



MINUTES OF SPECIAL MEETING OF THE COMMON COUNCIL OF YOUNGTOWN, AZ

THURSDAY, June 25, 2009, TOWN CLUBHOUSE, 12033 CLUBHOUSE SQUARE

1. **Call to Order** Mayor LeVault called the meeting to order at 6:05 p.m.
2. **Roll Call** Council present: Mayor Michael LeVault, Vice Mayor Jacob Duran, Councilmembers Margaret Chittenden, Dorena Mello, Shirley Oglesby, Susan MacKay, and Judy Johnson.
Staff present: Town Manager Lloyce Robinson, Town Attorney Michelle Swann, Chief of Police Kimberly Johnson, Public Works Manager Mark Hannah, Finance Officer Jackie Hoffman, Volunteer Coordinator Diane Cordova, and Town Clerk Letty Goldberg.
3. **Pledge of Allegiance and Invocation** Pledge led by Vice Mayor Duran. Invocation offered by Pastor Charles Ring.
4. **Communications:**
 - A. **Communications from Council**

Mayor LeVault

 - Reported movement on the state budget. Legislature is said to be moving toward the Governor's budget.
 - Car wash fundraiser for the Alcantar family raised \$1,500. Joint meeting with the Sun City Fire Department, Valley View Food Bank and other service organizations to coordinate help for the family.
 - Even though our community is reasonably safe, we are not immune to the bad things that happen around us.

Councilmember Mello

 - Regarding my question at the last meeting regarding who is billed for a street light when it is on your property, Jeanne Blackman of APS clarified. Streetlights in Agua Fria Ranch are billed to the Street Lighting Improvement District (SLID) not to the property owner. APS has the ability to verify billing for every APS street light.

Vice Mayor Duran

 - I have been asked to participate in the Latin American Commission and last week I teleconferenced with 39 people from all over the country. I will keep you informed.
 - B. **Communications from Staff**

Town Manager Robinson

 - Maricopa County Animal Care and Control will be holding a free Rabies Clinic on Saturday, June 27, 2009 at Clubhouse Square. Let everyone know about the clinic.
 - The business group, Voice of Youngtown (VOYT) met July 1 and will be meeting twice each month in the kitchen area of the clubhouse. Officers for the new organization have not been selected.

Chief Johnson

 - Been contacting businesses and explaining the Community P.R.I.D.E. (Police and Residents Interacting Directly and Efficiently) Program and giving out signs with the Community P.R.I.D.E. phone number on it.
 - Signed up for Survey Monkey which is software that will allow us to put surveys on the Town website.
 - New P.R.I.D.E. brochures are now being printed. Magnets and key chains with paw prints and phone number have been purchased to get the program and its phone number out to the residents and businesses. Information decals have been ordered to be placed on Town vehicles. An information sheet has been prepared for Town employees so they can answer questions from residents about the program.

Councilmember Chittenden arrived at 6:18 p.m.

Public Works Manager Hannah

- Studying projects that would qualify for economic stimulus funds such as replacing old/or inefficient equipment such as air conditioning units with efficient equipment. Another project is re-paving of Peoria Avenue with possible correction of the problem intersection on Peoria Avenue.

5. Consent

- A. Approval of Minutes:** Regular Meeting June 4, 2009, Special Meeting June 11, 2009.

Motion to approve Consent Agenda – Vice Mayor Duran

Second – Councilmember Chittenden

Motion passed unanimously on a voice vote.

6. Business

- A. Discussion and/or Action Re: Approval of Resolution 09-11, ordering that an ad valorem tax be fixed, levied and assessed on the assessed value of all real and personal property in the Agua Fria Ranch Street Lighting Improvement District in amounts specified in the filed Statements and Estimates; and providing for certified copies of this Resolution and Order to be delivered to the Maricopa County Board of Supervisors and the Arizona Department of Revenue; and providing that this Resolution shall be effective after its passage and approval according to law (ROBINSON).**

Town Clerk Goldberg

- Two meetings and one public hearing held prior to adoption of the final budget for the Agua Fria Ranch Street Lighting Improvement District (SLID) for 2009-2010. CFD Resolution 09-03 will set the rate of the ad valorem tax to pay the bond debt service and operations and maintenance.

**Motion to approve Resolution 09-11, ordering that an ad valorem tax be fixed, levied and assessed on the assessed value of all real and personal property in the Agua Fria Ranch Street Lighting Improvement District in amounts specified in the filed Statements and Estimates; and providing for certified copies of this Resolution and Order to be delivered to the Maricopa County Board of Supervisors and the Arizona Department of Revenue; and providing that this Resolution shall be effective after its passage and approval according to law – Vice Mayor Duran
Second – Councilmember MacKay
Motion passed unanimously on a voice vote.**

- B. Public Hearing on the Final Budget for FY 2009-2010 (ROBINSON/HOFFMAN).**

1. Staff Report.

Town Manager Robinson

- No change in the final Town budget from the tentative budget adopted on June 4, 2009. Budget does include \$860,926 in economic stimulus funds that will allow the Town to do projects sooner than expected, such as re-paving Peoria Avenue.
- Budget includes 2% merit increase for employees rated outstanding on their annual performance reviews. No COLA for employees.
- Municipal liability coverage has been increased from \$2 million to \$5 million at an increased cost of \$12,000.
- Code Compliance Officer Lora Isaacs is working on a Code Compliance Plan with an emphasis on enforcement. Mr. Kelly Reynolds will give presentation to Council on the International Property Maintenance Code at the July 16 meeting.
- Town Hall will replace copier and add a scanner to facilitate work requirements.
- Chief Johnson prepared grant application to secure mobile data computer terminals (MDC's) for police cars. Two new police vehicles will be purchased.
- With surplus monies from current budget Police Department has purchased tires and batteries and office supplies and General Government has purchased office supplies.

Mayor LeVault

- Beefing up code enforcement needs to be aggressive. Economic environment, empty houses, and more renters add to the problem.

2. Hearing open.

Mrs. June Miller, Resident

- I agree with the need to beef up code enforcement. Is Dan Connelly still doing code enforcement?

Town Manager Robinson

- Marshal Connelly is doing code enforcement as well as editor of the Youngtown Village Reporter and webmaster for the Town web page. Property maintenance a concern. Schedule varies, including evenings and weekends, to patrol for code violations.
- Problem is 2nd, 3rd and even 4th offense. Past programs have emphasized compliance over enforcement. Taking a stronger role and stronger actions. Purchased new software to track repeat code violations, will also manage building permits and business licenses.
- Prosecutor needs to understand fines and cleanup are required, not probation. Judge doesn't know if someone is a third time offender unless the prosecutor tells him.
- Agua Fria Ranch well maintained with credit to HOA and Jackie Monty. Mr. Connelly reports older part of Town is looking good.
- Lora Isaacs works 25 hours/week on code enforcement. Works on Sundays with people who help clean up yards for people unable to do it for themselves.
- Town has 2 Code Staff working a total of 50 hours per week.
- Working on the code enforcement issue for more than a year and a half. Police Department can process serve if needed.
- In driving around Town, properties appear to be in compliance except for tree stumps. Waist high, look awful. Why don't they cut dead trees to the ground?
- Complaint forms available that residents can complete, or staff can complete for them.
- We will revisit this at the Work Session on July 16 with presentation by Mr. Kelly Reynolds on the International Property Maintenance Code and discussion of new direction for Code Enforcement Program.

Public Works Manager Hannah

- Lora Isaacs is putting together a code enforcement plan using her extensive experience in code compliance. She is President of the National Code Compliance Officers Association. Youngtown is one of 16 communities participating in a test market for code compliance for properties that have been foreclosed to move quickly on code issues.

Mayor LeVault

- Council is serious about code enforcement.
- The HOA is looking at placing liens on property that isn't maintained.
- Landlords need to toe the line.

Vice Mayor Duran

- For those residents who can't physically take care of their yards, I can get some men to clean them up.

Councilmember Chittenden

- Need to approach messy backyards as well as furniture in the front. Observed an increase in dumping at the river bank. Stopped some landscapers at Sun View from dumping trash over the bank. Landscaping debris was dumped.
- How many hours per week are spent on code enforcement?
- Need to be written citations. Some properties are continual problems.
- Suggest series of articles about different codes in the Youngtown Village Reporter.

Councilmember Mello

- Unity in Community hasn't received applications from people needing help to clean their yards. Ride bike around Town and see things. Vice Mayor Duran has offered help, but we aren't reaching the people who need the help.
- Council used to get status reports.

Councilmember MacKay

- Appreciate revisiting a new approach to code enforcement. Have our own ideas about how to change direction of code enforcement program.

Councilmember Johnson

- Disagree that code enforcement is being done. Breakfast meeting this morning with about 20 residents and their chief complaint was code enforcement. Residents have upholstered furniture on front porches, carport has sofa in it. Blight issue needs enforcement.
- Important issue. We live here. Need to oversee the stewards of our Town. Accountability used a lot. Need reports. Says "Code Enforcement" on Town Marshal's vehicle, not "Website" or "Newsletter". I want some action.

3. **Hearing closed.**
Mayor LeVault closed the Hearing.

C. **Discussion and/or Action Re: Approval of Resolution 09-12, adopting Final Budget for FY 2009-2010-totaling \$5,222,053 (ROBINSON).**

Finance Officer Hoffman

- Received word of additional savings on medical insurance premiums from our new provider, HealthNet of Arizona.

Councilmember Chittenden

- Manager Hannah discussed park improvements planned for Fiscal Year 2009-2010. Resident suggested having a pet park.

Public Works Manager Hannah

- Considering two possible locations for a pet park.

Motion to approve Resolution 09-12, adopting Final Budget for FY 2009-2010-totaling \$5,222,053 – Councilmember Chittenden

Second – Councilmember Oglesby

Motion passed unanimously on a roll call vote.

7. **Call for Executive Session**

None needed.

8. **Citizens Comments/Apearances from the floor:**

None.

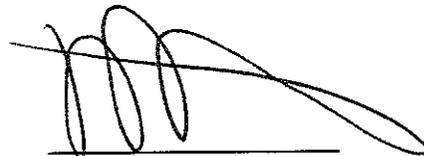
Announcement of next Work Session and Regular Meeting: Thursday, July 16, 2009 at 6:00 p.m. July 2, 2009 Meeting canceled. No regular Council meetings are scheduled in August.

Adjournment.

Motion to adjourn – Councilmember Mello

Second – Councilmember MacKay

Meeting adjourned at 7:23 p.m.



Michael LeVault, Mayor

Attest:



Letty Goldberg, Town Clerk

Minutes approved at the October 1, 2009 Regular Meeting.

TOWN OF YOUNGTOWN

RESOLUTION NO. 09-12 FOR THE ADOPTION OF THE BUDGET

Fiscal Year 2009-2010

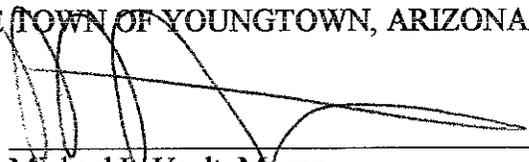
WHEREAS, in accordance with provisions of Title 42, Chapter 17, Articles 1-5, Arizona Revised Statutes (A.R.S.), the Town Council did, on June 4th, 2009, make an estimate of the different amounts required to meet the public expenditures/expenses for the ensuing year, also an estimate of revenues from the sources other than direct taxation, and

WHEREAS, in accordance with said chapter of said title, and following due public notice, the Council met on June 4, 2009 at which meeting any taxpayer was privileged to appear and be heard in favor of or against any of the proposed expenditures/expenses or tax levies, and

WHEREAS, it appears that publication has been duly made as required by law, of said estimates together with a notice that the Town Council would meet on June 25, 2009, at the office of the Council for the purpose of hearing taxpayers and making tax levies as set forth in said estimates,

THEREFORE, BE IT RESOLVED, that the said estimate of revenues and expenditures/expenses shown on the accompanying schedules as now increased, reduced, or changed by and the same are hereby adopted as the budget of the Town of Youngtown for the fiscal year 2009-10 in the amount of \$ **5,222,053**.

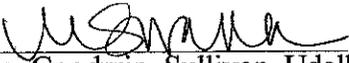
PASSED BY THE COMMON COUNCIL OF THE TOWN OF YOUNGTOWN, ARIZONA
THIS 25th DAY OF JUNE, 2009.


Michael DeVault, Mayor

ATTEST:


Letty Goldberg, Town Clerk

APPROVED AS TO FORM:


Curtis, Goodwin, Sullivan, Udall & Schwab, PLC
By Michelle Swann

RESOLUTION NO. 09-11

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF YOUNGTOWN, MARICOPA COUNTY, ARIZONA ORDERING THAT AN AD VALOREM TAX BE FIXED, LEVIED AND ASSESSED ON THE ASSESSED VALUE OF ALL THE REAL AND PERSONAL PROPERTY WITHIN THE BOUNDARIES OF THE DISTRICT IN AMOUNTS SPECIFIED IN THE APPROVED STATEMENTS AND ESTIMATES FOR FISCAL YEAR 2009-2010 FOR THE AGUA FRIA RANCH STREET LIGHTING IMPROVEMENT DISTRICT.

WHEREAS, the provisions of A.R.S. § 48-616 require the governing body to levy taxes upon all property in a municipal street lighting improvement district necessary to pay the annual expenses of said districts; and

WHEREAS, the Mayor and Council of the Town of Youngtown, having adopted annual statements and estimates of expenses of the Agua Fria Ranch Street Lighting Improvement District as the final budget for the District for fiscal year 2009-2010, after a public hearing on the statements and estimates was held on June 4, 2009; and

WHEREAS, the County of Maricopa is the assessing and collecting authority for the Town of Youngtown, the Town is required to transmit a certified copy of this Ordinance to the Assessor and Board of Supervisors of Maricopa County, Arizona by the third Monday in August;

NOW THEREFORE BE IT RESOLVED that a tax rate sufficient to provide funds for the annual expenses of the Agua Fria Ranch Street Lighting Improvement District within the Town of Youngtown, as set forth below, is hereby levied on all property, both real and personal, within the boundaries of said district, except such property which is, by law, exempt from taxation. Said levy shall not exceed \$1.20 per \$100 assessed valuation as specified in the column labeled 2009- 2010 Levy Request.

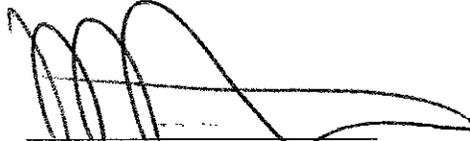
BE IT FURTHER RESOLVED that certified copies of this Resolution shall be delivered to the Maricopa County Board of Supervisors and to the Arizona Department of Revenue before the third Monday in August.

BE IT FURTHER RESOLVED that all resolutions and parts of resolutions in conflict with the provisions of this Resolution or any part of the Code adopted herein by reference are hereby repealed.

BE IT FURTHER RESOLVED if any section, subsection, sentence, clause, phrase or portion of this Resolution or any part of the Code adopted herein by

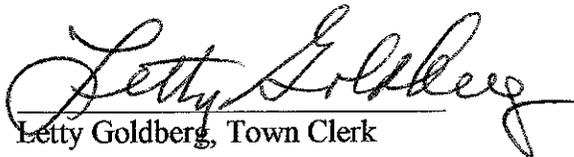
reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Council of the Town of Youngtown, Maricopa County, Arizona, this 25th day of June, 2009.



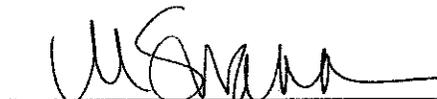
Michael LeVault, Mayor

ATTEST:



Letty Goldberg, Town Clerk

APPROVED AS TO FORM:



Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C.
Town Attorneys
By Michelle Swann

TOWN OF YOUNGTOWN, ARIZONA
 Street Light Improvement Districts
Schedule of Estimated Assessments
 Fiscal Year 2009 - 2010

Prepared By: Letty Goldberg

<u>Co. Dist Number</u>	<u>Town ID Number</u>	<u>Name</u>	2009-2010	2009-2010
			<u>Projected Exp & Transf</u>	<u>Levy Request</u>
23445	86-6007579	Agua Fria Ranch Street Light Improvement	\$23,272.32	\$23,272.32 (\$0.24 per \$100.00 of assessed value)