



MINUTES OF REGULAR MEETING OF THE COMMON COUNCIL OF YOUNGTOWN, AZ  
THURSDAY, February 16, 2012, TOWN CLUBHOUSE, 12033 CLUBHOUSE SQUARE

1. Call to Order: Mayor LeVault called the meeting to order at 6:45 p.m.
2. Roll Call Council present: Mayor Michael LeVault, Vice Mayor Jacob Duran, Councilmembers Dorena Mello, Shirley Gustafson, Susan MacKay, Judy Johnson and Margaret Chittenden. Staff present: Town Manager Lloyce Robinson, Town Attorney Michelle Swann, Finance Officer Jackie Hoffman, Programs Projects Grants Manager Mark Hannah, Public Works Manager/Building Official Jim Fox, Library Manager Heidi Speed, and Deputy Town Clerk Diane Cordova
3. Pledge of Allegiance and Invocation: Pledge led by Councilmember Johnson. Invocation offered by Pastor Charles Ring.
4. Communications:
  - A. Communications from Council

Mayor LeVault

    - Attended the Public Hearings in support of Luke Air Force Base F-35's. Monday, February 13, 2012 at the Wigwam with 550 other supporters. Tuesday, February 14, 2012 El Mirage Elementary School with 150 supporters and Wednesday, February 15, 2012 at the Sun Dial Auditorium with 550 supporters. The attendances were huge with many positive comments.
    - Attended a meeting with three of our State Legislatures regarding the sand and gravel mining issue.
    - There will be a Mayor's Town Hall Meeting Saturday, February 25, 2012 at 9:00 a.m. in the Clubhouse.
    - The AARP Hearth Fair was a smashing success. Market on the move brought in 10,000 lbs. of produce. \$10 bought you 60 lbs. of produce. Working on having a Farmers Market here on monthly basis.

Councilmember Johnson

    - The Market on the Move \$10 for 60 lbs. of produce was a lot of produce. I shared with four neighbors.

Councilmember Mello

    - I want congratulate Councilmember Chittenden on CDAC – Community Development Advisory Committee, awarding Youngtown SCTAP funding of \$179,000.
    - The CTAC – Citizen Advisory Tax Committee will be having a training session on the Model City Tax Code.
    - The stop light on 111<sup>th</sup> Avenue and Peoria Avenue driving west is not working

Councilmember Chittenden

    - There was zero funding recommended for Youngtown at the CDAC meeting. We are very grateful for El Mirage Councilmember Roy Delgado. He also sits on the Community Development Advisory Committee.
    - Thanks to Projects, Programs, Grant Manager Hannah's persistence as we were granted \$179,000. on a public safety issue he presented on 115th Avenue and Peoria.
    - Our Jersey Avenue Community yard sale this past Friday and Saturday turned out well. Hoping to build Block Watch Program from this.

Mayor LeVault

    - El Mirage Councilmember Roy Delgado has been a great assistance for Youngtown.
    - I want to thank staff for all their hard work. Compared to other municipalities, we run a thin staff. I appreciate our staff.

Councilmember Gustafson

    - Mr. Delgado assisted my former husband, Larry Olgesby.
  - B. Communications from Staff: Town's Report; Fire Department Report (Report Attached)  
Town Manager Robinson

- Vin Etching, Tuesday, February 28, 2012 at the parking lot on 111<sup>th</sup> and Michigan. Sponsored by Maricopa County Sheriff's Office (MCSO)
- IMS Marathon will be held on Sunday, February 19, 2012. Councilmember Mello with her volunteers will be providing a water table for runners.
- Town Clerk/Treasurer, Letty Goldberg, sister Georgia, memorial service will be held on Sunday, February 19, 2012 at the Lutheran Church, 8<sup>th</sup> Street and Camelback.
- Public Safety Manager, Mike Kessler is out on a back injury.
- We have completed inventory of armory. We have lots of guns. Bob Taugner finished up that inventory.
- Completed a staff meeting regarding the public safety building; south end of building will be EOC- Emergency Operation Center, middle of building will be occupied by MCSO; the offices will be occupied by code compliance officers. Public Safety Manager, Mike Kessler will be managing the property and evidence. Forty open cases have been transferred to MCSO and the remaining will be looked at. We do have two employees; one full time and one part-time completing cases. Other items will be looked at for auction. There will be a DEA Rico meeting so that we follow correct procedures on forfeitures.
- Budget process is moving forward, however not as fast as anticipated, due to two Department Heads not available due to absence.
- There will be a CTAC – Citizen Tax Advisory Committee meeting Tuesday, February 21, 2012 at 6:00 p.m. Patrick King is involved. Anyone interested can attend and get involved.
- Village Reporter deadline is February 21, 2012.
- Youngtown Administrative Offices will be closed Monday, February 20, 2012 for Presidents' Day Holiday.
- Councilmember Chittenden and PPG Manager Hannah "great job" at CDAC.
- New computers change over tomorrow at Town Hall.
- Economic Development training session on March 1, 2012 for council.

#### Library Manager Speed

- The library will be closed Saturday due to the Presidents' Day Holiday.
- No one has claimed the cat, Dewey.
- Library will be hosting a volunteer breakfast bunch.

#### Public Works Manager Fox

- The project with Cox Communication across Peoria and 115<sup>th</sup> Avenue is completed.
- Clean up event with take place Wednesday, February 22, 2012 8:00 a.m. – 5:00 p.m. and on Saturday, February 25, 2012 8:00 a.m. to noon.
- Maricopa Lake will undergo two treatments to remove algae, one now and one in the fall.
- Circle K owner is putting up a new sign, re-surfacing the parking lot and remodeling the exterior.

#### Program Projects and Grants Manager Hannah

- SCTAP had recommended zero funding for Youngtown. I did present a life safety issue to help fund the Peoria Avenue Realignment. We did receive \$179,000. The realignment project total cost is \$296,000 which will cost out of pocket for Youngtown \$120,000.
- The 2013 CDBG application is completed. We have received notice of funding for fire-flow phase II.
- The 111<sup>th</sup> and Peoria Avenue big traffic control box was moved.
- State Legislature House Bill 2570 recommends readings on Ordinances and that will slow government operations. There is a HURF bill requiring that year 2000 monies be accountable for, a process to pay money back. Legislature to end the sweep of HURF funds. DPS and MVD to be funded from general funds.

#### 5. Consent Agenda:

- A. Consideration and Action on Meeting Minutes: Minutes of February 2, 2012 Work Session and Regular Meeting.

Motion to approve Consent Agenda – Councilmember Johnson

Second – Vice Mayor Duran

Motion passed unanimously on a voice vote.

6. Business

A. Presentation/Discussion Re: Glendale Community College (GCC) by Dr. Irene Kovala, GCC President.

GCC President, Kovala

- Glendale Community College is servicing the West Valley. We service 30,000 students, second largest, Mesa being first. We are a diverse campus. We service everyone not just Hispanics. We do have a Hispanic institute which qualifies us for Federal Funds.
- We will be receiving our 10 year accreditation.
- We have a branch in Surprise, Communiversity@Surprise, and bringing online services through Rio Salado.

B. Discussion and Action Re: Approval for Mayor to sign "Local Government Acknowledgement and Consent" Re: Youngtown Senior Village Affordable Apartments" evidencing Town's support for proposed plan by Englewood Development Company, Inc. to develop multiple resident housing called Aurora Village, property located at corner of Nevada and 113<sup>th</sup> Avenue.

Englewood Development Nick Surak

- I am here to request acknowledgement and consent from the Town of Youngtown to project a federal affordable senior apartment project. March 1, 2012 is the deadline to submit application.
- This is a \$10 million project. Staff will have to be hired. It will bring \$10,500 year rental tax revenue for the town.

Town Manager Robinson

- For Englewood's' application to be more competitive and received additional points, Englewood is asking for a loan from the town in the amount of \$120,000. Loan repayable within 10 years with 5.5% interest. No fees will be waived.
- This project will bring \$10,500 yearly rental tax revenue for the town and around \$194,000 in one time fees.

Public Works Manager Fox

- The application is in a point system. Approval of a loan would increase Englewood's points on the application. Timing is of the essence, the site plan review within a month and construction documents need to be in by May 1, 2012.

Englewood Development Nick Surak

- The score on our application is good, however, the ability to get another 10 points will set the bar higher, and it will become a competitive application.

Mayor LeVault

- Having a written commitment and a financial loan would give you additional 10 points and will speed the process.
- You have a great track record here in Youngtown already.

Councilmember Johnson

- Will this be a one and two bedroom facility? Are there rent restrictions?
- These are beautiful facilities
- I am hoping this goes through. I am supportive of this. Next week we will come back with an agreement and waiver of fees?

Town Manager Robinson

- Agreement for Council's consideration when Englewood purchases the parcel.

Councilmember Gustafson

- Will you need help on inspection Jim?

Public Works Manager Fox

- No, I will be handling it.

Councilmember Chittenden

- I attended the opening in Guadalupe, it was very impressive. This facility will allow pets?
- Appreciate you coming back and not letting go.

Englewood Development Nick Surak

- Yes, dogs and cats will be allowed.

- Youngtown is a very cooperative and easy to work with.

Motion to approve Mayor to sign "Local Government Acknowledgement and Consent" Re: Youngtown Senior Village Affordable Apartments" evidencing Town's support for proposed plan by Englewood Development Company, Inc. to develop multiple resident housing properties located at corner of Nevada and 113th Ave. – Councilmember Mello

Second – Councilmember Chittenden

Motion passed unanimously on a voice vote.

- C. Discussion and Action Re: Approval of Ordinance 12-03 amending Town Municipal Code Title 5, Business Licenses and Regulations, Chapter 5.04 Business Licenses Generally, by adding New Section 5.04.100 Fingerprint Processing related to granting the Arizona Department of Public Safety the authority to process fingerprint cards required under certain sections of Title 5; providing for repeal of conflicting ordinances; and providing for severability. (Robinson)

Town Manager, Robinson

- We are presenting an Ordinance in order to process fingerprints. In the past we have been taking fingerprints but we were not processing them, the fingerprint cards were left in the files. We will then proceed with the Department of Public Safety to conduct the background check

Councilmember Chittenden

- Why can't we conduct our own background checks?

Mayor LeVault

- What will be the cost?

Town Manager Robinson

- The fingerprint card will be sent to DPS– Department of Public Safety, that's the only authorized agency in Arizona for FBI.
- The Cost is \$24.00 per request. Volunteers will also need to be fingerprinted.

Councilmember Mello

- We have been taking fingerprints but no background checks? That could be bad for massage business owners.

Councilmember Johnson

- We've had a bad massage business in town. Then a second one opened.

Projects Program and Grants Manager Hannah

- A police department can only run background checks for law enforcement purposes and not for businesses.

Motion to approve Ordinance 12-03 amending Town Municipal Code Title 5, Business Licenses and Regulations, Chapter 5.04 Business Licenses Generally, by adding New Section 5.04.100 Fingerprint Processing related to granting the Arizona Department of Public Safety the authority to process fingerprint cards required under certain sections of Title 5; providing for repeal of conflicting ordinance – Councilmember Johnson

Second – Councilmember Mello

Motion passed unanimously on a voice vote.

- D. Discussion and Action Re: Approval of an established fees schedule to be collected and charged for reserving facilities at the Town recreational areas. (HANNAH/FOX)

Projects Programs and Grants Manager Hannah

- We have an established fee schedule on reserving town parks. For residents \$15.00 and for non-residents \$20.00 non-refundable and a refundable \$200.00 deposit. Uribe Park is determined by Public Works Manager.

Councilmember Chittenden

- This rental fee is for which parks, Maricopa, Greer, and Schliefer? What about the Janice Beck Park?
- What will we do for town sponsored events like the AARP Health Fair?

Projects Programs and Grants Manager Hannah

- There will be no fees collected for town sponsored events, like the G.A.I.N. event and Health Fair, which are supported by the Town.

Motion to approve an established fees schedule to be collected and charged for reserving facilities at the Town recreational areas. – Vice Mayor Duran  
Second – Councilmember MacKay

E. **Discussion and Action Re:** Approval of Resolution 12-05 repealing Resolution 11-29 and adopting eligibility requirements and rules for usage of the Town Clubhouse by the general public; providing for repeal of conflicting resolutions; and providing for severability. (HANNAH/FOX)

**Programs Projects and Grants Manager Hannah**

- Staff recommends that council adopt Resolution 12-05 setting the rules and eligibility for use of the town's clubhouse.

**Mayor LeVault**

- We will not be renting out for weddings.

Motion to approve Resolution 12-05 repealing Resolution 11-29 and adopting eligibility requirements and rules for usage of the Town Clubhouse by the general public – Councilmember Mello

Second – Councilmember Gustafson

**7. Call for Executive Session**

Executive Session: None needed

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

**Mary Simpson, Resident of Youngtown**

- We have a dog problem along the alley way of 113<sup>th</sup> Drive. There are 35-40 dogs that live in backyard homes. Each resident has about four dogs. There is a puppy mill in Youngtown. I made a call to Code Enforcement and they referred to MCSO. MCSO came and stated it was not their problem. Humane Society won't come out; the Dog Pound will take stray animals. My question is whom do we call if we have a dog problem?

**Jim Trolen, Resident of Youngtown**

- I confirm with the diagnosis of the alley. This is nothing new; it's been going on for a while. Town Code Ordinance allows four dogs per resident. Need to review Town Code.

**Mayor LeVault**

- I'm directing staff to investigate, check out Town's Code Ordinance and find out about the puppy mill.

**9. Future Agenda & Meetings:**

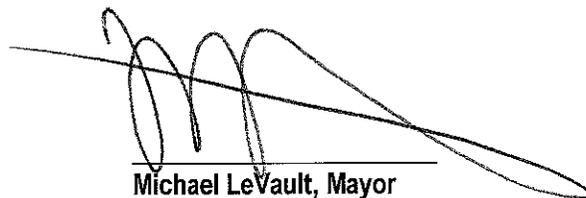
Announcement of next Regular Meeting: Thursday, March 1, 2012 at 7:00 p.m.

Adjournment.

Motion to adjourn – Councilmember Mello

Second – Councilmember MacKay

Meeting adjourned at 8:20 p.m.



Michael LeVault, Mayor

Attest



Diane Cordova, Deputy Town Clerk