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

THURSDAY, June 23, 2011, TOWN CLUBHOUSE, 12033 CLUBHOUSE SQUARE

1. **Call to Order** Mayor LeVault called the meeting to order at 6:11 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 Jim Fox, Programs Projects Grants Manager Mark Hannah, Finance Officer Jackie Hoffman, and Town Clerk/Treasurer Letty Goldberg.

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

4. **Communications:**

   A. Communications from Council

   Mayor LeVault

   - Blended Arts Dojo, a Youngtown business, is conducting a summer youth program. The Agua Fria Ranch Homeowners Association is a sponsor. Financial concerns – would like to find assistance for children whose families can't afford the program. They are presenting martial arts as a "winning" philosophy – "doing the right thing." It is an outlet for energy. The Town is unable to keep up with the amenities that young people need.
   - Maricopa County Board of Supervisors has declared the County a No Burn Emergency. Fire restrictions due to the dry conditions include campfires and consumer fireworks. Can the Town do a similar ban?

   Town Attorney Swann

   - The Town has an ordinance that may already cover the prohibition of fireworks. I will check and get back to Council.

   Chief McDonald

   - We are working with Sun City Fire Marshal Ken Rice. The Police Department will have extra staffing for the July 4th holiday.

   Mayor LeVault

   - Legislative and Congressional districts are being re-drawn by the Independent Redistricting Commission (IRC). The County does its own redistricting. I have been participating in a weekly conference with Diaz and Associates on the status of the redistricting. It is early in the process. October 1 will begin the public comment part of the process. A representative of Diaz and Associates will give an update presentation at the July 21 Council Work Session. Youngtown is a "Community of Interest". We'd like the IRC to keep the Town intact, not split in two districts.
   - I have been nominated for a second term on the Executive Committee of the Maricopa Association of Governments (MAG). This is a big honor for the Town and for me. This is where federal funds get allocated for project in Maricopa County.
   - This is still a difficult economy. My hat is off to Town Manager Robinson, Town Clerk/Treasurer Goldberg, Finance Officer Hoffman and staff for their accomplishments. We are doing more with less, and sometimes making something with nothing. Events are occurring all around us. Westgate Center filed for bankruptcy. The loss of the Coyotes would be detrimental to economic development. We are one of 12 metropolitan areas that have all four major sports. It is a draw for some companies.
   - Youngtown hosted a meeting of small cities/town mayors in Maricopa County. We are hoping that by banding together on issues we can have a louder voice.

   Councilmember Mello

   - Councilmember Chittenden, sorry I missed the dog park meeting. I was up in Colorado for a blue grass festival and it snowed. The Community Garden group will meet on Saturday, June 25 at 11 a.m. in the Clubhouse kitchen area. We have picked a site – the former Public Works yard on 114th Drive.

Now the question is "What should the Community Garden look like for Youngtown?" I want to thank Town Manager Robinson, Resident Mike Fehlig, and Agua Fria Ranch Homeowners Association President Kathryn French for the information they have provided. We will bring a report to the Council Work Session on July 21.

- Maricopa County Community Development Advisory Committee doesn't expect any changes to grant funding so long as federal funding stays the same or increases. If it is reduced, CDAC will need to reassess the grants for FY 2011-2012.

Councilmember Chittenden arrived at 6:25 p.m.

Councilmember Chittenden

- Today I attended the first day of the annual United Methodist Church Conference. Some of the attendees had to leave because the Overgaard fire was threatening their homes. People are losing their homes because of the fires. It is very upsetting to allow fireworks with such dry conditions. How stupid can this state be? Fireworks should be banned.
- The Dog Park group met on June 18 and Mitchell from the Daily News Sun attended. We have had some calls from Sun City residents about their experiences with dog parks. Dr. Kathryn French has been a great help to our group. The consensus of the group for location is 113th Avenue and Alabama Avenue. The next meeting is July 9 at 10 a.m. at the Youngtown United Methodist Church. We will bring a report to the Council Work Session on July 21.

Councilmember MacKay

- I want to thank the Sun City Fire Department for lending a hand in fighting the Wallow fire.

Councilmember Oglesby

- When I moved to Arizona fireworks were banned until the Governor signed the bill to legalize them last year.

Mayor LeVault

- We have a Certificate of Appreciation for long-time business owner Virginia "Ginny" Eccles, who is retiring and closing her business "What Goes Around" which has been a Youngtown fixture since 2000. George Eccles, owner of Hollett Photography, is moving his business to his home out of Youngtown. We are saddened to see these businesses leave Youngtown.

B. Communications from Staff: Town Manager's Report, Police Report, Sun City Fire Department Report

Town Manager Robinson

- Library/Museum Director Nancy Lewis reports that over 50 children have registered for the Summer Reading program and that the Tuesday Morning Story Hour is well attended. Volunteers from the Kiwanis are doing the reading, including the Principal of Peoria High School and the owner of Frantonelli's Restaurant. Thanks to Arky Muscato for securing the story hour readers.
- Deputy Town Clerk Diane Cordova reports a successful third year of the English as a Second Language (ESL) program. Eighteen to 25 students attended on any given day. Four volunteers are assisting with the class. Two of the students are seeking citizenship. Funding is in the budget to continue this program next Fiscal Year.
- Sun City Fire District Report for May 2011 has been distributed and is attached to the minutes.
- April Financial Report will be to Council shortly. The Town currently has $1.7 million in the General Fund Account. Five years ago that account held about $718,000.
- CDBG monitoring took place today. They audit last year's completed project (Alley Paving Phase 2) and the progress to date of the current Fiscal Year's project (Fire Flow Phase 1). I want to thank Letty Goldberg and Mark Hannah for their work on this audit. There is one finding. Last year's project required participating in the Buy America program. We did it but it wasn't stated in the contract. This was a good audit.

Finance Officer Hoffman

- We are almost through the process of transferring employee medical benefits to Blue Cross Blue Shield.

Chief McDonald

- Sgt. David Evans donated a kidney to his mother and is hoping to be released today. This procedure isn't as invasive as it used to be, so recovery time is shortened.
- We had a domestic violence call this week. A mother called that her son was high on some substance. Two Sheriff's deputies suffered minor injuries.

- **I've had good comments about Code Enforcement and the cleanup around Town. Sgt. Kessler is working with Joseph Garnica and Waymon Smythe.**

Public Works Manager Fox

- **We are making progress on the Fire Flow installation. Contractor has been working to keep access for residents to their driveways. Discovered that some of the dry and wet utilities are not where they were noted to be. Some utility markings were 20 feet off, which could happen with "as builts" if someone forgot the "zero". Contractor is making corrections to the maps. Two fire hydrants have been installed but still need to be tested. Future projects will be able to reference utility locations with locator wire and tracer tape as well. We are coordinating with Arizona American Water.**
- **The trenching between Town Hall and the Police Department has been completed and the conduit placed ready for power and data lines. Our contractor for the Fire Flow project will replace the asphalt when they are laying asphalt for that project.**
- **Repairs and remodeling are in progress at Town Hall and the Building Safety building. Several surprises in the Building Safety building. No ceiling insulation in the building. Insulation will be blown over the judge's office, batting-type insulation will be used above the ceiling in the Building Safety office. While looking for space for needed file cabinets, we discovered behind Wall # 1 was an old closet of masonry with a gas line that dead-ended into the block wall. Behind Wall #2 we discovered a shower stall that explains the foul odor that we couldn't locate. The sewer trap has dried and gases were coming up. At Town Hall, the "popcorn" ceiling in the front office is being removed, the ceiling and walls re-textured and painted. The "popcorn" is not asbestos.**
- **I want to thank the Mayor for use of his office during the remodeling. I had thought of moving to the Public Works Office but I accompany residents over to Town Hall when they pay for their building permits. This is more convenient for our customers.**

5. Consent

A. Approval of Minutes: Minutes of May 17, 2011 Special Work Session, June 2, 2011 Regular Meeting and June 7, 2011 Special Work Session.

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

6. Business

A. Discussion and/or Action Re: Approval of Resolution 11-20, ordering that an ad valorem tax be fixed, levied and assessed on the assessed value of all real and personal property in the Agua Fria Ranch Street Lighting Improvement District in amounts specified in the filed Statements and Estimates; and providing for certified copies of this Resolution and Order to be delivered to the Maricopa County Board of Supervisors and the Arizona Department of Revenue; and providing that this Resolution shall be effective after its passage and approval according to law. (GOLDBERG)

Mayor LeVault

- **Like the Community Facilities District, our goal is to make this tax pay for streetlights in the Agua Fria Ranch Subdivision as close to revenue neutral as possible.**

Town Clerk Goldberg

- **Council adopted the estimated budget for the district, then held a public hearing for comments and questions from residents, and then voted to adopt the final budget for the District. It is now time to adopt the ad valorem tax for the District to be sent to the County Treasurer and the Arizona Department of Revenue. Please note in the Resolution it states "not to exceed the rate of ...". The County Treasurer in setting the rate for the District can go lower than the rate stated in the resolution (should valuations increase), but cannot exceed it.**

Motion to approve Resolution 11-20, ordering that an ad valorem tax be fixed, levied and assessed on the assessed value of all real and personal property in the Agua Fria Ranch Street Lighting Improvement District in amounts specified in the filed Statements and Estimates – Councilmember Chittenden
Second – Councilmember Mello
Motion passed unanimously on a voice vote.

B. **Discussion and/or Action Re: Approval of contract with Larson Allen LLP for Town audit for Fiscal Year 2010-2011 in the amount of $19,845.00. (HOFFMAN).**
Finance Officer Hoffman
- **This contract is for the audit of the current Fiscal Year 2010-2011. It is $3,000 less than last year because we are not required to do a full Court audit this year. Audits are required by statute. An audit looks at what's been spent and did we follow the rules.**

Motion to approve contract with Larson Allen LLP for Town audit for Fiscal Year 2010-2011 in the amount of $19,845.00 and authorize Town Manager to sign the contract – Councilmember Johnson
Second – Councilmember Mello
Motion passed unanimously on a voice vote.

C. **Public Hearing on the proposed Final Budget for FY 2011-2012 totaling $4,717,550.00. (ROBINSON/HOFFMAN)**
1. **Staff Report.**
Town Manager Robinson
- **We've been working on this budget for about seven months. Does Council have any questions?**

2. **Hearing open.**
Mayor LeVault opened the public hearing
No public comments.

3 **Hearing closed.**
Mayor LeVault closed the hearing.

D. **Discussion and/or Action Re: Approval of Resolution 11-21, adopting Final Budget for FY 2011-2012 totaling $4,717,550.00. (ROBINSON)**
Town Manager Robinson
- **A reminder that the increases in the General Government budget are due to the State Department of Water Resources assessment mandated by the legislature, Town cleanup program, economic development, groundwater taxes, and the Programs Projects Grants Manager salary and expenses.**

Mayor LeVault
- **Council has been line by line through each Department's budget. This is a process unique to Youngtown. In other municipalities Councils do not have this hands-on involvement in the budget. We are trying to be as transparent as possible. We own this budget.**

Councilmember Johnson
- **I appreciate the staff hours that have been put in to developing this budget and that the public is invited to participate in the development of the budget. Thank you for this budget.**

Councilmember Chittenden
- **When I was seated as a new Councilmember in 2005, after the oath of office we elected a Vice Mayor and then we voted on a budget that we had never seen before. Town Manager Robinson has made the budget process open to all residents and has invited Council candidates to participate in the process. I appreciate the hard work of Department Heads and the opportunity to work with them on the budget.**

Motion to approve Resolution 11-21, adopting Final Budget for FY 2011-2012 totaling $4,717,550.00 – Councilmember Mello
Second – Councilmember MacKay
Motion passed unanimously on a roll call vote.

E. **Discussion and/or Action Re: Approval of Grand Avenue Coalition Resolution 11-17. (HANNAH)**
Mayor LeVault
- **Now that the improvements have been made to Grand Avenue, the Arizona Department of Transportation (ADOT) wants to give the highway to the cities and towns that front on the highway. The municipalities would then become responsible for maintenance of the roadway and signals. Through the Maricopa Association of Governments (MAG), the municipalities have told ADOT we are**

not interested. It is a federal highway. We have a united voice on the west side for positive things like economic development and transportation/transit.

Motion to approve Grand Avenue Coalition Resolution 11-17 – Councilmember Oglesby
Second – Councilmember Chittenden
Motion passed unanimously on a voice vote.

F. Discussion and/or Action Re: Approval of Resolution 11-22, adopting Governmental Accounting Standards Board (GASB) No. 54. Fund Balance Reporting and Governmental Fund Type Definitions; providing for repeal of conflicting resolutions; and providing for severability. (HOFFMAN)
Finance Officer Hoffman

- Our auditor, Sandy Cronstrom says we do not have a choice but it is not going to have a major impact on us. Our Town needs to adopt the GASB No. 54 which requires a fund balance policy as part of our annual statements. Youngtown will not be affected as greatly by GASB No.54 as other municipalities, because we do not own any public utilities and are not bondable. Municipalities that ask the voters to approve bond referendums to finance various projects or borrow money for various reasons will benefit more than we will, as the new GASB No. 54 Fund Type Definitions will make their financial statements clearer for potential investors.

Motion to approve Resolution 11-22, adopting Governmental Accounting Standards Board (GASB) No. 54. Fund Balance Reporting and Governmental Fund Type Definitions – Councilmember Johnson
Second – Councilmember Mello
Motion passed unanimously on a voice vote.

7. Call for Executive Session:
None needed.

8. Response to Call to the Community: None

9. Citizens Comments/Appearances from the floor:
No public comments.

10. Future Agenda & Meetings:

A. There may be discussion of whether to place an item on a future agenda and the date, but not the merits of the item.
B. Announcement of next Regular Meeting: Thursday, July 7, 2011 at 7:00 p.m.

Adjournment.
Motion to adjourn – Councilmember Mello
Second – Councilmember Johnson
Meeting adjourned at 7:54 p.m.

Michael LeVault, Mayor

Attest:
Letty Goldberg, Town Clerk

Minutes approved at the July 7, 2011 Regular Meeting.