



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

THURSDAY, March 3, 2011, TOWN CLUBHOUSE, 12033 CLUBHOUSE SQUARE

1. Call to Order Mayor LeVault called the meeting to order at 7:25 p.m.
2. Roll Call Council present: Mayor Michael LeVault, Councilmembers Margaret Chittenden, Dorena Mello, Shirley Oglesby, Susan MacKay, and Judy Johnson. Council absent: Vice Mayor Jacob Duran.  
Staff present: Town Manager Lloyce Robinson, Town Attorney Michelle Swann, Police Chief Terry McDonald, Public Works Manager Mark Hannah, Town Clerk/Treasurer Letty Goldberg and Deputy Town Clerk Diane Cordova.
3. Pledge of Allegiance and Invocation Pledge led by Councilmember Oglesby. Invocation offered by Pastor Charles Ring.
4. Communications:
  - A. Communications from Council

Mayor LeVault

    - We had many events going on this past Saturday. At the north end we had the AARP Health Fair, in the middle we had the Public Works bulk trash collection at the Public Works Facility, and down at Uribe Park was the benefit car wash for Joey Fernandez, the young boy burn victim. There were two one thousand dollar contributions on top of the \$3,400.00 already raised. Money is still coming in. I think it will come close to \$5,000 to \$6,000 to help the family with medical and funeral expenses.
    - I did receive a letter of complaint regarding the Town no longer picking up bulk trash along the alleys. I replied that the Town can only supply the services it can afford. The Town is operating very frugally. We still want to maintain a high level of service, however we also have to be able to afford it.
    - At the car wash, I had contact with a firefighter that attends CCV (Christ's Church of the Valley) and they offered one weekend of the month to send a group of volunteers to work with the elderly that are unable to get things done around their homes. I'm hoping we can get an ongoing relationship established. This is like the Unity in Community program that we had here in Youngtown.
    - Town Manager Lloyce Robinson and I will be meeting with David Moss, Executive Director of the Surprise Chamber of Commerce. We are on the verge of establishing the first Chamber Chapter here in Youngtown to be called Chapter 1. This is ironic because the Surprise Chamber began as the Youngtown Chamber of Commerce here in the early 1960's and now it's moved on to become the Greater Surprise Regional Chamber of Commerce.
    - I attended the Maricopa Associations of Government (MAG) Economic Development committee meeting. There is a greater spirit of cooperation. We are talking about the CanaMex Highway, also known as Interstate 11. This would connect Phoenix to Las Vegas, connect to Highway 15 up through Oregon to Canada. We are also talking about a commuter rail along Grand Avenue. Jerry Colangelo also attended the meeting and made a presentation on establishing a new Commerce Authority with responsibility for creating a new public and private industry partnership.
    - The Youngtown Visionaries met this past Monday. The plan is to meet one more time before the next Council meeting. The sub-committees will give a presentation during a work session. I will then recess the Visionaries for about a month. Then I will have Council prioritize and get staff involvement.
  - B. Councilmember Mello
    - We have tentatively won our grant for Fire Flow, Phase 2. The final approval will be next Wednesday. Next year we will be working much earlier and quicker on revising this grant for next year. I would like to see us combine Phases 3 and 4 into one grant application.
    - Working on getting a grant for a community garden.
  - C. Councilmember Johnson
    - I attended the meeting with Councilmembers Mello and Chittenden. Councilmember Mello did very well. She did go toe to toe with Guadalupe. I am very proud of her. She would not give up any money.

- The Village Reporter this month was very delightful. I enjoy reading the Mayor's editorial. This month we had an article written by Councilmember MacKay entitled, Flat Stanley. She gave Flat Stanley a tour of Youngtown and he even sat in the Mayor's chair. This brought back memories because my children participated in this program back in the 70's.

Councilmember Chittenden

- I attended the bulk trash cleanup at the Public Works maintenance yard. Many residents that participated in the bulk trash cleanup were saying that they are willing to help other residents who aren't able to take their things to the maintenance yard. I will work with Public Works Manager Mark Hannah next year.
- I would like you to welcome my sister; she arrived today from Washington State.
- I also would like to say that Grant Anderson, Mark Hannah and Councilmember Mello all did a great job on the Community Development Block Grant (CDBG) application presentation.

B. Communications from Staff

Town Manager's Report

Town Manager Robinson

- I attended the West Valley Managers meeting this morning in Avondale. They showed off their new sports facility. It's the first time I've seen an indoor noncommercial soccer field.
- Last week, Grant Anderson, Mark Hannah and I met with MAG (Maricopa Association of Governments) Executive Director Dennis Smith regarding Grand Avenue. ADOT (Arizona Department of Transportation) would like to give Grand Avenue back to the municipalities that front the highway. Mr. Smith said that there is no statute that requires municipalities to take back Grand Avenue. All the North West Valley cities are saying "No". ADOT will have a study completed in April.
- Also with MAG, we are talking about a small cities program: Cave Creek, Carefree, Litchfield Park, Wickenburg, Youngtown, and El Mirage. We sit and vote on criteria on funding for larger cities, which then passes over smaller cities because we don't fit the criteria.
- The Department Heads are working on the budget; interesting conversations. The revenue numbers are yet to be brought forth. We are awaiting the Census count, should be in by mid-March. Also awaiting the Urban Revenue Sharing figures. We do know that medical insurance will be up, an estimated 14.5%. State Retirement will be going up 1% for employees and employers.
- The Library has been conducting many tours of the Youngtown Historical Museum.
- The activity in our Municipal Court is down. They are working on collecting back fines. We have hired a part-time Court Clerk working 20 hours a week.
- On the financial report, the overall revenue is at 44.5% and the expenditures are 40.1%. We also continue to show tax audit payments. This is revenue from unpaid rental tax payments.
- The Town Attorneys are helping us out on the Developer Impact Fees. We have \$810,000.00 in an investment account called Developer Impact Fund. When Agua Fria Ranch was built, it was built on contractual fees and not on state statute. Finance Officer Jackie Hoffman has maintained a spreadsheet since 2003; every dollar in, every dollar out in this LGIP account. As contractual fees they are not under state statute and do not have the same restrictions for withdrawal. I asked the auditors and they said that the money does not have to be separated out, however I would like to separate it into a new LGIP Account. The name of the account would be Agua Fria Ranch Fees. The money that is designated from Agua Fria Ranch, its \$1,200 per unit, will go in that account. This will maintain its distribution integrity by using the accepted process of the state statute.
- The Village Reporter is being distributed to all businesses. The Chief has released a newspaper box that was being held as evidence. Tom McCormick has offered to paint the box and Larry Ornelis has offered to put in Plexiglas. We will be able to bolt it down and place the Village Reporter in it.
- Deputy Town Clerk Diane Cordova has updated the Business Directory. Copies are available at Town Hall. Updated information is also on the Town's website.
- Council has been given a Council Issues spreadsheet. It is how staff keeps track of upcoming issues and actions.

Town Clerk/Treasurer Goldberg

- The primary election is Tuesday, March 8, 2011. Polls open up at 6:00 a.m. and close at 7:00 p.m. If you had an early ballot and have not mailed it, tomorrow is the last day to do so, otherwise hold it until Election Day and drop it in an early ballot box at any polling place. There have been questions regarding the propositions for the Franchise Agreements. We do have three council seats to be voted upon.

**Chief McDonald**

- The car wash for Joey Fernandez raised \$3,400.00. I was told that there is money still floating in. It was a great event. It was great to see all the sponsors and everyone pulling together on behalf of the family. ^
- The Police Department had defensive tactical training for four hours last night.
- I've asked Town Manager, Lloyce Robinson to give me a little more time on the commercial vehicle parking. It will probably be on the April 21, 2011 work session agenda.

**Public Works Manager, Hannah**

- The bulk trash pickup was well received this year. On Wednesday all containers were filled. We had to order additional containers for Saturday.
- We did receive phone calls from several residents that stated that there was no way of their being able to bring their bulk trash to the yard. We did go out and pick up what they had.

**5. Consent**

**A. Approval of Minutes: Minutes of February 17, 2011 Regular Meeting.**

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

**Second – Councilmember Mello**

**Motion passed on a voice vote with Councilmember MacKay abstaining.**

**6. Business**

**A. Discussion and/or Action Re: Approval of Ordinance 11-06 accepting update of Youngtown Zoning Map dated February 8, 2011. (Robinson)**

**Town Manager Robinson**

- When the prior zoning map was approved back in June 2010, Englewood property was not included nor approved. Meantime we got a call from Nancy Schamadan who owns property on the south end of Town, north of Olive Avenue. We did some research and, in 2003, there indeed was a rezoning that occurred for that property. As you can see now the updated map shows the PAD ( Englewood property), and C-2 (Schamadan).

**Councilmember Chittenden**

- This is the Hatcher Landfill and Schamadan property located up on top of Peoria Avenue?
- Does this include "Friendly Fred's" property?

**Town Manager Robinson**

- No, the Hatcher and Schamadan property is to the east of Agua Fria Ranch sub-division north of Olive Avenue.

**Mayor LeVault**

- Does the C-2 property include the Hatcher Landfill and the property south of it?
- There is still 10 acres that remain residential zoning.

**Councilmember Johnson**

- Who owns the 10 acres? Does that property belong to Fred Hansen?

**Town Manager Robinson**

- The 10 acres are owned by Karl Ginnow and the other residential zoning belongs to APS (Arizona Public Service).
- The bright orange R-3 is property owned by "Friendly Fred", Clarence Hansen.

**Motion to approve Ordinance 11-06 accepting update of Youngtown Zoning Map dated February 8, 2011 –**

**Councilmember Johnson**

**Second – Councilmember Mello**

**Motion passed on a voice vote.**

**B. Discussion and/or Ratification Re: Mayor's appointment of Councilmember Margaret Chittenden (term expiring in October 2014) and Sun City Fire Marshal Ken Rice (remainder of term expiring in October 2012) as citizen representatives to the Youngtown Public Safety Personnel Retirement System (PSPRS) Local Board. (Goldberg)**

**Town Clerk Goldberg**

- The Public Safety Personnel Retirement System requires each municipality have police officers participate in a retirement system by having a local board. Statute requires that the Mayor or his designee be the chairman of the board with two citizen members and two police officers elected by their fellow officers. In 2008, we reconstituted the local board. At that time Mrs. Lucille Rethford and Mrs. June Miller were the citizen representatives. Officer Randy French and Officer Sean Hennessy were elected to represent the police

Officers. Mrs. Ketterer's term expired last year and Mrs. Miller resigned last year. These citizen representatives' positions now need to be filled. Officer French's position has expired and the officers have elected Sergeant Kessler to represent them and he will serve a four year term. Officer Hennessy has two years remaining. The Mayor has recommended the appointment of Margaret Chittenden for a four year term and Sun City Fire Marshal Ken Rice for a two year term.

- I am in the process of bringing forward an agenda and have tentatively scheduled a meeting for March 16, 2011.

Mayor LeVault

- This all came about by Edward Siemen's application for retirement.
- Both Lucille Rethford and June Miller were experienced retired Youngtown Police Commissioners. My thinking is to have the vacant positions filled with two individuals that have police experience. Ms. Chittenden was a former Youngtown Police Officer and Fire Marshal Rice was a Glendale Police Officer. Statute states a citizen not a Youngtown resident citizen, so both individuals qualify.
- We will need to meet here very quickly and then we will meet once a year.

Motion to ratify appointment of Councilmember Margaret Chittenden (term expiring in October 2014) and Sun City Fire Marshal Ken Rice (remainder of term expiring in October 2012) as citizen representatives to the Youngtown Public Safety Personnel Retirement System (PSPRS) Local Board – Councilmember Mello

Second – Councilmember MacKay

Motion passed unanimously on a voice vote.

- C. Discussion and/or Action Re: Approval of Resolution 11-06 declaring that Youngtown no longer wants to administer floodplain regulation. (Hannah)

Public Works Manager Hannah

- Approval of Resolution 11-06 will give the town's flood control management back to MCFCD (Maricopa County Flood Control District).

Motion to approve Resolution 11-06 declaring that Youngtown no longer wants to administer floodplain regulation – Councilmember Johnson

Second – Councilmember Oglesby

Motion passed unanimously on a voice vote.

- D. Discussion and/or Action Re: Approval of Ordinance 11-05 repealing Chapter 15.12 and adopting the documents the Maricopa County Flood Control District (MCFCD) requires to be adopted in order for MCFCD to take over management and designating the Town Engineer as the National Flood Insurance Program Floodplain Coordinator for the Town of Youngtown. (Hannah)

Public Works Manager Hannah

- By approving Resolution 11-06, the ordinance 11-05 puts the wish into action.

Motion to approve Ordinance 11-05 repealing Chapter 15.12 and adopting the documents the Maricopa County Flood Control District (MCFCD) requires to be adopted in order for MCFCD to take over management and designating the Town Engineer as the National Flood Insurance Program Floodplain Coordinator for the Town of Youngtown –

Councilmember Chittenden

Second – Councilmember Oglesby

Motion passed unanimously on a voice vote.

7. Call for Executive Session

None needed.

8. Citizens Comments/Appearances from the floor:

Betty Alton

- I don't know if anyone has noticed the "Sanford and Son" who have moved in across from Alabama Avenue. He has doors standing up against the fence. He is using tarps and sheets for a fence. He is collecting enough stuff to start a junk yard. Anyone coming into the Town Complex coming west is seeing this. This represents our Town in a very bad way.
- I have three residents that are feeding pigeons. What can we do to get rid of these pigeons?

Announcement of next Work Session and Regular Meeting: Thursday, March 17, 2011, at 7:00 p.m.

Adjournment.

Motion to adjourn – Councilmember Mello

Second – Councilmember Oglesby

Meeting adjourned at 8:22 p.m.



Michael LeVault, Mayor

Attest:



Diane Cordova, Deputy Town Clerk

Minutes approved at the March 17, 2011 Regular Meeting.