



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

THURSDAY, May 19, 2011, TOWN CLUBHOUSE, 12033 CLUBHOUSE SQUARE

1. Call to Order Mayor LeVault called the meeting to order at 6:39 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, Library Manager Nancy Lewis, and Town Clerk/Treasurer Letty Goldberg.
3. Pledge of Allegiance and Invocation Pledge led by Councilmember Oglesby. Invocation offered by Mayor LeVault.
4. Communications:
 - A. Communications from Council

Mayor LeVault

 - Draft Environmental Impact Statement (EIS) has been delayed until September for Luke Air Force Base and the F-35. Luke is still the favored base, but the process has been delayed. There will be public comment hearings after the draft is completed. The final EIS is expected in January 2012 with a decision to be made in March or April. El Mirage has come on board in supporting Luke as the location for the new F-35 program along with the rest of the West Valley.
 - Last week I accompanied the Sun City Fire Department to Maricopa, Arizona for a day in the desert burning "things". Then they had a forensic team evaluate the fires. They use vectoring to pinpoint the origin of the fire. They are using dogs trained to locate accelerants. Fire Marshal Ken Rice did an experiment with "legal and safe" fireworks lighting one firework in a box located in a car. Within seconds the car was inflamed demonstrating that fireworks may be legal but they have great potential for starting fires.
 - The GAIN Event is scheduled for October 8 and will start earlier this year. From 10 a.m. to 2 p.m. there will be a 10K race and a 5K run-walk fundraiser starting at Uribe Park and ending at Greer Park. It should increase the size of the event.
 - Council met with Doug Brunhke of Growth Nation on Tuesday evening. We are involved in an intense project to brand the Town. Could we do a 30 second elevator speech on the essence of Youngtown? What are we? What do we aspire to be? Re-branding is the essence of the Town five or 10 years down the road.
 - The first community chapter of the Surprise Regional Chamber of Commerce met for a kickoff meeting here on May 10. I think it is fitting since the Chamber was born here in Youngtown. The Surprise Chamber will have a local presence and will form a Chamber Council. There will be resources for businesses. We have been working behind the scenes to support our businesses.
 - I appreciate the cooperation between Staff and Council.

Councilmember Johnson

 - Regarding comments in the Work Session, I appreciate Councilmember Chittenden's viewpoint. She has a kind heart.

Councilmember Mello

 - The kickoff meeting for the Youngtown Community Garden will be this Saturday in the kitchen Area of the Clubhouse. I have been calling those who expressed interest in the community garden either by calling me or leaving a message at Town Hall. I think we can pull it off.
 - My son, Zack, called from Greenland where he is serving in the Air Force to give me news that to us is sad. The program Project Challenge that literally saved his life has lost its funding from the State Legislature. Project Challenge is a program sponsored by the Air National Guard for at-risk youth. My son is in the Air Force now; he could have been dead or in jail. This program is not a waste of money. If you know who to call, please let them know that this program should be saved. It is a cost-effective program.
 - B. Communications from Staff

Town Manager's Report, Fire Department Report, Police Department Report, Town Clerk Report regarding May 17, 2011 Election

Town Manager Robinson

- I have made reservations for Mayor LeVault, Councilmembers Margaret Chittenden and Dorena Mello to attend the Arizona League of Cities and Towns annual meeting. I am trying to get reservations at the host hotel, so if any other Councilmembers wish to attend, I need to know by tomorrow.
- Good news! Grant Anderson is staying with Willdan and will continue to be our representative at MAG's Transportation Review Committee (TRC).
- Staff is working on the Visionaries Committee priority list approved by Council and setting timelines for the issues to be placed on the Council Issues list. On hold are the advertising kiosks until we complete the re-branding process. Staff is planning to come to Council in September with a contract for an Economic Development consultant. Also in September staff will present a park rental program and an ordinance for park rules including a dog park and also a resolution setting park fees. Clubhouse rental will be a separate issue.
- Public Works project will complete the trenching and cable conduit linking the last section connecting all the buildings (electricity, computer, telephone) at the Town complex. The trenching will go from Town Hall to the Police Department in front of the Arts & Crafts building. Funding is part of the Emergency Operations Center (EOC) grant received from the Tohono O'odham Nation. The Police Department received all new computers this week as part of the EOC grant. The Sun City Fire Department will be coordinating with us since they don't have an EOC.
- Our "flaming" newspaper box to hold the Youngtown Village Reporter is on display at Town Hall. Eventually it will be mounted outside Town Hall. Tom McCormick of Curly's Custom renovated an old, beat up newspaper box that had been confiscated by the Police Department. Larry Ornelis of National Glass & Mirror provided plexiglas for the door.
- Our Police Department has received a Homeland Security grant in the amount of \$18,000 of excess 2009 grant monies.
- You have two months of financial reports to review. The important thing is we are still expending well below our revenues. Two areas that exceeded budget were unplanned needs – Code Compliance for home cleanup of abandoned properties and Parks for pump replacement/repair and an OSHA issue at the Lake.

Chief McDonald

- We have to thank Mark Hannah for writing the grant that got the Police Department its new computers. Candi Nilles has been doing some negotiating on some of our agreements. The next time I buy a vehicle I'd like to take her with me to do the negotiating.
- Town Manager Robinson mentioned the Police Department's Homeland Security grant. Glendale Police Chief lobbied on our behalf for leftover funds. There may still be other funds we can get.
- Police Department is working on an investigation. One of our problem residents is a "mean" drunk. We received a call that he had stomped on a kitten. The Animal Emergency Hospital was unable to save the kitten and it had to be euthanized. The Department is investigating this as a felony. Maybe he can be sent away for a while.

Councilmember Chittenden

- We need to send a message that animal abuse will not be tolerated here.

Town Clerk Goldberg

- The Town conducted a successful General Election on Tuesday, May 17, 2011. I want to again express my thanks to Bill Doyle, our Elections consultant, for making the process go so well. Voting in Elections is a basic of citizenship.

Library Manager Lewis

- The Library received a grant for 80 new children's books. The Friends of the Library have supplied handcrafted cradles for these books. The Grant requires that information about the books be published in a local newspaper to be eligible for applying for more grants.
- Our annual summer reading program co-sponsored by the Maricopa County Library will be starting in a couple of weeks.
- Early Sunday morning I received a call that someone had thrown a boulder through the rear door at the Library. The Police Department, Public Works and Patrick were very professional in handling the situation. I am very proud of our Town employees. The damage to our Library made me feel violated. Thanks to a local business, the door was repaired before the Library opened on Monday morning.

Consent

A. Approval of Minutes: Minutes of May 5, 2011 Regular Meeting

Motion to approve Consent Agenda – Councilmember Mello
Second – Councilmember Oglesby
Motion passed unanimously on a voice vote.

5. **Business**

A. **Presentation Re:** Youngtown Person of the Year Award: 2008-Daphne Green (ROBINSON)
Mayor LeVault

- In 2007 I asked the Town Manager to establish the Youngtown Person of the Year program. The first recipient in 2007 was Councilmember Lucille Rethford. It then followed that Councilmember Rethford was named Youngtown Person of the Year by the Surprise Regional Chamber of Commerce. Tonight we honor Mayor Daphne Green as Youngtown Person of the Year for 2008. Mayor Green was named 2010 Youngtown Person of the Year by the Surprise Regional Chamber. Mayor Green, please step forward and accept your award. (Copy of Proclamation attached.)

B. **Discussion and/or Action Re:** Approval of Resolution 11-16 Canvas of the Vote for May 17, 2011 General Election; presentation of Certificate of Election. (GOLDBERG)
Town Clerk Goldberg

- Before you is Resolution 11-16 Canvass of the Vote for May 17, 2011 General Election declaring Shirley Oglesby elected as Councilmember for a term from June 2011 to June 2015. Staff recommends that Council approve the Resolution. (ATTACHED COPY OF THE CANVASS OR LIST THE TABULATIONS RESULTS.)

Motion to approve Resolution 11-16 Canvas of the Vote for May 17, 2011 General Election – Councilmember Mello
Second – Councilmember MacKay
Motion passed unanimously on a voice vote.

Following the vote, Councilmember Oglesby was presented a Certificate of Nomination.

C. **Discussion and/or Action Re:** Approval of renewal of Inter-Governmental Agreement (IGA) with Maricopa County Library for Reciprocal Borrowing program for July 1, 2011 through June 30, 2012 at no cost to the Town. (LEWIS)
Library Manager Lewis

- Staff recommends approval of renewal of this IGA with the Maricopa County Library for Reciprocal Borrowing. The Town has participated in this program for 13 years. There is no cost to the Town and it is a beneficial liaison with the County Library.

Motion to approve renewal of Inter-Governmental Agreement (IGA) with Maricopa County Library for Reciprocal Borrowing program for July 1, 2011 through June 30, 2012 at no cost to the Town – Councilmember Johnson
Second – Councilmember MacKay
Motion passed unanimously on a voice vote.

D. **Discussion and/or Action Re:** Declaration and Acceptance of bid results and awarding of contract to Speedy Gonzalez Construction, Inc. in the amount of \$239,817 for the Youngtown Fire Flow Upgrades - Phase I (CDBG Project DG1008). (HANNAH).

Public Works Manager Hannah

- Town is at a point where it can finally move forward with this project. We advertised the RFQ and held a pre-bid conference. Bid opening was May 4. Engineering for this projected had estimated \$373,000 for construction of this phase of the Fire Flow Project. Bids ranged from a high of \$420,000 to the low bid by Speedy Gonzalez Construction of \$239,817.
- Willdan did due diligence checking references and bonding capacity. It was determined that this is a legitimate bid and they are capable of completing the job.
- Staff recommends that Council award the contract to Speedy Gonzalez Construction, and authorizes the Town Manager to sign any necessary contract documents.
- These are still difficult economic times and businesses are bidding lower because they want the business.
- In Phase II we may be able to expand engineering beyond the area designated. We have a good reputation at Community Development Advisory Committee (CDAC).
- If a problem comes up, the Town Manager can sign the change order.

Mayor LeVault

- This is a very important public safety issue. We have divided the project into 4 phases. Agua Fria Ranch was built to today's code, but north of Peoria Avenue was built to fire standards in the 1950's and early 1960's. This is not adequate flow to fight a fire. Council is committed to upgrading infrastructure. This is a ground-breaking opportunity.

- Resident Orville Druhl served on a Fire Flow task force several years ago. Arizona American water asked for a rate change to pay for the fire flow upgrade in Youngtown, Part of Phase 1 Sun City and a small area in Peoria. The cost would have been an increase in the monthly water bill of \$1.20 phased in over three years. Sun City residents fought it. We are doing this for Youngtown. We are committed to making this a safe place to live.

Councilmember Oglesby

- When Youngtown was first built they used water tankers to supply water for fighting fires.

Councilmember Mello

- I am concerned that the Speedy Gonzalez bid is so much lower than the next bid. Who wrote the contract?

Town Attorney Swann

- Willdan developed the contract and we reviewed it.

Councilmember MacKay

- When will construction start?

Public Works Manager Hannah

- If the contract is approved tonight, I will meet with Speedy Gonzalez Construction next week, prior to issuing the Notice to Proceed. Once they receive the Notice they have 60 days to complete the contract. I anticipate that construction would begin about the second week in June.

Mayor LeVault

- We would like to have a ground breaking ceremony with media coverage when they are ready to start the project.

Motion to accept bid results and awarding of contract to Speedy Gonzalez Construction, Inc. in the amount of \$239,817 for the Youngtown Fire Flow Upgrades - Phase I (CDBG Project DG1008) and authorize Town Manager to sign any necessary contract documents – Councilmember Oglesby

Second – Councilmember Chittenden

Motion passed unanimously on a roll call vote.

- E. Discussion and/or Action Re:** Approval to renew landscape maintenance contract with Somerset Landscape & Maintenance in the amount of \$1,880 per month for the weekly maintenance of the landscape within the Town's parks to begin on July 1, 2011 and end on June 30, 2012, without a clause to renegotiate monthly cost depending upon turf removal. (HANNAH)

Public Works Manager Hannah

- We looked at the possibility of adding a renegotiating clause. Then in speaking with a representative of Somerset Landscape, we found out that maintaining rock is more costly than mowing grass, but they were willing to do that at the same cost for the remainder of the contract. Regarding the issue of broken glass in the drainage ditch, that issue has been resolved. The Town is very happy with the services of this company. The price is reasonable. The Town will be well-served to continue this contract for one more year.

Motion to approve renewal of landscape maintenance contract with Somerset Landscape & Maintenance in the amount of \$1,880 per month for the weekly maintenance of the landscape within the Town's parks to begin on July 1, 2011 and end on June 30, 2012 – Councilmember Chittenden

Second – Councilmember MacKay

Motion passed unanimously on a voice vote.

- F. Discussion and/or Action Re:** Approval of Intergovernmental Agreement (IGA) between the Regional Public Transportation authority (RPTA) and the Town of Youngtown (Town), whereby the RPTA will provide on-demand shared-ride services to ADA-qualified Town residents, in an amount not to exceed \$2,280 through June 30, 2011 and allowing for annual extensions for four years.. (HANNAH)

Public Works Manager Hannah

- Youngtown's ADA residents were assisted in transportation needs by our contract with Maricopa County Community Services Special Transportation Services. However, the County decided to defund the program about 18 months ago. SCAT (Sun Cities Area Transit) tried to provide services but they have gone out of business. RPTA is trying to fill the gap with on-demand services in the West Valley. In addition to Youngtown, Surprise, the Sun Cities, and Avondale are participating in the program using LTAF II funds. To participate in the program, residents will need to go to a location to complete the application process and will be given identification for this program. The Town will define what services can be accessed by this program. Transportation provided will be by bus or taxi cab. As with our past ADA transportation programs the priority will be medical, with first priority being dialysis.

Motion to approve Intergovernmental Agreement (IGA) between the Regional Public Transportation Authority (RPTA) and the Town of Youngtown (Town), whereby the RPTA will provide on-demand shared-ride services to ADA-qualified Town residents, in an amount not to exceed \$2,280 through June 30, 2011 and allowing for annual extensions for four years – Councilmember Johnson
Second – Councilmember Chittenden
Motion passed unanimously on a voice vote.

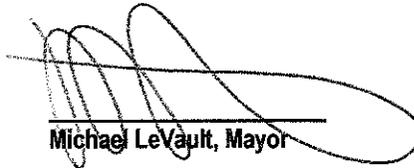
7. Call for Executive Session
None needed.

8. Citizens Comments/Appearances from the floor:

Announcement of next Work Session and Regular Meeting: Thursday, June 2, 2011, at 6:00 p.m.

Adjournment.

Motion to adjourn – Councilmember Mello
Second – Councilmember Oglesby
Meeting adjourned at 8:02 p.m.



Michael LeVault, Mayor

Attest:



Letty Goldberg, Town Clerk

Minutes approved at the June 2, 2011 Regular Meeting.

RESOLUTION NO. 11-16

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF YOUNGTOWN, ARIZONA, DECLARING AND ADOPTING THE RESULTS OF GENERAL ELECTION ON MAY 17, 2011.

WHEREAS, the Town of Youngtown, Maricopa County, Arizona did hold a general election on the 17th day of May, 2011 for the election of one Councilmember; and

WHEREAS, the election returns have been presented to and have been canvassed by the Town Council.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Town of Youngtown, Maricopa County, Arizona as follows:

Section 1. That the total number of ballots cast at said general election, as shown by the poll list, was 226.

Section 2. That the total number of early ballots requested was 1110, 244 were returned and 26 were rejected (23 for no signature and 3 late arrival), for a total of 218 early ballots voted. Election Day turnout was 8. The total number of provisional ballots was 0. There were 5 ballots with write-in candidates voted, of which none were official write-in votes.

Section 3. That the votes cast for the candidate for Councilmember were as follows:

<u>Name</u>	<u>Vote Total</u>	
Shirley Oglesby	221	4-year term

Section 3a. That the votes cast for write-in candidates were as follows:

<u>Name</u>	<u>Vote Total</u>
	5

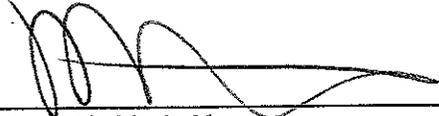
No Write-In Candidates registered for the May 17, 2011 General Election.

Section 4. That it is hereby found, determined and declared of record, that the following Council candidate did receive a majority of the total number of valid votes cast and is hereby issued a certificate of election:

Shirley Oglesby	Councilmember
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Section 5. This Resolution shall be in full force and effect immediately upon its adoption.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF YOUNGTOWN, ARIZONA
THIS 19th DAY OF MAY, 2011.



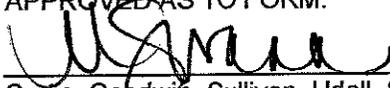
Michael LeVault, Mayor

ATTEST:



Letty Goldberg, Town Clerk

APPROVED AS TO FORM:



Curtis, Goodwin, Sullivan, Udall, Schwab, P.L.C.
Town Attorneys
By: Michelle Swann