



## MINUTES OF REGULAR MEETING OF THE COMMON COUNCIL OF YOUNGTOWN, AZ

THURSDAY, March 18, 2010, TOWN CLUBHOUSE, 12033 CLUBHOUSE SQUARE

1. **Call to Order** Meeting called to order by Mayor LeVault at 7:03 p.m.
2. **Roll Call** Council present: Mayor Michael LeVault, Vice Mayor Jack Duran, Councilmembers, Dorena Mello, Shirley Oglesby, Susan MacKay, and Judy Johnson. Council excused: Councilmember Margaret Chittenden. Staff present: Town Manager Lloyce Robinson, Town Attorney Michelle Swann, Chief of Police Terry McDonald, Town Marshal Dan Connelly, Public Works Manager Mark Hannah, Building Safety Inspector John Stigsell, and Town Clerk/Treasurer Letty Goldberg.
3. **Pledge of Allegiance and Invocation** Pledge led by Councilmember MacKay. Invocation offered by Pastor Charles Ring.
4. **Communications:**
  - A. **Communications from Council**

Mayor LeVault

    - Budget is still the hot topic at every level of government.
    - Mining issue – Agua Fria Ranch is adjustment to a sand and gravel mining operation that received a permit in 2006. The Town is opposed to having a gravel mining operation next to high density residential areas. Town Manager Robinson and I met with the City Manager and Mayor of El Mirage to determine if we could collaborate on a more conducive use. Council has received letters from former City of El Mirage Councilmember Bill Conner which I would like to read to you (letter attached). I have asked our Council to join me in signing a letter responding to his comments. We are concerned about the quality of life in our community. Many El Mirage residents are also concerned about living next to a gravel mining operation. A mining operation will affect property values in both Youngtown and El Mirage. We would like to partner with the Salt River Pima Maricopa Indian Community, owners of the property, for a more compatible use.
    - Thanks to Councilmember MacKay for making a great success of our soft opening of the Youngtown Historical Museum.

Councilmember Mello

    - I'd like to apologize for not being at the soft opening of the Youngtown Historical Museum. I had another commitment. I will be participating next weekend in a bicycle ride to raise funds for MS (Multiple Sclerosis) if anyone would like to sponsor me.

Vice Mayor Duran

    - I attended a faith-based breakfast last Friday. The topic was the Census. It was very interesting. Please complete the Census form. It is about revenue for the Town.

Councilmember Oglesby

    - I was attending a Constitution meeting and missed the Historical Museum opening.

Councilmember MacKay

    - Former members of the Youngtown Historical Society and Council were present at the museum opening on Saturday. Lucille Rethford was the first ticket drawn for the door prizes. It wasn't planned although June Miller thinks so. The Grand Opening of the Youngtown Historical Museum will be Saturday, March 27 from 11 a.m. to 1 p.m.
  - B. **Communications from Staff:**

Town Manager's Report

Town Manager Robinson

    - Census is important to the Town. The numbers are used in formulas for things like urban revenue sharing.
    - Weeds, a recurring problem. Code Enforcement is working on it. Usually the same people with the same issues.
    - Restrooms at parks are opening longer but we are experiencing more trashing and stealing of toilet paper. I've asked Public Works Manager Hannah and Chief of Police McDonald to look at possible solutions to the problem.

- Regarding Budget, I have been meeting with Department Heads in negotiating. Currently we are about \$900,000 apart from balancing the budget. We still need revenue numbers from the League. The primary property tax before the voters on May 18 is necessary to maintain public safety standards. We hope we don't have a financial emergency hit. We don't want to cut people or hours. Salaries are so low already and if we lay people off who will do the job. This has been a downer week but we have good staff willing to do what needs to be done. We could balance the budget with our savings accounts but we won't do that. Once savings are spent they are gone. We are hunkering down and looking at core services and examining processes and how we work together. Next year will be focused on survival as well. Of the nine annual budgets that I have worked on for Youngtown this is the most frustrating and difficult. Council will have difficult decisions. HURF revenue has been low and is restricted to transportation expenses. Alley paving is complete. Now Fire Flow is our infrastructure issue. It is like using a teaspoon to take down a mountain, but we will get it done.

**Mayor LeVault**

- We will have a balanced budget. There are restrictions of some of our savings accounts. They can't be dumped into the General Fund. We are being forthright and honest and as transparent as possible.

**Councilmember Johnson**

- That's why property tax is on the ballot. It is up to the residents to decide what services they want.

**Chief McDonald**

- I am glad to be here working with the Youngtown Police Department.

**Public Works Manager Hannah**

- Alley paving Phase II is just about done.

**Sun City Fire Department Report**

**Chief Hank Oleson, Sun City Fire Department**

- Council has copies of the February 2010 Youngtown Incident Report (copy attached).
- Fire District is starting on their budget. Our goal is not to do layoffs and not to reduce emergency responses.

**5. Consent**

- A. Approval of Minutes:** Minutes of February 27, 2010 Special Council Work Session and March 4, 2010 Regular Meeting.

**Motion to approve Consent Agenda – Councilmember Johnson**

**Second – Vice Mayor Duran**

**Motion passed unanimously with a voice vote.**

**6. Business**

- A. Presentation and Discussion:** Preview of Town's new website. (ROBINSON)

**Town Manager Robinson**

- I'd like to thank our website consultant Renee Howard, as well as Diane Cordova and Dan Connelly for their help in getting the new website ready to launch next week. We tried another website format but were never able to get it up and running. We have gone to a template style website product. I am pleased that Renee has the valuable experience and talent to help us. Renee will now give a preview presentation of our new website.

- B. Discussion and/or Action Re:** Approval of Commerce Contract No. 1016-10-67, an American Recovery and Reinvestment Act (ARRA) funded *Arizona Balance of State Energy Efficiency Block Grant Program* (EECBG) grant agreement between the State of Arizona Department of Commerce Energy Office and the Town in an amount not to exceed \$68,599.31. (HANNAH)

**Public Works Manager Hannah**

- We have discussed the possibility of receiving energy efficiency grants during last year's budget talks. The grant would be used for replacing air conditioning units, windows, and lighting with more energy-efficient double pane windows, solar lighting, and air conditioning units in an effort to cut back our monthly utility bills. We budgeted \$50,000. The grant is for \$68,599.31 but it does not all have to be spent in this fiscal year.

**Motion to approve Commerce Contract No. 1016-10-67, an American Recovery and Reinvestment Act (ARRA) funded Arizona Balance of State Energy Efficiency Block Grant Program (EECBG) grant agreement between the State of Arizona Department of Commerce Energy Office and the Town in an amount not to exceed \$68,599.31 – Councilmember Mello  
Second – Vice Mayor Duran  
Motion passed unanimously on a voice vote.**

- C. Discussion and/or Action Re:** Approval of Ordinance 10-04 amending the Code of Youngtown, Arizona, Title 5, Business Licenses and Regulations, by adding new Chapter 5.20 Scrap Metal Dealers to add regulations pertaining to the purchase and resale of scrap metal and establishing licensing requirements and rules and regulations for persons doing business in the Town as scrap metal dealers. (CONNELLY)

**Town Marshal Connelly**

- This ordinance is designed to regulate scrap metal businesses. This type of business is a large conduit for illegal goods to be fenced – gold, ferrous and non-ferrous metals. There need to be two revisions to the ordinance before it is passed. One - the written transactions to be logged should be valued at \$100 or more and Two - the hold on metals before they can be melted down and sold should be 10 days. If an item matched a description of a stolen item, a longer hold of up to 90 days could be requested by the Chief of Police while investigation was being completed. The scrap metal dealer could appeal the hold.
- The four companies will be notified that they have to conform to the ordinance. The applications will be reviewed by Code Enforcement to research court records for convictions. Federal law prohibits the police department from searching the criminal database for business licenses.

**Mayor LeVault**

- Town is being proactive like when we prohibited non-chartered financial institutions and were able to keep check cashing stores out of Youngtown. Some businesses need more oversight.

**Motion to approve Ordinance 10-04 amending the Code of Youngtown, Arizona, Title 5, Business Licenses and Regulations, by adding new Chapter 5.20 Scrap Metal Dealers to add regulations pertaining to the purchase and resale of scrap metal and establishing licensing requirements and rules and regulations for persons doing business in the Town as scrap metal dealers with noted modifications and additions – Councilmember Johnson  
Second – Councilmember MacKay  
Motion passed unanimously on a roll call vote.**

- D. Discussion and/or Action Re:** Approval of Ordinance 10-05 amending the Code of Youngtown, Arizona, Title 8 Health and Safety, Chapter 8.08 Refuse Collection and Disposal, by amending Section 8.08.040 Containers to add subsection allowing placement of an accessory trash container for construction purposes beyond the current 14-day limit to allow placement through the duration of the building permit issued for the construction project at which the accessory trash container is used. (STIGSELL)

**Building Safety Inspector Stigsell**

- Current code allows for a dumpster with a 14 day permit and an extension for an addition 14 days. Fourteen or 28 days may not be sufficient time for a remodel or demolition. Worksites would look better if demolition or construction debris was placed in a dumpster. Under this ordinance, a dumpster would be issued with the building permit to be used as long as necessary for the project. The dumpster would have to be removed prior to final inspection.

**Councilmember Johnson**

- Code Enforcement needs to follow up on temporary dumpsters that have been there longer than 28 days. One has been at a residence for 3 or 4 months.

**Marshal Connelly**

- We will need to do follow up with Parks & Sons. We will notify Parks & Sons that they need to pick the dumpsters up when the permit has expired.

**Motion to approve Ordinance 10-05 amending the Code of Youngtown, Arizona, Title 8 Health and Safety, Chapter 8.08 Refuse Collection and Disposal, by amending Section 8.08.040 Containers to add subsection allowing placement of an accessory trash container for construction purposes beyond the current 14-day limit to allow placement through the duration of the building permit issued for the construction project at which the accessory trash container is used – Vice Mayor Duran  
Second – Councilmember MacKay  
Motion passed unanimously on a voice vote.**

7. Call for Executive Session

None needed.

8. Citizens Comments/Apearances from the floor:

Betty Alton, Manager of Youngtown Home Apartments

- I would ask Council to consider passing an ordinance that requires spray paint to be under lock and key. Ace Hardware doesn't lock up its spray paint. I confronted kids on their way to Ace to get spray paint. When I spoke to the manager at Ace, the response was belligerent.

Mayor LeVault

- Staff, please check what surrounding communities do regarding spray paint.

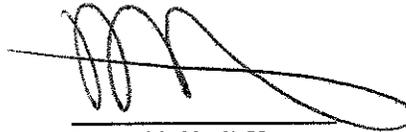
**Announcement of next Work Session and Regular Meeting:** Thursday, April 1, 2010, at 7:00 p.m.

**Adjournment.**

Motion to adjourn – Vice Mayor Duran

Second – Councilmember Oglesby

Meeting adjourned at 8:26 p.m.



Michael LeVault, Mayor

**Attest:**



Letty Goldberg, Town Clerk

Minutes approved at the April 15, 2010 Regular Meeting.