



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

THURSDAY, January 5, 2012, TOWN CLUBHOUSE, 12033 CLUBHOUSE SQUARE

1. Call to Order Mayor LeVault called the meeting to order at 7:02 p.m.
2. Roll Call Council present: Mayor Michael LeVault, Vice Mayor Jacob Duran, Councilmembers, Dorena Mello, Shirley Oglesby-Gustafson, Susan MacKay, and Judy Johnson. Council absent: Councilmember Margaret Chittenden  
Staff present: Town Manager Lloyce Robinson, Town Attorney Michelle Swann, Public Safety Manager Mike Kessler, Finance Officer Jackie Hoffman, Programs Projects Grants Manager Mark Hannah, Court Administrator Virginia Bermudez, Library Manager Heidi Speed, Economic Development Consultant Gayle Cooper, and Town Clerk/Treasurer Letty Goldberg.
3. Pledge of Allegiance and Invocation Pledge led by Sun City Fire Chief Jim Haner. Invocation offered by Pastor Charles Ring.
4. Communications: Mayor moved to later in Agenda
  - A. Communications from Council
  - B. Communications from Staff: Town Manager's Report; Maricopa County Sheriff's Office (MCSO) Police Report (Report attached).
5. Consent Agenda:
  - A. Consideration and Action on Meeting Minutes: Minutes of December 15, 2011 Special Meeting, December 15, 2011 Regular Meeting.  
  
Motion to approve Consent Agenda – Councilmember Mello  
Second – Vice Mayor Duran  
Motion passed unanimously on a voice vote.
6. Business
  - A. Presentation of 2010 Youngtown Person of the Year: Rev. Irvin S. Mitchell, Chairman of the Sun City Fire District Board. (ROBINSON)  
Town Manager Robinson
    - Rev. Mitchell, it is such an honor to have you here. It was during my first tenure with Youngtown that we approached the Sun City Fire District Board to ask for Youngtown to be included in the Sun City Fire District and received your support. Being included in the District was a financial help for the Town. I appreciate you both personally and professionally.Mayor LeVault
    - I seek every opportunity to work closely with the Sun City Fire Department. It is "our" Fire Department. The Board, Administration and firefighters do a terrific job for our Town.
    - I will now read the Proclamation (copy attached).
  - C. Discussion and/or Action Re: Approval of Resolution 12-01, calling an election on May 15, 2012 pursuant to A.R.S. § 42-17056 to establish an initial Primary Property Tax for an amount not to exceed \$1,000,000. (ROBINSON)  
Mayor LeVault
    - I am going to read from an editorial that appeared in The Arizona Republic. (copy attached)
    - We can have public records, public meetings, be open and still not get a high level of participation of citizens. We're just a small town in the Northwest Valley that has been getting a lot of attention lately – a little of it negative, but most of it pretty good. Every shred of information lets our residents know the need and enhances the dialog with citizens. This agenda item is to consider placing a measure for property tax on the ballot. Another agenda item is to consider creation of a Tax Advisory Committee. This would be a tool for

increasing the ongoing dialog. We had a Councilmember who requested that the property tax measure be placed on an agenda.

**Town Manager Robinson**

- It states in Code that among my responsibilities as Town Manager is to make recommendations to Council. This will be my 11<sup>th</sup> budget for the Town. I speak to the seven of you. It is very important to put the property tax measure back on the ballot. Since the May 2010 election we gave presentations demonstrating the Town's finances. Savings will only sustain the Town for possibly three years. When the savings are spent they are gone forever. The Town needs a secure revenue source with local control. A primary property tax would cost the owner of a home valued at \$50,000 approximately \$18 per month. Putting the measure on the ballot would allow the voters the opportunity to say Yes or No. If the voters approved a property tax, the Town wouldn't realize any funds until November following the May election. A primary property tax would be a "Staple" of the Town's revenue. The Dictionary describes a "staple" as "fundamental, basic, key, prime, vital, essential."
- The goal of the Tax Advisory Committee would be for the members to understand the structure of the Town's finances and get that information out to the residents showing the Town's needs. For the next six months, staff will eat and sleep the budget.
- If the Town waits to consider a primary property tax another year, in addition during the 2013 election cycle, voters will be asked to elect a Mayor and three Councilmembers, approve Home Rule (Alternative Expenditure Limitation) and General Plan.
- We don't know the exact amount that we will be saving by contracting with the Maricopa County Sheriff's Office (MCSO). We also are looking at a Capital Improvement Plan that could be \$1.6 million. For the past three years we have done nothing with employee wages or street maintenance. We used grant funds to pay for alley paving and begin fire flow upgrade. Funding has been secured for Fire Flow Phase II. It is estimated to cost \$800,000 to complete Fire Flow Phases 3 and 4 and another \$300,000 to \$400,000 to complete the realignment of Peoria Avenue. These are both critical public safety issues. Another issue is the mining of sand and gravel in the riverbed adjacent to Agua Fria Ranch. We don't have an estimate of what it will cost to challenge mining in the riverbed.
- For sound financial management, the Town should have the equivalent of a year's budget in liquid savings. With \$1.8 million in savings of non-restricted funds, we have about half of what is needed. With a primary property tax, the Town would be able to bond for large projects. If we do not invest in the Town, the Town isn't going anywhere. As we saw in the 2010 Census, our residents are predominately youth and middle-aged. Young families need programs. The Town Hall roof needs to be repaired. It has been patched and patched and if not replaced could do damage to offices. Storm drains by the lake need work. The lake itself has issues.
- The Gorilla in the room is the State Legislature. They still need to resolve the State's budget problems and may make further cuts to state-shared revenues and other funding. The Town needs local control of local revenue.
- Cave Creek has placed a property tax on the May 2012 ballot to pay for fire and emergency services. More of our neighbors are asking their residents to approve a primary property tax. The Speak Up survey showed that 40% of the respondents favored a property tax and local control and another 22% were undecided. Survey consultant Theresa Gunn recommended that the Town keep up the momentum by asking residents to consider a property tax. We have to play the hand we are dealt, and we need an Ace.

**Mayor LeVault**

- I've become a politician. I recognize that some level of taxation is necessary. Governments don't produce or manufacture anything. Governments depend on the pockets of the residents to fund what they do. Towns provide services – streets, parks, library, police and fire. Given the economic climate today, most of our residents are on fixed incomes. We have seen the ability of this Council to make tough decisions, but there is a danger in getting too far ahead of the electorate. The property tax needs to happen through initiative petition. I don't believe it is going to pass.

**Councilmember Mello**

- State statute sets the election date. I don't believe it will pass without the Citizens Advisory Committee supporting it.

**Councilmember Johnson**

- Council has had some hard decisions to make. The hardest for me was two meetings ago, when Council voted to contract with MCSO for policing services. I was very much for that. The Visionaries had a subcommittee for property tax. Jess Barrett and Betty Alton were on the committee and it went no where. I

know the needs of this Town and it needs a healing time with MCSO. I don't think residents are ready for this. I do not support putting this measure on the ballot.

Councilmember Oglesby-Gustafson

- It won't pass. It has to come from the citizens, not the Council.

Councilmember MacKay

- Other cities are increasing fees and taxes to cover revenue declines. The blogs are pretty mean. They are wrong. They are not paying attention. It was not the Town Manager who requested this agenda item. It was me. I understand times are difficult. We reduced the Police Department when the property tax was not approved in 2010. We've now contracted with MCSO. We see that grant fund is being reduced or not available. The Legislature could take more or all of state shared revenues. Forty percent of survey respondents said they would support or consider supporting a property tax. Council needs to act responsibly.

Vice Mayor Duran

- How many of you live here? People come who have no clue. We were elected to make decisions for the residents. I feel for the people who are hurting. The residents elected us because they trusted us. We want to do a good job for the people.

Councilmember Johnson

- This is nothing personal. This is a hard job. Mrs. Robinson is doing her job. I appreciate the information. I appreciate the hard work. The Town is patched together with duct tape.

Councilmember Mello

- Councilmember MacKay, I appreciate what you are trying to do. Your boldness and research. You are a logical thinker and we do need this. I tend to agree that the need for a property tax should come from the residents.

Mayor LeVault

- None of us has political aspirations, and we are not here for the money.

Town Manager Robinson

- I direct you to the last paragraph, last sentence of the COAC, "The Town's future existence lies in the hands of its residents and not in its caretaker, the Town Council and Staff."

Town Attorney Swann

- I have a comment from Councilmember Chittenden that she would like read into the record (copy attached): "In my opinion I do not think this is an appropriate time to place a property tax on the ballot. I realize the citizens vote yes or no. The Town has just contracted out the police services to MCSO to save money. The citizens need to have time to adjust to this change. Hopefully with the Citizen's Advisory Committee speaking with their neighbors and friends and researching they will become more aware of what is necessary to run the Town's government and bring the establishment of a primary property tax back to the council down the road."

Finance Officer Hoffman

- I have seen the need for a primary property tax since I first came to work here 11 years ago. Council needs to let the residents say yes or no. Your staff doesn't live here, but most of us pay property taxes where we live.

PPG Manager Hannah

- Your Department Heads share your passion for this Town. We've talked about this time and again. We want this Town to passionately survive, not passionately go under. The No vote last time was 73% of those that went to the polls not 73% of the residents. The need is today. No, the need is yesterday. You can only "kick the can" so far. The cliff is facing us. The economists say that Arizona is at the bottom of the recession curve and starting up but we don't know how long that may take. The Town needs control of its revenues.
- We understand the heartfelt choices you make for us. I hope you will reconsider based on the points that have been made here.

Councilmember Johnson

- We don't want to put it on the ballot; the people need to do that. It needs to be a grassroots effort.

Melissa Keckler, Mario E. Diaz and Associates, representing West Maricopa Association of Realtors (WEMAR)

- Our members understand the market better than most. We want Youngtown to look forward. It is an economic development advantage not to have a property tax. We want to see the recovery of the Town.

Jess Barrett, Youngtown resident

- I have been a resident since 1982. On the ballot was the Governor's one cent sales tax increase and Youngtown's property tax. Her tax passed, ours didn't. Voters were worried about the Peoria Unified School District tax coming and they couldn't get answers about what it was going to cost them. This year I paid \$285 to the school district. I'm not opposed to a property tax. It could be supplemented by the county education

tax that was eliminated when we were annexed (without any say) into the school district. In my case that was \$92. Then you add the Street Lighting Improvement District which will be coming next fall. You have to convince the residents of the need for a property tax. Talk about a figure and then sell it.

Mayor LeVault

- This is a rough decision – the best decision. We need further dialog.

June Miller, Youngtown resident

- I agree with all of you who have spoken before me, and that's hard to do.

Diallo Rice, Youngtown resident

- I recently moved here from California. You need to be reaching out to businesses. You also need to form partnerships with nonprofits to help families that need help with their mortgages. I gave 65 families in Lemon Grove help with mortgages.

Mike Fehlig, Youngtown resident

- If this is to be a grass roots effort, we don't need another citizens group appointed by the Council. You spent money on a survey. You've been talking about a property tax for nearly two years and nothing changes. You are waiting for people to come forward. Council needs to show support of a property tax. I'm tired of hearing about property tax.

Betty Alton, Resident Manager of Youngtown Home Apartments

- Council, we need your approval tonight to put the property tax on the ballot so the citizens can vote on it. What happened with the projects that the Visionaries proposed? If a property tax passed would we get our Police Department back?

Mayor LeVault

Council narrowed the list to a dozen projects to be completed this year. My gripe about government is that it takes time to go through the required processes. In the private sector, a board of directors decides something and staff goes and gets it done. Town Manager Robinson can give you an update on the status of those projects. Regarding the Police Department, the answer is probably not. But I'm available at Town Halls and coffee meetings to discuss the Town's finances.

Mario E. Diaz, Mario E. Diaz and Associates

- We offered to represent the interests of smaller communities during the Redistricting Process for a nominal fee and Youngtown is one of our clients. Arizona doesn't want the Town to disappear. You need to look outside the Town for partnerships. We all pay taxes. Youngtown needs to make some noise.

Mayor LeVault

- We have had glowing success in getting grants, like community Development Block Grant funds. We'll talk with anyone that might be able to help us.

Ms. Speed, Library Manager

- I hear a lot of talk at the Library. We have 14 volunteers who are active in the community and current talk is that they are very aware of the need and are more supportive of a property. What's the worst that could happen if you put a property tax on the ballot?

Motion to approve Resolution 12-01, calling an election on May 15, 2012 pursuant to A.R.S. § 42-17056 to establish an initial Primary Property Tax for an amount not to exceed \$1,000,000 – Councilmember Johnson

Second – Councilmember MacKay

Motion failed on a roll call vote. One "Yes" Councilmember MacKay; six "No" Councilmembers Mello, Oglesby-Gustafson, Johnson, Vice Mayor Duran and Mayor LeVault. Councilmember Chittenden was absent.

- B. Discussion and/or Action Re: Establishment and appointment of a special committee, "Citizens Tax Advisory Committee" to study the Town's tax structure and make initial recommendations to the Council no later than May 5, 2012. (ROBINSON)

Town Manager Robinson

- This committee would come to understand the financial process of the Town Budget if Council forms the committee and appoints members. We have a timeline established for developing the budget. Four public work sessions are scheduled for April. We start at the bottom and work up to create the budget not to exceed the total estimated revenues. We hope that the committee will be open-minded and understand the process. We also hope that the Committee members will have the confidence to share their knowledge of Town finances with their friends and neighbors. Some of these people may consider a run for a Council seat in March 2013 when they are more familiar with their Town government. They will learn that without money, the Town can't do very much. Other communities have Tax Advisory Committees that watch dog the budget process. Councilmembers were asked to make suggestions for persons that might be interested in serving on the Tax Advisory Committee.

Mayor LeVault

- The Town does zero-based budgeting. Council sits down with each Department Head and analyzes the Department's budget to understand the requests and needs.
- Does Council have to decide tonight on a length of time for the establishment of this committee?

Town Attorney Swann

- Council can establish the Committee tonight and appoint members later. Membership in the Committee could be fluid if Council so desires.
- Comment from Councilmember Chittenden read into the minutes: "I think it's very important for the Council and the Town to have Youngtown citizens involved on the committee to look into the different aspects of tax revenue. The residents want to keep local control and hopefully this will give them insight as we go into our budget sessions. I am looking forward to them coming back to the Council with their comments and suggestions.

Mr. Fehlig

- This is not a grass roots committee. This is people appointed by Council. I've been to two budget meetings and they even let me speak. This committee is a public entity forcing a property tax on its residents. Take out an ad.

Mayor LeVault

- You may say it's a ruse to get a property tax, but the purpose of the committee is to report and advise Council and staff as they develop the budget.

Councilmember Mello

- Mrs. Robinson asked me for names. Every budget is open. This committee will be a way to get the information to more people out there sharing the information.

Mayor LeVault

- There may be 6,500 people in this Town but only about 20 people that do the work. Without them nothing would get done. There are sometimes less than a dozen people at a Council meeting besides Council and Staff.

Mrs. Miller

- I was asked if I would like to serve on this committee.

Town Manager Robinson

- We need people with open minds who can understand finances; people who can move this Town forward. This Town has been paralyzed many times over. We will train this committee in Government 101. Mrs. Miller has served on the Council and before that experience living in many parts of the world while her husband, Elmer, was in the service. Her professional and personal experiences along with the other proposed members will be beneficial to the Town.

**Motion to establish and appoint special "Citizens Tax Advisory Committee" to study the Town's tax structure and make initial recommendations to the Council – Councilmember Mello**

**Second – Councilmember Johnson**

**Motion passed unanimously on a voice vote.**

**F. Public Hearing, Discussion and/or Action Re:** Approval of Special Use Application, Case PZ 11-08, by Crown Castle on behalf of AT&T to modify its existing equipment, and collocate additional antennas and ground equipment at the existing wireless communications facility located at 13246 N. 113<sup>th</sup> Avenue, Youngtown. (FOX)

1. Staff Report.

Town Clerk Goldberg

- This Special Use Application was required by Town Code for modifications to an existing wireless communication device. It has been through the Town's Planning and Zoning process including notification to property owners and two public hearings. The Hearing Officer recommends approval with the stipulation that the permit require use of the site plans dated 11-9-2011.
- Mr. Robert Smith is here representing the applicant to answer any questions Council might have.

Town Attorney Swann

- Councilmember Chittenden asked me to ask questions on her behalf. "My question is whether or not the 12 proposed panels will cause interference with other existing cable company's signal transmission? Will the height of the monopole be increased?"

Mr. Smith

- The Federal Communications Commission requires that no devices can be installed that would cause interference with other communications devices, so the answer is "No." There will be no alternations to the monopole as to height, just some additional antennas and ground equipment to support them.
2. Zoning Hearing Officer Recommendations. (see attached report)
  3. Open Public Hearing.  
Mayor LeVault opened the public hearing.
  4. Close Public Hearing.  
Mayor LeVault closed the public hearing.

**Motion to approve of Special Use Application, Case PZ 11-08, by Crown Castle on behalf of AT&T to modify its existing equipment, and collocate additional antennas and ground equipment at the existing wireless communications facility located at 13246 N. 113<sup>th</sup> Avenue, Youngtown – Councilmember Oglesby-Gustafson**

**Second – Councilmember Mello**

**Motion passed unanimously on a voice vote.**

**I. Discussion and/or Action Re: Approval of Economic Development Action Plan ending June 30, 2012. (COOPER)  
Ec Dev Consultant Cooper**

- The Economic Development Action Plan has several elements: 1) I will represent the Town at various Economic Development organization, 2) I will meet with various community organizations (AARP, Friends of Library, Surprise Regional Chamber of Commerce), 3) Breakfast with the Mayor for Youngtown business owners, 4) Youngtown Village Reporter articles, 5) marketing materials. 6) improving Town image with landscaping and new signage, 7) low cost loan program for business façade enhancements (painting and landscaping, and 7) Contests and awards programs.

**Councilmember Mello**

- What would it cost for the Plan?

**Ms. Cooper**

- About \$6,200 - \$5,000 for Town image and \$1,200 for marketing materials..

**Town Manager Robinson**

- We budgeted \$100,000 for Economic Development this year and there are funds still available.

**Councilmember Johnson**

- What happened to the kiosk signs that were on Grand Avenue?

**Town Manager Robinson**

- The signs were removed during recent highway construction. They need to be redesigned. Ms. Cooper and Mr. Hannah are looking at signs.

**Town Attorney Swann**

- I need to caution you on giving funds to private businesses. The Goldwater Institute has sent Letters of Complaint to several cities that I represent on this very issue.

**Motion to approve Economic Development Action Plan ending June 30, 2012 – Councilmember Mello**

**Second – Vice Mayor Duran**

**Motion passed unanimously on a voice vote.**

**4. Communications**

**B. Maricopa County Sheriff's Office (MCSO) Police Report**

**Lt. Kenneth Booker**

**Report attached.**

**Town Manager Robinson**

- Our Officers were told to "Guard the Walls" and that is what they did under former Chief McDonald, due to their safety and lack of resources.

**Public Safety Manager Kessler**

- I don't think this report is fair to our former Police Officers.

**Mayor LeVault**

- Mr. Kessler, we didn't give you and your fellow Officers the resources you needed. We're all working together.

**Councilmember MacKay**

- We are comparing apples and oranges.

**Mr. Kessler**

- This week we turned over 38 active cases to MCSO. Part-time Investigator Bob Taugner resigned.

**6. Business (continued)**

- D. Discussion and/or Action Re:** Approval of Ordinance 12-01, an ordinance of the Mayor and Town Council of the Town of Youngtown, Arizona, amending current code Title 2 Administration and Personnel, Chapter 2.12 Town Officers Generally, by amending Section 2.12.070 Police Chief, related to contracting with another public entity to perform the duties of the Police Department, and amending Chapter 2.28 Police Department, by adding Section 2.28.070 Intergovernmental Agreement to Perform the Duties of the Police Department; and declaring an emergency. (SWANN)

**Town Attorney Swann**

- This ordinance is not technically necessary. But it has been this Council's policy to make the Town Code as easy as possible for anyone reading it. Mike Kessler is performing some of the duties of Police Chief and the Sheriff's Office is performing other duties. Council has already approved the job description for the Public Safety Manager and does not have to make changes to Code in that regard.

**Motion to approve Ordinance 12-01, an ordinance of the Mayor and Town Council of the Town of Youngtown, Arizona, amending current code Title 2 Administration and Personnel, Chapter 2.12 Town Officers Generally, by amending Section 2.12.070 Police Chief, related to contracting with another public entity to perform the duties of the Police Department, and amending Chapter 2.28 Police Department, by adding Section 2.28.070 Intergovernmental Agreement to Perform the Duties of the Police Department; and declaring an emergency – Vice Mayor Duran  
Second – Councilmember Mello**

**Motion passed unanimously on a voice vote.**

- E. Public Hearing, Discussion and/or Action:** Approval of Ordinance 12-02, Case PZ 11-07, an ordinance of the Mayor and Town Council of the Town of Youngtown, Arizona, amending the official zoning map of Youngtown, Arizona, by changing the zoning classification of property consisting of approximately 0.15 acre, located at 10617 N. 114<sup>th</sup> Drive, from R-3 Single Family Dwelling Zoning District to Open Space Zoning District, specifically for use as a community garden. (FOX)

**1. Staff Report.**

Town Clerk Goldberg

- This property is owned by the Town and at one-time served as the Public Works yard. It is currently zoned R-3 Single Family Dwelling District as are the parcels surrounding it. It was the Council's request to re-zone the parcel to Open Space District to conform to other Town parcels that have a park-type use. It is the intention to use the parcel as a Community Garden. The parcel has been through the zoning hearing process and notification letters were sent to property owners within 1000 feet of the property.

**2. Zoning Hearing Officer Recommendations.(see attached)**

**3. Open Public Hearing**

Mayor LeVault opened the public hearing.

**4. Close Public Hearing.**

Mayor LeVault closed the public hearing.

**Motion to approve Ordinance 12-02, Case PZ 11-07, an ordinance of the Mayor and Town Council of the Town of Youngtown, Arizona, amending the official zoning map of Youngtown, Arizona, by changing the zoning classification of property consisting of approximately 0.15 acre, located at 10617 N. 114<sup>th</sup> Drive, from R-3 Single Family Dwelling Zoning District to Open Space Zoning District, specifically for use as a community garden – Councilmember Mello  
Second – Councilmember Oglesby-Gustafson**

**Motion passed unanimously on a voice vote.**

- G. Discussion and/or Action Re:** Approval of Resolution 12-02 authorizing the Town to submit grant application(s) to the Community Development Division of the Maricopa County Human Services Department for FY 2013 Small Communities Transportation Assistance Program (SCTAP) grants, in an amount not to exceed \$350,000 for the Youngtown Peoria Avenue Realignment Project (at 115<sup>th</sup> Avenue), and authoring the Town Manager and/or the Projects, Programs, and

Grants Manager to execute any applications, documents and/or contracts necessary to carry out the intent of the Resolution on behalf of the Town. (HANNAH)

**PPG Manager Hannah**

- \$500,000 is available in MCDOT (Maricopa County Department of Transportation) funds. The initial application will be thru the Maricopa County Development Advisory Committee (CDAC). The money is to be spent on small communities with a compelling issue – public safety. We are requesting funds to complete the realignment of Peoria Avenue. Our initial estimate is \$296,000 but it could go as high as \$350,000. The environmental report is complete and was paid for by the State. The purchase of property is not included in the grant.

**Motion to approve Resolution 12-02 authorizing the Town to submit grant application(s) to the Community Development Division of the Maricopa County Human Services Department for FY 2013 Small Communities Transportation Assistance Program (SCTAP) grants, in an amount not to exceed \$350,000 for the Youngtown Peoria Avenue Realignment Project (at 115<sup>th</sup> Avenue), and authoring the Town Manager and/or the Projects, Programs, and Grants Manager to execute any applications, documents and/or contracts necessary to carry out the intent of the Resolution on behalf of the Town – Vice Mayor Duran**

**Second – Councilmember Johnson**

**Motion passed unanimously on a voice vote.**

- H. **Discussion and/or Action Re:** Approval of Amendment No. 1 to that certain document entitled Exhibit C (Fire Flow Upgrades Phase 1, Youngtown, Arizona), passed by Council on November 4, 2010, as an Addendum to the Agreement for Professional Services between Willdan Engineering, Inc. and the Town, dated June 13, 2002, for additional engineering services provided above and beyond the original scope of Work provided in Exhibit C, in the additional amount of \$21,075, and authorizing the Town Manager to execute the required documents. (HANNAH)

**PPG Manager Hannah**

- In November 2010, Council approved a contract for engineering for the Fire Flow Upgrades, Phase I. The bid from construction was less than the grant award. Willdan completed additional engineering to add some water lines and two hydrants to the original project. The estimated amount for construction seems to comply with requirements from Maricopa County Community Development for use of excess funds. So we will be preparing a change order. We are having trouble getting an easement from the corporate owners of Motel 6. Staff is asking approval to pay Willdan for engineering work that has been done.

**Councilmember Mello**

- We should proceed with the Change Order. I don't want to return any CDBG grant money. We should be able to flow it into another phase of this project. That's what other communities have done.

**PPG Manager Hannah**

- The difficulty is that the contract with MCCD specifies a particular geographic area – from Grand Avenue to Tennessee Avenue.

**Motion to approve Amendment No. 1 to that certain document entitled Exhibit C (Fire Flow Upgrades Phase 1, Youngtown, Arizona), passed by Council on November 4, 2010, as an Addendum to the Agreement for Professional Services between Willdan Engineering, Inc. and the Town, dated June 13, 2002, for additional engineering services provided above and beyond the original scope of Work provided in Exhibit C, in the additional amount of \$21,075, and authorizing the Town Manager to execute the required documents – Councilmember Johnson**

**Second – Vice Mayor Duran**

**Motion passed unanimously on a voice vote.**

**7. Call for Executive Session**

**Executive Session:** None needed.

**8. Citizens Comments/Appearances from the floor:**

**No additional comments**

**9. 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, January 19, 2012 at 7:00 p.m.

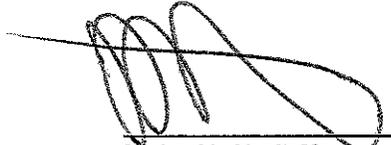
**4. Communications (continued)**

- B. Communications from Staff  
Town Manager Robinson

- Nick Surak of Englewood Development contacted me last week about the company's plan to put together a \$10 million senior housing development in Youngtown and will be coming to Council at the next meeting to ask assistance in applying for construction credits for the project.

**Adjournment.**

Motion to adjourn – Vice Mayor Duran  
Second – Councilmember Oglesby-Gustafson  
Meeting adjourned at 10:25 p.m.



Michael LeVault, Mayor

**Attest:**



Letty Goldberg, Town Clerk

**Minutes approved at the February 2, 2012 Regular Meeting.**