to make that turn and get back into the lane.
- Discussed the possibility of the Peoria Avenue "wrap-around" that would begin at the northwest part of AFR and connect to the AFR Parkway somewhere around Cheryl Drive. The committee is searching for \$1 million to fund this project. The current rules for the Federal government safety grants are being administered by Arizona Department of Transportation (ADOT) and the calendar year starts in January and those applications require statistics on fatalities, crashes, major property damage, etc. We have been in working with some other grants funders and we might have an opportunity to apply for one of those.

Mayor LeVault

- The reason that we are doing this is because we want to make it as easy as possible for first responders to get to the scene as quickly as possible. Some of the things that the Committee is suggesting have to do with the entire Town and not just the AFR subdivision.
- This entrance of the subdivision was poorly designed and the Town agreed to one additional house per acre density. This additional space came from the roadway. This resulted in narrow streets and those crazy half cul-de-sacs called knuckles.
- Reminded everyone that Phase 1 does not require any changes to Town Code, we are following State Statutes that are already in place. We will start enforcing the no parking within 30 feet of the approach of all stop signs and 15 feet on either side of a fire hydrant. If we start enforcing no parking on those knuckles or other areas in the Town then we will have to change our existing code.

Councilmember Mello

- Wanted to know if the other parks in Town had "No Parking" signs around the playground areas or if it was just Uribe Park. She stressed that all of the parks should be uniform regarding parking signs or no parking signs. Town Manager Blackman will research this and bring back the results at the next meeting.

Mayor LeVault explained about the pinch down on the west side of AFR Parkway next to Uribe Park. When this was striped it was not done correctly. It appears that it was set up for parking. The hash marks should have been 3 feet apart and not 12 – 15 feet apart. Uribe Park was originally built to be a Homeowners Association (HOA) park that did not require as many parking bays.

Vice Mayor wanted to know if the parking recommendations would be Town wide. Town Manager Blackman assured him that the painting of curbs and parking enforcement would be Town wide.

Councilmember Johnson commented that the fire hydrants in AFR are painted yellow but the paint is fading and chipping and wondered if EPCOR Water could repaint them as part of their regular maintenance. Town Manager Blackman assured Councilmember Johnson that she will discuss this with EPCOR and report back at a later meeting.

C. Discussion and/or Action Re: Approval of Ordinance 16-06 amending Title 3 Revenue and Finance, Chapter 3.16 Purchasing, Sections 3.16.010 Purchase Restrictions, 3.16.040 Determination of Lowest Responsible Bidder; and adding new Section 3.16.100 Procurement for Public Works Projects (A.R.S. Title 34) and renumbering Section 3.16.100 Council Approval to 3.16.110, all related to procedures for the procurement of goods and services

Town Attorney Stuhan informed the Council that this Ordinance is a housekeeping issue. In Title 3.16.010(E)(4) is being removed because it takes away the ability to make a purchase for a specific project, such as the purchase of the Finance software, which has very definitive software and system requirements that would be difficult to capture in the bid process.

Motion was made to approve Ordinance 16-06 amending Title 3 Revenue and Finance – Councilmember Miller

2nd – Councilmember Johnson

Motion passed unanimously with a voice vote

D. Discussion and/or Action Re: Approval of Amendment No. 4 to the Law Enforcement Services Agreement between the Town of Youngtown and Maricopa County on behalf of the Sheriff's Department (MCSO) to allow for the purchase of radios to be used by Code Enforcement personnel and subsequent service on the MCSO dispatch network .

Town Manager Blackman

- The Town has worked with MCSO to assist our Code Enforcement Officers when they encounter a dangerous situation or a potential crime scene and they would have an opportunity to call directly to the MCSO Dispatch system. This was also considered in the five-year strategic plan to purchase radios for the Code Enforcement Officers; and by using the \$11,000 in RICO funds to supplement the expense of \$21,735 for the purchase the radios makes sense. We will have to apply to use the RICO funds.
- Town Manager Blackman passed along some talking points from Lt. Dowell from MCSO regarding their assessment as to the need of the Town to purchase the radios for Code Enforcement. They include: 1). Code can call back-up when needed; 2). Better collaboration between MCSO and the Code Enforcement team; 3). Timely communication from the

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Code Enforcement Officer and MCSO Dispatch; 4). Dispatch is able to send back-up to the Code Enforcement Officer without any verbal communication by simply pressing a button; 5). Each radio will be able to send GPS coordinates to Dispatch.

- The Town's Code Enforcement Officer's will be fully trained by Lt. Dowell.
- Is Council approves the Amendment #4 to the MCSO contract; it will go before the Maricopa County Board of Supervisors on the October 19th meeting for approval.

Mayor LeVault would like research done and brought back to find out if any other MCSO contract cities and towns are doing this or are we the only one.

Motion was made to approve the Amendment No. 4 to the Law Enforcement Services Agreement between the Town of Youngtown and Maricopa County on behalf of the Sheriff's Department (MCSO) – Councilmember Johnson
2nd – Councilmember Mello

Motion passed unanimously with a voice vote

F. Discussion and/or Action Re: Approval of the Fiscal Year 2015-2016 Financial Appropriations transfers (see attached).
Town Attorney Stuhan explained that according to State Statute any budget transfers must come before Council for approval.
Chief Financial Officer Alcantar presented the Fiscal Year 2015-2016 Financial Appropriations transfers.

- Pointed out that there was a typo on the memorandum. The number under General Government should read \$20,170.
- The following reasons for the transfers are the following resulting in a transfer of \$47,453 from the contingency reserve:
 - Parks Department – Budget transfer of \$20,170 due to a faulty water meter in Maricopa Lake Park.
 - General Government – \$25,000 for the membership in the White Tank Mountains Conservatory.
 - Courts - \$2,283 to cover additional health insurance costs

Mayor LeVault wanted clarification if this would cause any issues with the audit. Chief Financial Officer Alcantar assured the Council that the auditors are aware of the transfers and we are documenting these transfers accordingly through Council action.

Motion was made to approve the Fiscal Year 2015-2016 Financial Appropriations transfers – Councilmember Mello
2nd – Councilmember Chittenden

Motion passed unanimously with a voice vote

E. Discussion and/or Presentation Re: Presentation of the History of Youngtown (see attached presentation).

Library Manager Speed and Councilmember Chittenden presented a PowerPoint presentation on the history of Youngtown.

9. Call for Executive Session:

Adjourn Regular Council Meeting at 8:46 p.m. to convene for an executive session pursuant to A.R.S. § 38-431.03(A)(3) for discussion or consultation for legal advice with the Town Attorney regarding the seating of councilmembers and 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 contemplated litigation in the matter of the EPCOR wastewater consolidation before the Arizona Corporation Commission and the hiring of special counsel to advise the Town in wastewater and water matters.

Convene Executive Session at 8:50 p.m.

Councilmember Mello moved to adjourn the Executive Meeting at 9:25 p.m. and reconvene to the Regular Council Meeting.

Councilmember Miller seconded the motion.

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 the Regular Council Meeting on October 20, 2016 at 7:00 p.m. in the Council Chambers.

11. Adjournment

Motion to Adjourn - Councilmember Johnson

2nd – Councilmember Mello

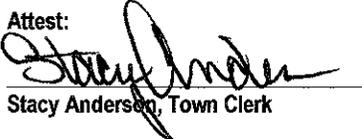
Motion passed unanimously with a voice vote

Meeting Adjourned: 9:28 p.m.



Michael LeVault, Mayor

Attest:



Stacy Anderson, Town Clerk

Minutes approved at October 20, 2016 regular meeting

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