



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

THURSDAY, January 6, 2011, TOWN CLUBHOUSE, 12033 CLUBHOUSE SQUARE

1. Call to Order Mayor Michael LeVault called the meeting to order at 7:47 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, Police Chief Terry McDonald, Public Works Manager Mark Hannah, and Deputy Town Clerk Diane Cordova.
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

 - I attended the inauguration of all the new state officers. The new Mayor of El Mirage, Lana Mook, and I car pooled. It was very interesting to hear El Mirage having similar issues as Youngtown. It was good to get her perspectives on things. I am going out of my way to build a relationship with the new Council in El Mirage. The Council in El Mirage has had a massive change; they've flipped five seats including the Mayor. They are in support of the Luke mission F-35 aircrafts. One of the things we talked about was the county island property that sits in the Agua Fria River bottom between Agua Fria and El Mirage.
 - The ASU Morrison Institute for Public Policy along with The Brookings Institution, a nonprofit public policy organization based in Washington, DC released a bombshell report. They put together a very critical study of the State's attempt to balance its budget. The Governor and State Legislature have been telling us that the state deficit in the current fiscal year is \$825 million dollars. The Morrison Institute & Brookings Institution report said No, it's more like \$2.3 billion dollars. I have no idea how they are going to plug that hole, even if they closed the state government, they wouldn't have enough money to balance the budget. I really don't see any way around them coming after our state revenue sharing fund. The Morrison Institute & Brookings Institution will be hosting a budget forum tomorrow and Vice Mayor Duran will be attending. If you look on their website, you can read this report. They are stating that the Arizona State budget is flawed.
 - I attended the MLK (Martin Luther King) event this morning along with Vice Mayor Duran. We sat with the Mayor of Surprise, Lyn Truitt. Mr. Truitt met with one of their Legislative Representatives, Jack Harper, Legislative District 4. Mr. Harper stated that in the legislative body discussion, they are talking about freezing the amount of revenue sharing that is being rolled out. We already know that within the next two years revenue sharing will be down because of the two year lag to pay out. The prior two years have been terrible. We simply in Youngtown are on our own. We have to figure ways to survive this and make this Town viable and sustainable.
 - Youngtown Visionaries met this past Monday night and there are already some great ideas. We have broken up to four sub groups. Each group is addressing a specific area of focus. We will be having one more meeting on January 17, 2011 and I've asked for an informal presentation to Council on January 20, 2011 Council meeting. Somewhere down the line I want Council and Staff plugged into this for implementation. Everything is on the table, from looking at rezoning to annexation.
 - Chief McDonald and I had the opportunity to spend some time with our Sherriff, Joe Arpario.

Vice Mayor Duran

 - I attended the MLK Breakfast this morning. The main speaker was John Huppenthal, Superintendent of Public Instruction. He is setting up new things for schools. Interesting to say that the top notch school in Arizona is in Nogales, Arizona. Mr. Huppenthal is setting up a structure for schools that will model after this top notch school. There was an awesome performance with children from a downtown Phoenix school. These children recited the MLK dream speech in English and in Spanish.

Councilmember Chittenden

 - Happy New Year to everyone. I did a ride along with Chief McDonald on New Year's Eve. My purpose was to see if there was going to be any major problems with fireworks, and we did not observe any. It was wise of the Chief to say that we sit back wait and see what happens.

Councilmember Mello

- I thought I read that in Peoria they had houses burned prior to New Year's Eve due to fireworks.
- Next Community Development Advisory Committee (CDAC) meeting that I will be attending is next week.

Councilmember Olgesby

- My neighbor was setting off fireworks. You could see them on their driveway the next morning.

Councilmember MacKay

- Many of us attended Lucille Rethford's Memorial Service; it was very nice.

B. Communications from Staff

Town Manager's Report

Town Manager Robinson

- The January issue of the Village Reporter is available in hardcopy as well on the Town's website. Deadline for February is January 24, 2011.
- Grand Avenue and 111th to be open January 10th, 2011
- Received an email from visitors that are coming from California to visit us and the Sun City 50 Anniversary.
- A new business on California Avenue that Chief McDonald and code enforcement are dealing with. Their business name is Nortech Distributors. They did not obtain a business license and we are working with them to comply.
- Winter Event cost was \$3,565.60. Out of that, \$1,500 was paid to staff for overtime. This year employees were asked to take overtime or compensatory time for working on a Saturday. In the past three years, I've asked for employees to flex out their time.
- Our Code Enforcement Coordinator, Lora Isaacs, is still in the hospital. I will update Council on her progress.
- Department Head updates, Mark Hannah, Public Works Manager was out with health issues, now our Town Clerk, Letty Goldberg is out with health issues. She is telecommuting via remote access. There have been three departments in the last three months that I have been put in place to manage, direct and coordinate. I invite Council to come in and ride with our Public Works employees. Come into our Town Hall offices and observe what we do on a day to day basis. You are welcome to come to our Library as well.
- Moving forward with a business district. I asked VOYT (Voices of Youngtown Businesses) back in August, September about forming business districts.
- March 8, 2011 elections coming up.
- Starting the budget process for 2012. I am getting the schedule together to coordinate schedule time.
- Digital Billboard project on Grand Avenue. The application is in process.
- Mark Hannah and Grant Anderson, Town Engineer, along with me met with APS regarding property for economic development on the south end of Town. This includes property on the Hatcher landfill. Working on trying to get a roadway into that land.
- Tractor Trailer Ordinance will be back for discussion at a work session on January 20, 2011.

Swann, Town Attorney

- The League of Cities and Towns has issued a resolution addressing the State Legislature that cities and towns understand that the State is in rough shape. We are too and we need to work together to grow the economy and that coming after our state shared revenue is not the answer.

Chief McDonald

- The overall issue of fireworks was a not an issue on New Year's Eve compared to issues of guns being shot off in the past. It was quiet in Youngtown. Talking with Fire Marshall Ken Rice regarding some of the municipalities that got real strong with this issue and drew lots of attention are now looking at amending some of the restrictions. We did the right thing by taking a step back to see what would happen.
- Tuesday Morning I attended the Sun City Sheriff Posse Meeting. The purpose was to present Sheriff Arpario an award on behalf of our people to his people. That we appreciate the help and the support that the Sheriff's Department provides.
- Regarding the children that did not get back on the bus in the Peoria school district, they were found that evening by Sgt. Evans.
- I was not aware of the graffiti on the gymnasium by the church. We are very aware of graffiti in Town. We have taken many photos. We had more than one interview with people providing information.

Deputy Town Clerk Cordova

- Thus far, no one else has come in to sign up as a write-in candidate. The deadline is January 27, 2011 5:00 p.m.

5. Consent

- A. **Approval of Minutes:** Minutes of December 16, 2010 Regular Meeting.

Motion to approve Consent Agenda – Councilmember Johnson
Second – Vice Mayor Duran
Motion passed unanimously on a voice vote.

6. Business

- A. **Discussion and/or Action Re: Approval for Mayor to sign “Local Government Acknowledgement and Consent Re: Youngtown Senior Village Affordable Apartments” - Englewood Development Company, Inc. (ROBINSON)**
Town Manager Robinson
- Item has been pulled from the agenda upon the request of Nick Surak, Englewood Development Company, Inc., and is expected to be rescheduled at a future date.
- B. **Discussion and/or Action Re: Approval of certain Intergovernmental Agreement between the State of Arizona and the Town of Youngtown (IGA/JPA 10-177-1) to use up to \$94,300 in Federal STP Funds to complete the design, environmental and engineering phase of the Youngtown Peoria Avenue Realignment Project 10-177 (ARRA–STP-YTN-0(201) / ADOT Tracs No. SS940-03D. (Hannah)**

Public Works Manager Hannah

- This is a formal adoption of the Intergovernmental Agreement (I.G.A.) between the Town of Youngtown and Arizona Department of Transportation (ADOT). The amount we will be getting is \$94,300. It will be a reimbursement. We will be required to pay up to 5.7% from the Town's local funds. There is a budget line item of \$200,000 to cover this. Our cost will be \$5,700. The State will get funds from the Federal Highway Administration.

Mayor LeVault

- This money is available to us because we came in under budget on the Peoria Avenue Street Paving project.

Town Manager Robinson

- To clarify, Mr. Hannah, we are only on the hook for \$5,700.00 as a cost to the Town. Everything else is paid directly from ADOT.

Councilmember Olgesby

- The State is hard up for money, is there a chance that they will not pay?

Councilmember Chittenden

- Do we need to have the \$5,700 written in?

Councilmember Mello

- It's already written in the agreement.

Motion to approve Intergovernmental Agreement between the State of Arizona and the Town of Youngtown (IGA/JPA 10-177-1) to use up to \$94,300 in Federal STP Funds to complete the design, environmental and engineering phase of the Youngtown Peoria Avenue Realignment Project 10-177 (ARRA–STP-YTN-0(201) / ADOT Tracs No. SS940-03D – Councilmember Mello

Second – Councilmember MacKay

Motion passed unanimously on a voice/roll call vote.

- C. **Discussion and/or Action Re: Approval to contract with the engineering firm of NFra, Inc., setting for the scope of work for engineering and project design services for the Youngtown Peoria Avenue Realignment Project 10-177 (ARRA-STP-YTN-0(201) / ADOT Tracs No. SS940-03D), in the amount of \$63,906., and giving the Town Manger the authority to execute the necessary contract documents. (Hannah)**

Public Works Manager Hannah

- These are proposals, one for design engineering and the other environmental. We had a committee come in and review the proposals. The committee chose the NFra, Inc. proposal. NFra wrote up the scope of work. The amount to complete that scope of work is \$63,906.
- The \$6,500 is for the geotechnical testing report and it is include in the \$63,906. The design work is approximately 500 feet. This is only design and environmental work. The actually construction work will not be completed this fiscal year. The studies will only be good for two years.
- The estimated cost of construction is roughly \$200,000.

Councilmember Johnson

- Can you explain the estimated fee of \$6,500? Is it included in the \$63,906?

Councilmember Chittenden

Councilmember Chittenden

- We are talking about 500 feet that is 115 Avenue and the "S" curve, isn't it more than 500 feet?

Mayor LeVault

- They're going to place in a sweeping curve and eliminate the stop sign. This is not the work, this is only the engineering. The funds have clearances for land acquisition cost if need be. The reason we have to do an environmental impact study is because they are federal funds. Pulte the developer should have never been allowed to place that road there.

Councilmember Mello

- Didn't I read something about the purchase of land? Is there a timeline on when an environmental and engineering study expires? How much is the construction going to cost?

Councilmember MacKay

- The schedule has four weeks to issue report, what time frame are we looking at after the report has been completed?

Town Manager Robinson

- There is a budget line item to \$200,000 to cover cost of construction.

Motion to approve contract with the engineering firm of NFra, Inc., setting for the scope of work for engineering and project design services for the Youngtown Peoria Avenue Realignment Project 10-177 (ARRA-STP-YTN-0(201) / ADOT Tracs No. SS940-03D), in the amount of \$63,906.; and giving the Town Manger the authority to execute the necessary contract documents – Vice Mayor Duran

Second – Councilmember Chittenden

Motion passed unanimously on a voice/roll call vote.

- D. Discussion and/or Action Re: Approval to contract with the engineering firm of AZTEC Engineering Arizona, LLC., setting forth the scope of work for environmental services for the Youngtown Peoria Avenue Realignment Project 10-177 (ARRA-STP-YTN-0(201) / ADOT Tracs No. SS940-03D), in the amount of \$22,790.; and giving the Town Manger the authority to execute the necessary contract documents. (Hannah)

Public Works Manager Hannah

- The 2nd part of this project is the environmental clearances to complete the water ways work. We are spending \$22,790 so that we can spend \$63,000 in federal money. The environmental work will be good for two years. The money will be reimbursed. Construction dates right now have no bearing. AZTEC got those dates from ADOT.

Councilmember Chittenden

- Do we have it budgeted as \$22, 790 plus the \$63,000? So the money will be reimbursed?

Town Manager Robinson

- It's out of the budget line item of \$2000,000.

Councilmember Johnson

- Under the project scope of work, construction is expected to begin in winter 2010 or spring 2011. Does that mean that construction will begin this spring 2011?

Motion to approve contract with the engineering firm of AZTEC Engineering Arizona, LLC., setting forth the scope of work for environmental services for the Youngtown Peoria Avenue Realignment Project 10-177 (ARRA-STP-YTN-0(201) / ADOT Tracs No. SS940-03D), in the amount of \$22,790.; and giving the Town Manger the authority to execute the necessary contract documents – Councilmember Johnson

Second – Councilmember Olgesby

Motion passed unanimously on a voice/roll call vote.

- E. Discussion and/or Action Re: Approval of a three year participation agreement between the Town of Youngtown and Maricopa County Community Development for the Community Development Block Grants (CDBG) program from July 1, 2011 through June 30, 2014 and authorizing the Mayor to sign the agreement. (Hannah)

Public Works Manager Hannah

- A requirement in order to apply to receive CDBG (Community Development Block Grant) money is that every three years the Town recommits to be part of the CDBG program. This is a resolution that the Town of Youngtown agrees to participate in the CDBG program from July 1, 2011 through June 30, 2014.

Councilmember Olgesby

- We would be crazy if we didn't approve this.

Mayor LeVault

- This replaces the agreement that expires in June 2011.

Motion to approve a three year participation agreement for the Community Development for the Community Development Block Grants (CDBG) program from July 1, 2011 through June 30, 2014 and authorizing the Mayor to sign the agreement – Councilmember Mello
Second – Councilmember Olgesby
Motion passed unanimously on a voice/roll call vote.

7. Call for Executive Session

None needed.

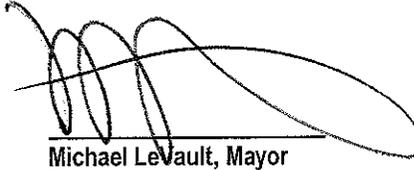
8. Citizens Comments/Appearances from the floor:

No comments.

Announcement of next Work Session and Regular Meeting: Thursday, January 20, 2011, at 7:00 p.m.

Adjournment.

Motion to adjourn – Vice Mayor Duran
Second – Councilmember Chittenden
Meeting adjourned at 8:58 p.m.



Michael LeVault, Mayor

Attest:



Diane Cordova, Deputy Town Clerk

Minutes approved at the January 20, 2011 Regular Meeting.