



MINUTES OF WORK SESSION OF THE COMMON COUNCIL OF YOUNGTOWN, AZ

THURSDAY, April 1, 2010, TOWN CLUBHOUSE, 12033 CLUBHOUSE SQUARE

1. **Call to Order** Mayor LeVault called the meeting to order at 7:04 p.m.
2. **Roll Call** Council present: Mayor Michael LeVault, Councilmembers Margaret Chittenden, Dorena Mello, Shirley Oglesby, Susan MacKay, and Judy Johnson. Council excused: Vice Mayor Jacob Duran. Staff present: Town Manager Lloyce Robinson, Chief of Police Terry McDonald, Code Enforcement Coordinator Lora Isaacs, Town Clerk/Treasurer Letty Goldberg.
3. **Pledge of Allegiance and Invocation** Pledge led by Councilmember Johnson. Invocation offered by Pastor Charles Ring.
Town Manager Robinson
 - Reminder to Council of two special work sessions for budget next Tuesday and Thursday starting at 4 p.m. and a Work Session and Regular meeting on April 15.
 - A Property Tax Forum will be held on April 19 from 6 to 8 p.m. with Tom Belshe, Deputy Director of the Arizona League of Cities and Towns as the moderator. He will give an informational presentation on property tax followed by a question and answer period.
 - VOYT (Voice of Youngtown) is hosting a business Expo on Saturday, April 24 from 9 til 2 p.m. at the southwest corner of 111th Avenue and Alabama Avenue.Mayor LeVault
 - Revenues continue to suffer.
 - Behind the scenes we continue to work with El Mirage to find a suitable use for the mining property between our communities.Councilmember Mello
 - I survived the MS ride. It was for a great cause. Wind is not a cyclist's friend. We biked 82 miles the first day with the wind going every way we turned.Councilmember Chittenden
 - I would like flyers for the Property Tax Forum to distribute to my neighbors.Councilmember MacKay
 - Grand Opening for the Historical Museum had a great turnout – Judge Lex Anderson, Police Chief Terry McDonald, former Town Manager Marks Fooks and his wife, former Police Chief Mike Branham, Police Chaplain Charles Ring, Town Prosecutor David Ledyard, current staff and many Town residents.Mayor LeVault
 - Thank you Councilmember MacKay for your hard work.
4. **Business**
 - A. Discussion Re: An ordinance amending the Code Of Youngtown, Title 17 Zoning, Chapter 17.04 Definitions by adding a definition for “Portable Temporary Storage Units”, and by Amending Chapter 17.52 Height And Area Regulations to rename Chapter to “General Provisions” and add new Section 17.52.150 related to Portable Temporary Storage Uses and setting forth regulations concerning Portable Temporary Storage Units (PODS). (ISAACS)
Code Officer Isaacs
 - Use of PODS or temporary storage units have become very popular for people who are moving in or out or storing furniture while remodeling. Our concern is for the placement which could be a safety hazard if parked on the street.Councilmember Chittenden
The ordinance calls for a 14 day permit with a 14 day extension. Councilmember Oglesby
 - Is 28 days enough time for a remodel?Coordinator Isaacs
 - Each request would have to be reviewed on a case by case basis for location and time needed depending on what is going on with the property. With remodeling, most remodeling projects do not take 28 days to complete. Construction companies are looking for business.
 - Some PODS will require a building permit because they will be used as accessory buildings and will have to meet the standards for that part of the code regarding engineering and placement.

Mayor LeVault

- When can we bring this back to Council for a vote?

Town Clerk Goldberg

- Because this ordinance will affect how people use their property it will need to go through the zoning process before it can come to Council for a vote. I would anticipate that to occur in June with hearing taking place in May.

B. Discussion Re: Resolution 10-06 amending the Policy and Administrative Guidelines Manual of the Town of Youngtown by amending Guideline 390 Nepotism and Personal Relationships to amend the policy relating to the hiring of immediate family members for summer/seasonal employment. (ROBINSON)

Town Manager Robinson (see attached "Guideline 390 April 1, 2010 Council Work Session")

- I was looking at grant writing needs last summer as it was very apparent that we needed someone who could research grants available to us and then write the grant applications in an attempt to secure the grants. Dr. Kathryn French had attended a grant writing workshop and was interested in putting her new knowledge to use. In December, 2009 I spoke to Dr. French about having her write grants for us and after further research and consultation with the Town Attorney was informed that without a change to our Personnel Policy she would not be eligible to work for us. There was no "wigggle room" in our Policy. We have seen the benefits of networking, Chief McDonald, Town Clerk Goldberg, Code Enforcement Officer Isaacs use this effectively to benefit the Town.
- Our Policy regarding nepotism is more stringent than state law. If this Policy were changed, the Town Manager could still not participate in any way, since all positions are compensated and/or ultimately report to the Town Manager. We added to the Policy a requirement that all employment or contracting of an immediate family member would have to be approved by the Council prior to commencing. If a Council member was affected, they would have to recuse themselves and not participate in the discussion or the vote.
- I wanted to utilize someone with the heart and loyalty to the Town. I am concerned about accountability. I wanted to give you the full scope. That's why I'm bringing this back to Council.
- Police grants are a known path, but there are more grants out there that we don't know about. Grant writing is a specialty requiring research time and knowledge of target result. Some applications are thrown out because the application was completed correctly or was not of benefit. Grant writers are often paid a fee (or percentage) when the grant is received.
- We are proposing a change to this Policy that would require approval of hiring or contract before commencing.

Councilmember Mello

- In a Council/Manager form there are checks and balances. This is a crossing over. It would be very hard to fire a Councilmember's family member who was not doing their job. Code is to protect us all. Whether it is Dr. French or my son, we shouldn't be hiring relatives.

Councilmember Chittenden

- I agree with Councilmember Mello. For a contract, I would need to see for how long, what done.
- We had a consultant on grants and didn't get anything.

Councilmember Johnson

- I think we are opening the door for future problems. I respect Dr. French, but this is still iffy. I'm looking hard at this. Perception is a lot.

Mayor LeVault

- Grant writing in these economic times will make the Town.

Councilmember Oglesby

- It is not only Council that have had family on the Town payroll.

Town Manager Robinson

- We paid Harvest Grant Consulting to do an analysis of grants that we might qualify for. The grants that they found, we already knew about.
- We wanted the best qualified for the Town. Just because they are related to an official or Council shouldn't matter.

Mayor LeVault

- Take Kathryn out of this. Take me out too. I was not party to any discussions about hiring Kathryn.

Councilmember Mello

- I don't want to be put in a position to vote for a contract for your wife. Need to separate emotion from policy. I see a conflict. In February we voted on what we were looking at. We knew what we were doing. I would vote the same way today.

Councilmember MacKay

- Looking to change. Town is in dire need for money. Grants would be a huge asset. Family member hired as employee – No. Contract approved by Council. Hate to see conflict. Need to be above reproach.

Mike Fehlig, Town Resident

- This action would be circumventing things. Your actions will bind Councils that come after you. Council needs to vote for main purpose of this small town. Vote on what it is going to look like down the road. This change is not a good idea.

Dr. Kathryn French, Town Resident

- This wouldn't have come up but Lloyce and I were talking about the grant writing class. We thought that changing the policy would be no big deal as it would still be in line with state rules. It would have been a contract and based on my training and skills. We hadn't discussed a rate of pay but it might have been \$40 or \$50 per hour. It might be \$100 or more per hour in Phoenix. I would have charged less because I love the Town. I don't want to be a Town employee. I have access to university resources. Grant applications by paid grant writers are taken more seriously. Bidding for a contract is the right thing.

Councilmember MacKay

- What other municipalities allow the hiring of relatives of Council? Even if they do, it doesn't mean it is right for us. What would be the bidding process?

Town Manager Robinson

- Town would advertise an RFP. Bids would come in. The bids would be reviewed and references checked. Can they demonstrate that they are able to do the job?

Mayor LeVault

- It was my decision that Dr. French not be mentioned in February. Should have been handled better. Grant writing is a very competitive environment. Requires things to be done in a very particular way. There is a bank that gives grants for adolescent mentoring. I attended a class on grant writing and am amazed at the prospects for the Town's benefit.

Councilmember Chittenden

- I applied for a grant for schooling. Lots of grants are never applied for because people don't know they are there.

Councilmember MacKay

- We need to do what is right and vote for the good of the Town.

Town Manager Robinson

- What information does Council need?

5. Citizens Comments/Appearances from the floor:

Work Session and Regular Council Meeting: Thursday, April 15, 2010 at 7:00 p.m.

Adjournment.

Motion to adjourn – Councilmember MacKay

Second – Councilmember Johnson

Meeting adjourned at 8:25 p.m.



Michael LeVault, Mayor

Attest:



Letty Goldberg, Town Clerk/Treasurer

Minutes approved at the April 15, 2010 Regular Meeting.