



MINUTES OF REGULAR MEETING OF THE COMMON COUNCIL OF YOUNGTOWN, AZ
THURSDAY, June 4, 2009, TOWN CLUBHOUSE, 12033 CLUBHOUSE SQUARE

1. **Call to Order** Mayor LeVault called the meeting to order at 6:29 p.m.
2. **Roll Call** Council present: Mayor Michael LeVault, Vice Mayor Jacob Duran, Councilmembers Lucille Rethford, Margaret Chittenden, Dorena Mello, Shirley Oglesby, and Susan MacKay.
Staff present: Town Manager Lloyce Robinson, Town Attorney Michelle Swann, Judge Lex Anderson, Chief of Police Kimberly Johnson, Public Works Manager Mark Hannah, Finance Officer Jackie Hoffman, Court Administrator Petra Mendez, Library Assistant Nancy Lewis, Volunteer Coordinator Diane Cordova, and Town Clerk Letty Goldberg.
3. **Pledge of Allegiance and Invocation** Pledge led by Councilmember Rethford. Invocation offered by Pastor Charles Ring.
4. **Communications:**
 - A. **Communications from Council**
 - Mayor LeVault**
 - A tragically ugly situation occurred (the murder of a resident). We are relatively safe and geographically isolated, but we are not immune to the ugly things around us. This is the springboard to double our commitment to make our community safer. Youngtown is part of the fastest growing metropolis.
 - Our budget is balanced. The State is not there yet. I ask the citizens of Youngtown to call their State Legislators and let them know that towns and cities are fiscally responsible. They should not make cuts to revenue sharing and developer impact fees. The Agua Fria Ranch Community Facilities District levies a secondary tax for debt service to bonds that paid for infrastructure in the Agua Fria Ranch Subdivision. Youngtown has no primary property tax. Our revenue is based on State and local sales tax, state revenue sharing and vehicle license tax. We've been doing the right thing.
 - Councilmember Rethford**
 - Contact your Representatives in the Arizona Legislature. You may not get to talk with them directly, but leave a message and they will respond. Tell them not to confiscate funds that belong to cities and towns. I urge you to call them. It does work. The squeaky wheel gets the attention.
 - Councilmember Oglesby**
 - I agree that it is a good thing to do. I'm going to contact our legislators.
 - Vice Mayor Duran**
 - We need to make our voices known and speak out about what is happening.
 - Mrs. Rethford has been an influence in my life.
 - Councilmember Chittenden**
 - I have enjoyed working these past four years on the Council and working with Councilmember Lucille Rethford.
 - I want to thank the citizens who express their concerns.
 - Councilmember Mello**
 - It is an honor and a privilege working with Lucille Rethford. She has been a mentor to me. Our residents need to get involved in Community P.R.I.D.E. When people do nothing, the bad guys win.
 - Councilmember Rethford**
 - Remember to call your legislators about issues. I've been working with the County Supervisors and had a good working relationship with Supervisor Max Wilson even before I was on the Council.
 - Mayor LeVault**
 - Lucille, I am going to miss looking to my right and seeing that shock of white hair. We've appreciated your looking over the books and keeping a tight hold on the purse strings. You have mentored all of us. I think a little of that wisdom has stuck.
 - Councilmember Rethford**
 - I'll be out there. I'll speak up when necessary. I am going to miss this.

B. Communications from Staff

Town Manager Robinson

- Councilmember Rethford has been my mentor and birthday sister. I have appreciated her support for me and Town staff. She has guided us gently.
- Community P.R.I.D.E. zones are in effect. Phone numbers are now available for residents and business owners to leave non-emergency messages for the officers assigned to their zone.

5. Consent

A. Approval of Minutes: Regular Meeting May 21, 2009.

Motion to approve Consent Agenda – Councilmember Rethford

Second – Councilmember Oglesby

Motion passed unanimously on a voice vote.

6. Business

B. Public Hearing, Discussion and/or Action: Possible adoption of Resolution 09-09 to approve and accept as the final budget of the District for Fiscal Year 2009/2010, the annual statements and estimates of the expenses of the Agua Fria Ranch Street Lighting Improvement District for Fiscal Year 2009/2010, as approved by the Youngtown Town Council by Resolution 09-06, which shall be provided for by the levy and collection of ad valorem taxes upon the assessed value of all the real and personal property in the district, pursuant to Section 48-616, Arizona Revised Statutes, as amended (GOLDBERG).

Mayor LeVault

- Street Lighting Improvement District (SLID) estimates are based on current expenses. We are getting better at determining what expenses will be for the special districts now that we have had a few years of experience. In looking at my own tax bill I have determined that I will pay about \$47.86 for the SLID next year.

1. Hearing open

Mayor LeVault declared the Hearing open.

Kathryn French, Resident and President of the Agua Fria Ranch Homeowners Association

- Why is there a line for Operations and Maintenance (O&M)?

Finance Officer Hoffman

- O&M is to cover the Administration of the SLID

2. Hearing closed

Mayor LeVault declared the Hearing closed.

Councilmember Mello

- When I lived in Phoenix I discovered that APS was billing me for the street light that was located on my property. Are we double-paying in Agua Fria Ranch and the street light is on our property?

Town Manager Robinson

- Perhaps a previous owner had made a special request for a street light. We will check into this and inventory the street lights.

Motion to approve adoption of Resolution 09-09 to approve and accept as the final budget of the District for Fiscal Year 2009/2010, the annual statements and estimates of the expenses of the Agua Fria Ranch Street Lighting Improvement District for fiscal year 2009/2010 – Councilmember Chittenden

Second – Councilmember Rethford

Motion passed unanimously on a roll call vote.

A. Discussion and/or Action Re: Establishing a percentage rate for Employee Merit System Compensation in Fiscal Year 2009-2010 and possible adoption of same (ROBINSON).

Town Manager Robinson

- The Cost of Living Index has been flat for several months and is only now showing a slight increase. Because of this we do not have a Cost of Living Adjustment (COLA) in this FY 2009-2010 budget.

- We are proposing a Merit raise to be tied to employee accountability. We are asking Council to approve the Merit raise for employees that are determined to be outstanding in their work performance. We have budgeted 2% of the salaries line for the merit pay. This would be \$32,000 if every employee qualified as Outstanding. Supervisors will make the decision as to the employee reaching a high level of accountability.
- We are asking the Council to approve merit pay of 2% for outstanding performance.

Mayor LeVault

- The merit pay will be staggered – on the employee's anniversary date.

Councilmember Chittenden

- I hope employees understand about not doing the COLA. We should review how many got merit pay.

Councilmember Rethford

- I have a dim view of premise of merit system to reward employee service. It is subjective and I don't approve.

Councilmember Mello

- Merit pay rewards employees that deserve being rewarded. COLA gives a raise whether the employee deserves it or not. Merit pay is how we keep good employees.

Councilmember MacKay

- If we can't have both COLA and merit, then I support having merit.

Councilmember Oglesby

- I think every employee should get a raise. My husband Larry and I looked forward to his raises even if only a nickel. I understand the economy is limiting us to just the Merit.

Mayor LeVault

- There are budget struggles around us for longer than we could hope. We must have fiscal restraint. COLA in general as a philosophy across the board rewards mediocrity.

Motion to approve a percentage rate of 2 % for Employee Merit System Compensation in Fiscal Year 2009-2010 –

Councilmember Mello

Second – Vice Mayor Duran

Motion passed six Yes to one No (Councilmember Rethford was the dissenting vote) on a roll call vote.

C. Public Hearing, Discussion and/or Action: Possible adoption of proposed Town of Youngtown Fiscal Year 2009-2010 Tentative Budget in the amount of \$5,222,053.00 and Resolution 09-10 for the Adoption of Tentative Budget Fiscal Year 2009-2010 (ROBINSON/HOFFMAN).

1. Staff report.

Town Manager Robinson

- We have had some challenging, wonderful discussions over the budget. It has been a five-month process including four briefings with Council. June 25 is scheduled for approval of the final budget. The tentative budget adopted today can have changes or subtractions, but the bottom line can not be increased. There are economic stimulus funds in this budget. If we do not receive the money, we will not do the projects.
- The Community Facilities District budget has been removed from the Town budget where it was creating a financial liability for the Town.
- The paving of Peoria Avenue and obtaining a new street sweeper will be accomplished if funding is available. Maricopa County Community Development has awarded the Town \$450,000 for the Alley Paving Project. However we received a letter this week notifying us that the Town would have to pay a 10% administrative fee to Maricopa Community Development, which will reduce our grant by \$45,000.

Mayor LeVault

- Economic stimulus monies are non-recurring funds. We can't spend money if it isn't included in our budget. We have to anticipate receipt of the funds.
- This Council has been conservative and tight-fisted.

Town Manager Robinson

- This operational budget is the most difficult I've ever dealt with. It is a continuous process with progressive changes. Our employee health insurance will change companies this year with less cost and a richer plan. There will be no cost increase to the employees. We are learning to be better health consumers.
- The Town's umbrella liability policy has been increased to \$5 million coverage at an additional cost of \$12,000.

- This year Public Works' focus was on building maintenance at the Town complex. Next year's focus will be the Town's parks. We will also complete phase 2 of the alley paving project.
- The Police Department will acquire two new vehicles. Also a grant is being pursued that would provide for mobile data computer terminals (MDC's) for all police vehicles. If we don't receive the grant, we won't make the purchases.
- The Volunteer Coordinator position will be eliminated and the employee transferred into the Deputy Town Clerk position with not cost increase.
- We are still having discussions on the code enforcement program.
- Town Clerk Letty Goldberg has found a way to save a substantial amount of money updating our state law books. This year we spent double what we had budgeted.
- New equipment for the Administrative office includes a copier and a good scanner. It has become evident that a quality scanner is necessary.
- The Town is considering a Review and Recommendations for the Police Department.
- Our Volunteer Coordinator Diane Cordova is coordinating an English as a Second Language (ESL) course to be offered to our residents. The instructor is available through Catholic Outreach and has had a successful program in El Mirage. The class is taught in three phases – beginning, intermediate, and citizenship. It is a great program and should help our Hispanic community. The cost for participants would be \$15 for the book.

Councilmember Mello

- From the numbers in the budget for Court revenues and Court expenditures, it appears we are subsidizing the Court by \$134,896.

Councilmember Chittenden

- You are talking about an increase in liability coverage for the whole Town?

Town Manager Robinson

- Yes, for instance if Sgt Evans or Officer Cisco bit someone, the Town would need sufficient liability coverage.

Councilmember Chittenden

- Why are there increases in dispatch services and animal control?

Chief Johnson

- Dispatch is handling more calls for service. Maricopa County Animal Care and Control increased it charges by \$330 for FY 2009-2010. They will be offering more services. A vaccination clinic is scheduled for June 27, 2009 and we will be scheduling a spay/neuter clinic later this year.

Councilmember Chittenden

- Council had the opportunity to meet with each Department Head. Not like the past where the then Mayor told us "Just vote for it". Council was early and often in the process.

Councilmember Rethford

- We worked very hard and staff went out of their way to make it work.

1. Public Hearing.

Mayor LeVault opened the Public Hearing.

Kathryn French, Resident and President of the Agua Fria Ranch Homeowners Association

- The Homeowners Association would like to know what happened to the Block Watch Program. The Association purchased Block Watch signs and groups were started. Now we hear that the Volunteer Coordinator is going to be the Deputy Town Clerk. Where is Block Watch going? Block Watch people were not contacted by the Volunteer Coordinator.

Town Manager Robinson

- Block Watch was active in parts of Agua Fria Ranch but it was still hard to get volunteers. The Community P. R.I.D.E. program coordinated by the Police Department is designed to get better communication between residents and police officers so that residents can feel more comfortable about reporting problems or suspicious activities. Neighborhood Watch is a part of the P.R.I.D.E. program.
- The Deputy Town Clerk will continue some of the work of the Volunteer Coordinator but will also act as backup for the Finance Officer and the Town Clerk/Treasurer.

Mayor LeVault

- Block Watch, Neighborhood Watch, whatever you call it augments the eyes and ears of the Police Department. It should be run out of the Police Department. The economy does not bode well for the crime rate. Desperate people will take more desperate actions. Volunteers are the Holy Grail of government. The Sun City Fire Department has hundreds of volunteer hours donated each month.

Vice Mayor Duran

- Sun City has more retired people to volunteer. I will get involved in Neighborhood Watch.

Councilmember Rethford

- Old Youngtown had an informal Block Watch as neighbors were concerned about their neighbors. I was a Block Watch Coordinator and couldn't get enough volunteers. We have a history of it not working. I've been watching over Cooks Corner for years. Glad there is an officer assigned now. I support the new P.R.I.D.E. program.

Dr. French

- Block Watch was second priority on the list of goals for the Volunteer Coordinator. The HOA is confused and unhappy that the Block Watch did not continue.

Volunteer Coordinator Cordova

- As Volunteer Coordinator, I started a volunteer program called Make It Happen, coordinated three Town events with the YES (Youngtown Events Specialists) Committee, and worked on establishing the Hispanic Forum to involve the Hispanic community in Town activities. We need to build a trust of government in the Hispanic community especially with the 2010 Census where that community needs to be counted. As a Police Aide I assisted the Police Department with the Block Watch program. We were able to get volunteers in Agua Fria Ranch but had difficulty obtaining volunteers in the older part of Town.

Town Manager Robinson

- The Volunteer Coordinator was given goals and objectives. It was a positive move. Block Watch was on the list of goals but that list was not prioritized. Goals included coordinating three Town events, establishing a Town Volunteer program, obtaining Hispanic volunteers (especially for Census 2010), creating an English as a Second Language (ESL) program, and Block Watch.

2. Hearing Closed.

Mayor LeVault closed the Public Hearing.

Councilmember Chittenden

- I had a Block Watch in my neighborhood for several years and then involvement waned and I am ready to try again now that I have new neighbors.

Councilmember Rethford

- Councilmember Chittenden, I think yours was the only one to last that long.

Town Manager Robinson

- The Town is obtaining software so that we can put surveys on the Town website to ask our citizens for their input on various issues including Community P.R.I.D.E. Hard copy surveys will be available for those residents who do not have access to the Internet. I know that Neighborhood Watch is a big priority.

Councilmember Mello

- There is a new phone number for Community P.R.I.D.E. Is someone monitoring the calls to this line?

Town Manager Robinson

- The Police Department's administrative assistant is keeping a log of the messages received. There will be follow up.

Motion to approve adoption of proposed Town of Youngtown Fiscal Year 2009-2010 Tentative Budget in the amount of \$5,222,053.00 and Resolution 09-10 for the Adoption of Tentative Budget Fiscal Year 2009-2010 – Councilmember Rethford

Second – Councilmember Mello

Motion passed unanimously on a roll call vote.

- D. Administer Oath of Office to Mayor Michael LeVault (term expires in 2013) and Councilmembers Margaret Chittenden, Susan MacKay, and Judy Johnson (terms expire in 2013) and Shirley Oglesby (term expires in 2011) (GOLDBERG).

Town Clerk Letty Goldberg administered the Oath of Officer for Mayor and Council. New Council was seated.

Kathryn French, Resident and President of the Agua Fria Ranch Homeowners Association

- Council's previous work was difficult but now they have come into the 21st Century. They have decidedly made a great commitment. They are not compensated lavishly. They hear more complaints than "Attaboys/Attagirls" they make an important commitment to enrich our community.

- E. Discussion and/or Action Re: Selection and Appointment of Vice Mayor by Town Council for a two-year term (GOLDBERG).

Mayor LeVault

- I want to reiterate that going forward, the legacy we leave is that we will have left the Town in better shape than we found it. People speak well of our Vice Mayor. I have seen him in action and he represents us well. Vice Mayor Duran is well-known and well respected. He has been a stand in for me and represented us well. I hope Council will consider selecting him to again serve as Vice Mayor.

Councilmember Chittenden

- Jack Duran was a good choice as Vice Mayor two years ago. He has done an excellent job.

Councilmember Johnson

- I want to thank you all for your support. Jack Duran has represented the town very well. He is an asset as Vice Mayor.

Vice Mayor Duran

- It has been a privilege these past two years. I have enjoyed it. I put a pencil behind my ear and I look smart. I appreciate support from Council. I don't always agree with the Mayor on everything but I pray for him.

Motion to appoint Councilmember Jacob Duran to serve a two year term as Vice Mayor – Councilmember Oglesby Second – Councilmember MacKay

Motion passed unanimously on a roll call vote.

7. Call for Executive Session

Not needed.

8. Citizens Comments/Appearances from the floor:

Mike Fehlig, Resident

- Town Manager Robinson, the way to get a base of people to volunteer and be successful is to have a church based program. When I needed help in moving, I made one call to a church and five people showed up on my doorstep to help. It would be good to get a church to organize a program that goes to people to explain Town Code and other issues.

Kathryn French, Resident

- Recently in Agua Fria Ranch there were about 15 kids hanging around the mailboxes with nothing to do. I asked them what kinds of summer programs/activities they would like. They gave me a list of 12 some of which are: a community center, field trips, a skate board park, a training center, playgrounds and a way to get to them. The Agua Fria Ranch Homeowners Association would consider donating funds for a bus to take children to such programs.

Vice Mayor Duran

- The Youngtown Charter School offered a free breakfast and lunch program for the summer and only three children signed up.

Mayor LeVault

- I direct Town Manager Robinson to work with the HOA and Council to coordinate a program.

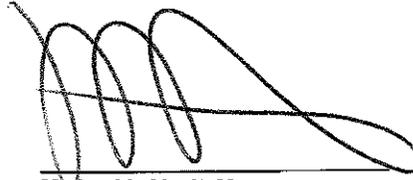
Announcement of Special Council Meeting and Executive Session: Thursday, June 11, 2009 at 6:00 p.m.

Announcement of Special Council Meeting for Public Hearing on Town Budget: Thursday, June 25, 2009 at 6:00 p.m.

Announcement of next Work Session and Regular Meeting: Thursday, July 2, 2009 at 7:00 p.m.

Adjournment.

**Motion to adjourn – Councilmember Mello
Second – Vice Mayor Duran
Meeting adjourned at 8:52 p.m.**

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end.

Michael LeVault, Mayor

Attest:

A handwritten signature in black ink, written in a cursive style, appearing to read 'Letty Goldberg'.

Letty Goldberg, Town Clerk

Minutes approved at the June 25, 2009 Special Meeting.

RESOLUTION NO. 09-09

TOWN OF YOUNGTOWN, ARIZONA

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF YOUNGTOWN, ARIZONA ADOPTING THE STATEMENTS AND ESTIMATES OF EXPENSES OF THE AGUA FRIA RANCH STREET LIGHTING IMPROVEMENT DISTRICT, WHICH SHALL CONSTITUTE THE BUDGET OF THE DISTRICT FOR FISCAL YEAR 2009-2010, PURSUANT TO SECTIONS 48-616 AND 42-17101 ET SEQ., ARIZONA REVISED STATUTES, AS AMENDED;

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 to pay the annual expenses of said districts; and

WHEREAS, the governing body of the municipality shall make annual statements and estimates of the expenses of the district, which shall be provided for by the levy and collection of ad valorem taxes upon the assessed value of all the real and personal property in the district, shall publish notice thereof, shall have hearings thereon and adopt said statements and estimates as provided in title 42, chapter 17, article 3 (Sections 42-17101 et seq.), Arizona Revised Statutes; and

WHEREAS, the Mayor and Council desire to approve said statements and estimates for Fiscal Year 2009-2010; and

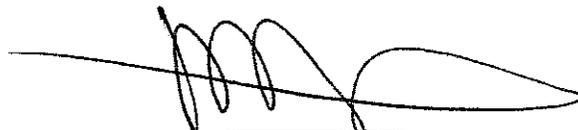
WHEREAS, public hearing on said statements and estimates of expenses were held on May 7, 2009 and notice of such hearing published in accordance with the requirements of A. R. S. § 48-616;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF YOUNGTOWN, ARIZONA,

The Statement and Estimates of Expenses of the Agua Fria Ranch Lighting Improvement District for Fiscal Year 2009-2010, attached hereto and incorporated herein as Exhibit "A", is hereby approved.

BE IT FURTHER RESOLVED that said adopted estimates shall constitute the budget of the Agua Fria Ranch Lighting Improvement District for Fiscal Year 2009-2010.

RESOLVED by the Mayor and Council this 4th day of June, 2009.

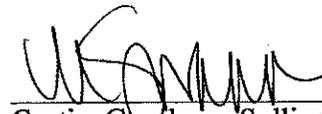


Michael LeVault, Mayor

ATTEST:


Letty Goldberg, Town Clerk

APPROVED AS TO FORM:


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

TOWN OF YOUNGTOWN

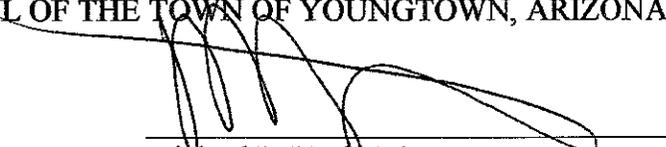
RESOLUTION NO. 09-10 FOR THE ADOPTION OF THE TENTATIVE BUDGET

Fiscal Year 2009-2010

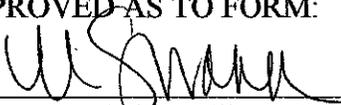
- WHEREAS,** in accordance with provisions of Title 42, Chapter 17, Articles 1-5, Arizona Revised Statutes (A.R.S.), the Town Council did, on June 4, 2009, make an estimate of the different amounts required to meet the public expenditures/expenses for the ensuing year, also an estimate of revenues from the sources other than direct taxation and approval of a tentative FY 2009-2010 budget, and
- WHEREAS,** in accordance with said chapter of said title, and following due to public notice, a public hearing was held 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,** publication was 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.

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 tentative budget of the Town of Youngtown for the Fiscal Year 2009-2010 in the amount of \$ 5,222,053.00.

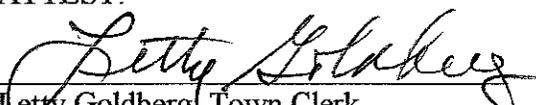
PASSED BY THE COMMON COUNCIL OF THE TOWN OF YOUNGTOWN, ARIZONA
THIS 4th DAY OF June, 2009.


Michael LeVault, Mayor

APPROVED AS TO FORM:


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

ATTEST:


Letty Goldberg, Town Clerk

Council

To Letty

NOTES, GOOD THOUGHTS AND IDEAS

Like a symphony orchestra, a municipal organization has many "musicians" (employees) that come together, each bringing with them different skills, backgrounds, and talents. When these musicians come together with a common purpose and play from the same sheet of music, the result can be a beautiful symphony of great services for your citizens.

Lead into Miss
6/4/09

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