



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

THURSDAY, November 4, 2010, TOWN CLUBHOUSE, 12033 CLUBHOUSE SQUARE

1. Call to Order: Mayor Michael 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, Shirley Oglesby, Susan MacKay, and Judy Johnson.
Staff present: Town Manager Lloyce Robinson, Town Attorney Kelly Schwab, Police Chief Terry McDonald, Town Engineer Grant Anderson, Building Safety Inspector Jim Fox, and Town Clerk/Treasurer Letty Goldberg.

3. Pledge of Allegiance and Invocation Pledge led by Councilmember Mello. Invocation offered by Chaplain Charles Ring.

4. Communications:

A. Communications from Council

Mayor LeVault

- In the Northwest Valley edition of The Arizona Republic last week was an article about a tour of three mines sponsored by ARPA. About 100 people from Surprise, El Mirage, Youngtown and Glendale toured the three mine sites. I was interviewed about the proposed site for a sand and gravel operation next to Agua Fria Ranch. There needs to be a balance between development and quality of life. Plans need to be developed now to mitigate the dust, noise and light pollution from a facility operating past daylight hours. This should be negotiated now.
- The Chairman of MAG (Maricopa Association of Governments) has appointed a new Economic Development Committee and I have been asked to serve as a member of the committee. The committee is to look at where to develop, instead of building roads and then placing economic development. The committee will sunset in two years. It is an effort to be proactive regarding development.

Councilmember Mello

- My son, Zack, is home on leave before he goes to Greenland. He may be stopping by later to say "Hello."

B. Communications from Staff

Town Manager's Report

Town Manager Robinson

- On November 16, Englewood Development has invited Council to tour a new senior's apartment facility in Guadalupe that is the same design the company hopes to build in Youngtown.
- Mark Hannah is recuperating. His projects are going forward with the help of Town Engineer Grant Anderson. We had a panel of engineers last week review the applications for environmental and design services for the Peoria Avenue Realignment project.
- Work will begin soon at the Town Complex with installation of energy-efficient windows and lighting fixtures paid for by an Energy Efficiency Stimulus Grant.

Town Clerk Goldberg

- The Town will hold a Primary Election to fill three Council terms expiring in June 2011. Candidate packets will be available on November 8, 2010. Candidates will need a minimum of 25 nominating signatures and a maximum of 49 signatures. Filing for candidates closes at 4 p.m. on December 8, 2010. This time period is set by statute. Also on the ballot will be two franchise elections. The Town's 25-year franchise agreements with APS and Southwest Gas expire next year.

Chief McDonald

- During my presentation at the last Council Meeting, I said that I was cautiously optimistic and that the cup was half full not the cup half empty. An article in the newspaper did not reflect how I see the Department. I have written a letter that will be in The Arizona Republic tomorrow that should clarify my statements. Also I have done my homework and for priority one calls our response time is comparable to our neighbors. We are all within the target range. I think we are doing a pretty good job.

5. Consent

- A. Approval of Minutes: Minutes of October 21, 2010 Regular Meeting and Minutes of October 23, 2010 Special Meeting – Mayor's Town Hall.

Motion to approve Consent Agenda – Council member Chittenden

Second – Vice Mayor Duran

Motion passed unanimously on a voice vote.

6. Business

A. Discussion and/or Action Re: Creation of Town Committee, "Youngtown Visionaries", and appointment of committee members by Council action. (Robinson)

Mayor LeVault

- This terrible economic condition we find ourselves in is global, national, state, county and local level. In the last three and a half years this Council and Staff have done what needs to be done. We are back to 2004 revenues. We have cut programs and RIF (reduction in force) staff. We use the zero budget model. Every year as we develop the budget we start at zero and re-justify every line in the budget. The Department Heads develop their budgets and justify them to the Town Manager. The Town Manager then makes recommendations to the Council. Cutting doesn't solve the problems. The Town needs more revenue – taxes, economic development. I don't have the market on all of the good ideas. Council doesn't have the answers either. That is why we need this committee, Youngtown Visionaries, to help re-invent Youngtown. In our present form we are not sustainable. We could kick the can down the road and spend the reserves, but that won't fix the problem. We need to think outside the box. We live minutes from the Loop 101 and minutes from two large sports stadiums and the amenities that go with them. How do we take advantage of where we are? This committee will be a think tank made up of Council, staff, residents, business owners, and outside experts. My goal is to keep politics out of this committee. That is why I am excluding any councilmember that might be running for election this year.
- I will not vote to put a Property Tax measure on the ballot. The voters didn't say "No" to a property tax last Spring, they said "Hell No". What has changed since the last vote? It should be an Initiative process – a group of citizens should bring it to the ballot. I'd get behind that. If it happens it will be because the citizens asked for it.
- I'm going to eat a little crow. At the last meeting, my transmission between my brain and my mouth was in neutral. I received a letter from former Mayor Bryan Hackbarth that I will read into the minutes (letter attached) where he talked about personal attacks and family sacrifice. Anyone who thinks that I control my wife is mistaken. My wife spoke her peace. Bryan had more than his time to make his statements. I'll push the limits until the Town Attorney pulls me from my chair. I was going to invite Bryan to be on the Committee but I recant the invitation. I will call Bryan. I want to remove politics to the extent possible.
- Councilmember MacKay has requested more representatives from Agua Fria Ranch. I concur and I am recommending Councilmember MacKay, Barbara Lehn who is Vice President of the Agua Fria Ranch Homeowners Association, Jamie Boyett who is editor of the Youngtown Village Reporter, and Jim Farnum an active resident at Agua Fria Ranch. I also recommend that Sun City Fire Marshall Ken Rice be asked to serve on this committee. Also Karen Wellert who operates a business that assists the elderly and disabled to remain in their own homes. Others invited to serve on the committee are (list attached).
- We need to get past the notion that we are a divided Town. Agua Fria Ranch needs to know about the business at the north end of Town.
- The State has a deficit of \$600 to \$800 million. We already know that the Town will receive reduced Revenue Sharing by \$300 to \$500 thousand.

Town Manager Robinson

- Staff will provide full support to this committee. One of the members will need to be the Secretary and take minutes. Also agendas will need to be posted 24 hours before the committee meets.

Mayor LeVault

- I spoke with our Attorney Michelle Swann prior to the meeting and she said that Council could adopt the draft list. Anyone on the draft list that wants to serve would be on the committee. If someone was not on this list, it would have to come back to Council for them to be appointed.

Town Attorney Schwab

- I concur with the advice received.

Mayor LeVault

- I hope to have the first committee meeting before the next Council Meeting.

Motion to create Town Committee, "Youngtown Visionaries," and appoint committee members from revised list presented to Council – Councilmember Johnson

Second – Councilmember Oglesby

Motion passed unanimously on a voice vote.

B. Discussion and/or Action Re: Approval of Resolution 10-19 establishing permit fees for signage pursuant to Ordinance 10-11. (Fox)

Building Safety Inspector Fox

- We are currently using building permit fees for sign permits. We want the fees to be fair to everybody.

We want our fees to attract businesses. The fees are fair but would recoup some of the costs of inspections and investigations expected by the Sign Ordinance. Some types of signs may require multiple inspections. I did a comparison to our neighbors (municipalities) and their fees are all over the map. Our fee schedule is much easier to understand. When I do inspections of new businesses, it gives me an opportunity to educate the owners about signs and the permits required. The fee for additional inspection is when the installer fails to make corrections that were noted on the first and second inspections that were not corrected. For new wiring there would be a separate electrical permit.

Councilmember Mello

- From my experience dealing with valley city sign fees these fees are low. I'm not opposed to the fee schedule except for the fee for Banners, Pennants and Special Event signage should be raised to \$35 per occasion.

Motion to approve Resolution 10-19 establishing permit fees for signage pursuant to Ordinance 10-11 with change of fee for Banners, Pennants, Special Event signage to \$35 per occasion – Councilmember Johnson

Second – Councilmember Mello

Motion passed unanimously on a roll call vote.

- C. Discussion and/or Action Re: Approval of Addendum to the agreement for professional services between Willdan Engineering, Inc. and the Town, dated June 13, 2002, to include Exhibit C, setting forth the scope of work for engineering and project design services re: Fire Flow Phase I (Fire Hydrants Project) in the amount of \$84,680 and authorize the Town Manager to execute the required documents. (Robinson)

Town Engineer Anderson

- A Councilmember asked if the fees for Willdan's services come out of grant or general fund monies. All fees associated with a project come out of the amount that is available. This project will increase the Town's fire protection. The agreement with Arizona American Water is that they will maintain the system forever. The first Phase will cover the area from Connecticut north to Grand Avenue where we have multi-housing and a closely built commercial district. The project will increase fire flow and the number of available hydrants. Staff recommends approval of the Addendum for services.

Councilmember Chittenden

- I want to thank everyone who has helped get us the grant for fire flow - Public Works Manager Mark Hannah, Town Engineer Grant Anderson, and CDAC Representative Shirley Oglesby.

Councilmember Mello

- I'd like to introduce my special guest - Airman Parrill.

Mayor LeVault

- I have seen our fire department have to go three blocks to get to a functioning hydrant. The G.A.I.N. event demonstration of a living room burning showed us that a room can flash over in less than two minutes.

Patrice Druehl, Youngtown resident

- Will there be more phases?

Mayor LeVault

- We estimate this will take four more years to complete all the areas that need improved fire flow. We are using grant money. If we can find other monies, we will do it faster. Each phase is designed to be a self-contained and fully functioning unit when it is completed.

Motion to approve Addendum to the agreement for professional services between Willdan Engineering, Inc. and the Town, dated June 13, 2002, to include Exhibit C, setting forth the scope of work for engineering and project design services re: Fire Flow Phase I (Fire Hydrants Project) in the amount of \$84,680 and authorize the Town Manager to execute the required documents – Councilmember Oglesby

Second – Councilmember Mello

Motion passed unanimously on a roll call vote.

- D. Discussion and/or Action Re: Acceptance of Public Safety Stabilization Program Grant in the amount of \$50,000 for the period of October 1, 2010 through September 30, 2011 for allowable expenditures as listed on Attachment 1. (McDonald)

Chief McDonald

- This is a good thing. This grant is for October 1, 2010 through September 30, 2011 in the amount of \$50,000 from the Governor's Public Safety grant program. The grant can be used to set up a paid reserve Police Officers program, pay for part-time investigators, paid overtime for Police Officers, and cover some vehicle maintenance costs. As I had reported previously the Department is already exceeding its overtime budget. I want to thank Linda Nilles for locating and applying for this grant. Mrs. Nilles worked for the Apache Junction Police Department before coming to work for the Youngtown Police Department as our part-time Management Assistant. I value her experience.

Motion to accept Public Safety Stabilization Program Grant in the amount of \$50,000 for the period of October 1, 2010 through September 30, 2011 for allowable expenditures as listed on Attachment 1 – Councilmember Chittenden
Second – Councilmember MacKay
Motion passed unanimously on a voice vote.

7. Call for Executive Session

None needed.

8. Citizens Comments/Apearances from the floor:

Barbara Bright, Youngtown resident

- I am concerned about Maricopa Lake and how green it looks. I heard from a Parks employee that the Town may close the Lake. I want to save the lake, the ducks and the turtles. I'm willing to take up a collection to pay for repairs. I understand the lake needs to be re-sealed. It could be declared a conservation area. The filter system needs work - the one in the middle doesn't appear to be working. I would give a \$25 contribution tonight.

Mayor LeVault

- I direct staff to work with Ms. Bright.

Ms. Bright

- About straightening the Dogleg on Peoria Avenue, they want to take a third of that woman's yard to straighten the road. Why don't they take part of Baptist Village and make the road straight?

Mayor LeVault

- Since this is not an agenda item we cannot discuss it, but you could discuss it with Mr. Anderson or me after the meeting is over.

Patti Wake

- I am concerned about the Mountain View Apartments on 113th Drive. They are in major disrepair. We have heard that they are being sold. The tenants have no electricity. They are using candles which are a fire hazard. Trash is piling up waist deep as the tenants put trash where the dumpsters used to be. The grass is growing up everywhere. I'm proud of my home, proud of the Town. Get the owners to clean up the property.

Mayor LeVault

- Staff is working to resolve this situation.

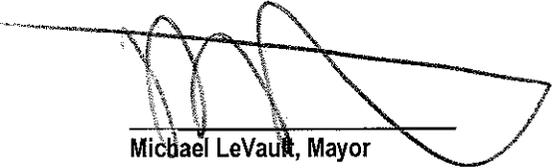
Announcement of next Work Session and Regular Meeting: Thursday, November 18, 2010, at 7:00 p.m.

Adjournment.

Motion to adjourn – Councilmember Mello

Second – Vice Mayor Duran

Meeting adjourned at 8:25 p.m.



Michael LeVault, Mayor

Attest:

Letty Goldberg, Town Clerk/Treasurer

Minutes approved at the November 18, 2010 Regular Meeting.