



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

THURSDAY, May 3, 2012, TOWN CLUBHOUSE, 12033 CLUBHOUSE SQUARE

1. Call to Order Mayor Michael LeVault called the meeting to order at 6:47 p.m.
2. Roll Call Council present: Mayor Michael LeVault, Vice Mayor Jacob Duran, Councilmembers Margaret Chittenden, Dorena Mello, Shirley Oglesby-Gustafson and Judy Johnson. Absent: Councilmember Susan MacKay. Staff present: Town Manager Lloyce Robinson, Town Attorney Michelle Swann, Finance Officer Jackie Hoffman, Public Safety Manager Michael Kessler, Public Works Manager/Building Official Jim Fox, Deputy Town Clerk Diane Cordova, and Town Clerk/Treasurer Letty Goldberg.
3. Pledge of Allegiance and Invocation Pledge led by Councilmember Gustafson. Invocation offered by Pastor Ring.
4. Communications:
 - A. Communications from Council

Mayor LeVault

 - Councilmember Chittenden and I attended Arizona State Senator Jon Kyl keynote address at ASU West. Arizona Senator Jon Kyl is serving his third and final term in the U.S. Senate.
 - I would like to read from the article I wrote from this month's Village Reporter. "In Youngtown, I challenge residents to take an objective look at the Town's performance the past five years. Annual spending has been cut dramatically while service delivery has been improved in nearly all areas. For example our contract with the Maricopa County Sheriff's Office (MCSO) is generating savings which exceed projections, yet traffic citations in the first three months were up over 600 percent. On-view calls and interaction with residents are also up sharply. Simply put, the law enforcement presence in Youngtown has been greatly enhanced at a tremendous savings. In spite of the awful economy, we have managed to rebuild our rainy day fund to around 70 percent of annual operating expenses. Most importantly, we continue to make vital improvements, enhancements, and upgrades to the Town's infrastructure. We have paved nearly eight miles of alleys, helping greatly in our efforts to control PM10. We have now secured funding which will allow us to complete our fire-flow improvements this year, bringing the entire Town up to International Fire Code standards. We have managed to finance these improvements by successfully completing for federal grant; very little Town money was used and the Town remains debt-free. We have assembled an effective, successful team with Council, representing the people, acting as the policy makers - laying out the roadmap for the future of Youngtown, and staff carrying out and executing these policies, and moving the Town down the road into the future."
 - I had Finance Officer Hoffman go back 10 years and she provided payroll costs and expenditure graphs. We have reduced the amount of spending by one-third and reduced payroll by two-thirds. This is not something that is heard of. We have built up a 70% annual operating expense. If you haven't heard, City of Surprise has an \$18 million hiccup forcing a forensic audit. They have exhausted their rainy day fund and they are \$3 million short. Youngtown's budget year is three-quarters through and we have reached our goal. This doesn't happen by accident. We have Council that sets policy and we have a tremendous staff that administers those policies. I challenge residents to look at our performance. I want to thank everyone that is involved.
 - Mayor's Town Hall Meeting, May 19, 2012 here in the Clubhouse at 9:00 am.

Councilmember Mello

- CTAC – Citizen Tax Advisory Committee will have a presentation given by Patrick King, CTAC member, on recommendation for changes to Youngtown Tax Code at the next council meeting, May 17, 2012.
- I will be attending the Community Development Advisory Committee (CDAC) meeting next Wednesday, May 9, 2012. Recommending home funds for first time buyers in Youngtown.

Councilmember Chittenden

- I appreciate Councilmember Mello serving on CDAC and securing home funds for Youngtown. This is great for small communities like ours.
- There will be a dog park committee meeting this Saturday, May 5, 2012 at the Methodist Church, 113th Avenue and Alabama. Our sign for the dog park is almost completed.
- I enjoyed listening to Senator Kyl. He stated that one has to remain focused without negativity. Keep faith in yourself and remain strong and positive.

Councilmember Gustafson

- I want to compliment the Mayor; you're doing a good job.

**B. Communications from Staff: Town Manager's Report; Maricopa County Sheriff's Office (MCSO) Police Report
Town Manager Robinson**

- Projects, Programs and Grants Manager Mark Hannah and Library Manager Heidi Speed are excused for tonight's Council meeting.
- Mayor's Town Hall Meeting, Saturday, May 19, 2012 at 9:00 a.m. here at the Clubhouse.
- Ventana Winds, May 8, 2012 from 3:00 p.m. – 5:00 p.m. will be introducing their new director. Invitation goes out to all Council and staff.
- Youngtown Chamber sub-committee meeting, May 10, 2012 from 3:00 p.m. to 4:00 p.m. at the Best Western.
- Public Safety Manager Mike Kessler will be honored as the outstanding State Elks Club Police personnel May 12, 2012 at 7:00 a.m. Milagros Restaurant, 2100 S. Priest, Tempe, AZ.
- The Economic Development General Plan Meeting on land use will be held May 14, 2012 from 6:00 p.m. to 7:00 p.m. at the clubhouse.
- Next Council Meeting will be held May 17, 2012.
- Library news – the Maricopa County of Libraries will be sponsoring two events here in Youngtown; May 29, 2012 with Wildman Phil who will be showcasing his reptiles for all youth from 10:30 a.m. – 11:30 a.m. and May 30, 2012 an alternative band named, "No Longer Together" to be held at Greer Park for all teens from 1:00 p.m. to 2:00 p.m. The Summer Reading Program will begin May 24, 2012 and run through July 21, 2012.
- We are finalizing budget for FY 2012-2013.
- Working on a Youth Focus Program (YEP) that will encompass youth recreation and youth employment.
- Want to thank staff for their strong support and coordination as they move projects forward; fast paced coordination with Fire Flow, Peoria Intersection and EcDev projects.
- We will be hiring a new Deputy Town Clerk. Diane Cordova has agreed to move into the Town Clerk's position as our Town Clerk/Treasurer Letty Goldberg is officially retiring.
- Mid-June 2012 our part-time Library Clerk, Diana Green has announced that she will be leaving. We will be posting a job opening for a part-time Library Clerk.
- The Mayor, staff and I have been meeting with interested parties regarding a parcel in the Agua Fria River for a recreational trail.

Mayor LeVault

- There was an article in the NW Valley section of the newspaper regarding the tribe mining on the Agua Fria River stating that we can't stop the permit. Maricopa County air-quality officials have told Sun City activists that there is little the agency can do to block an Indian tribe from opening a new sand-and-gravel mine in the Agua Fria River. As part of that process, the tribe will have to seek an air-quality permit. We are however, trying to delay and/or de-rail the project.

Town Manager Robinson

- Recently I visited a Phoenix property owned by the same persons who own a Youngtown property on Alabama Avenue only to find the Youngtown property is in better condition. It is now believed these owners are slumlords. Town staff has pursued compliance for their Youngtown property for a number of years and have not halted this effort.

Finance Officer Hoffman

- The Governor and the State Legislature are speaking the same language; we are receiving our share of state shared revenue, vehicle license tax revenue, sales tax revenue; we are up \$36,000. Highway User Funds (HURF) is still in doubt.
- I've sent an email to everyone regarding our medical insurance open enrollment which is to be held Tuesday, May 15, 2012 at 8:00 a.m. here in the Clubhouse. All spouses are welcome to attend.

**Maricopa County Sheriff's Office (MCSO) Police Report (report attached)
Lt. Ken Booker**

- MCSO Deputies responded to 125 patrol calls; 98 citations, 9 criminal, 9 arrests, 3 warrants. A total of 218 calls for service. We had our SCAT unit down on the Agua Fria river bottom. We are cleaning it up. We had 111 reports taken from there with 5 arrests. Our bicycle patrol has been out which surprises many. Our bike patrol is very quiet and can come up behind someone without them being aware. We have a total of 720 man hours with 1,723 miles driven in Youngtown.
- We had a very successful weekend with our prescription/drugs collection program. We brought in 1400 lbs. to 1600 lbs. of prescription drugs. That is about 42 boxes of outdated medication.

Councilmember Chittenden

- On your report Lt. Booker, are DUI's considered traffic or criminal citations? Also you have patrol/vacation watch, are vacation watches being completed by MCSO?

Lt. Ken Booker

- Driving under the influence (DUI) is a traffic citation with a traffic arrest.

Public Safety Manager Kessler

- Vacation home watch continues to be completed by our Youngtown Public Safety Code Enforcement.
- Posting of a vehicle that was confiscated by a drug bust will end on Friday, May 4, 2012 with bids opening at 3:00 p.m. The town retains 80% of the proceeds from the sale.

Public Works Manager/Building Official Fox

- We are moving right along with our fire flow project. The plans and designs are almost completed for phases 3 and 4. Working with SCFD – Sun City Fire Department on an easement with Motel 6. Establishing a plan review with EPCOR (the water company.)
- There will be many renewal and new contracts coming through to Council.
- We reviewed Aurora Village site plan last week. They have submitted construction plans to the State Department of Housing and should have an answer in June 2012.
- A business owner has stepped up to the plate to participate with the Town. New Beginnings Church, on 113th Avenue and California Avenue. They have come up with an, "Adopt a Street Program." The Town purchased the signs and they have agreed to pick up garbage from their location all the way up north to Grand Avenue. Hopefully this will encourage other businesses to participate.
- The Clubhouse has a new projector installed in the ceiling for power point presentations with audio coming through speakers.

Mayor LeVault

- What's with that hole being dug on Wisconsin Avenue?

Public Works Manager/Building Official Fox

- Southwest Gas has taken out a right-a-way permit to excavate a high pressure area known as a gas blast zone. The inspection was completed this afternoon. I will bring to Council a MAG standard policy to adopt requiring construction companies to patch and slurry half of the street instead of having patch work all over our streets.

Economic Developer Cooper

- I've been meeting with the Youngtown Arts Group regarding public art; through them I've made contact with an art group called WHAM.

Mayor LeVault

- WHAM aka "What's Happen'n Art Movement.

5. Consent Agenda:

- A. Consideration and Action on Meeting Minutes:** Minutes of April 10, 2012 and April 16, 2012 Budget Briefing Meeting and Minutes of April 19, 2012 Board of Adjustment and Regular Council Meeting.

Motion to approve Consent Agenda – Councilmember Chittenden

Second – Councilmember Johnson

Motion passed unanimously on a voice vote.

6. Business

- A. Discussion and/or Action Re:** Approval of Resolution 12-09, adopting the proposed annual statements and estimates of the expenses of the Agua Fria Ranch Street Lighting Improvement District for fiscal year 2012- 2013, which shall be provided for by the levy and collection of ad valorem taxes upon the assessed value of all the real and personal property in the district, pursuant to Section 48 616, Arizona Revised Statutes, as amended; and setting a date for public hearing on said statements and estimates.

Town Clerk/Treasurer Goldberg

- A.R.S. - Arizona Revised Statutes requires a governing body to levy taxes upon all property in a municipal street lighting improvement district (SLID) to pay the annual expenses. Resolution 12-09 proposing a tentative budget to be passed based on current costs on the Agua Fria Ranch Street Lighting Improvement District. Home valuation has decreased causing the levy rate to be higher. It is \$0.4264 per \$100 valuation. Staff is recommending Council adopt tentative budget and then a schedule public hearing to be held on June 7, 2012 as required by state statute before adopting the final budget.

Mayor LeVault

- Last year tax levy rate was around \$.36/\$100 and now it's up to \$0.4264 per \$100 valuation. This is revenue neutral.

Councilmember Mello

- Why is Uribe Park not included? Don't we collect funds to pay for the electricity from sport leagues?

Town Clerk/Treasurer Goldberg

- Uribe Park is exempt from the Agua Fria Ranch SLID. Uribe Park is the Town's property and Town property is exempt and excluded from the street lighting improvement district. Uribe Park electricity costs are paid out of the Town budget for parks.

Town Attorney Swann

- It's not possible to include Uribe Park into the AFR SLID.

Mayor LeVault

- Residents are the only ones being charged correct?

Town Manager Robinson

- Law states that governments are exempt from SLID's.

Mayor Le Vault

- But doesn't the Town own the streets?

Town Attorney Swann

- The Town is a political sub-division; a street is not a parcel.

Motion to approve Resolution 12-09, adopting the proposed annual statements and estimates of the expenses of the Agua Fria Ranch Street Lighting Improvement District for fiscal year 2012- 2013, which shall be provided for by the levy and collection of ad valorem taxes upon the assessed value of all the real and personal property in the district, pursuant to Section 48 616, Arizona Revised Statutes, as amended; and setting a date for public hearing on said statements and estimates. – Vice Mayor Duran

Second – Councilmember Johnson

Motion passed unanimously on a voice vote.

- B. Discussion and/or Action Re: Approval of Resolution 12-10, adopting the proposed annual statements and estimates of the expenses of the North Youngtown Street Lighting Improvement District for fiscal year 2012- 2013, which shall be provided for by the levy and collection of ad valorem taxes upon the assessed value of all the real and personal property in the district, pursuant to Section 48 616, Arizona Revised Statutes, as amended; and setting a date for public hearing on said statements and estimates.

Town Clerk/Treasurer Goldberg

- Resolution 12-10 is a tentative budget to be approved by Council for the North Youngtown Street Lighting Improvement District (SLID). There is a one- time cost of creating the NYT SLID of \$13,827.00 which incurred legal fees and advertisement. This NYT SLID tax levy is based on equal apportionment, which means each parcel pays the same rate \$58.83 per parcel. It is not based on valuations as is the AFR SLID. This is a tentative budget and a hearing is scheduled for June 7, 2012 as per state statute requirement.

Mayor LeVault

- The tax levy will decrease after this year?

Town Clerk/Treasurer Goldberg

- Yes, next year's tax levy for the NYT SLID will be approximately \$48.00 per parcel.

Councilmember Chittenden

- Some of the costs involved to set up the NYT SLID were for the public notices we saw around town. So there will be a hearing June 7, 2012? Some streets don't have street lights. Residents living on these streets without street lights will pay the same rate as those that have street lights? It doesn't matter the size of lot (parcel) an individual has?
- Schliefer Park lights are excluded because they are not in the district correct?

Councilmember Mello

- Why is Uribe Park written on the spreadsheet for the AFR SLID and Schliefer Park isn't written on the NYT SLID spreadsheet? What's the difference if both parks are exempted?

Town Clerk/Treasurer Goldberg

- When the AFR SLID was formed, Uribe Park was included in the SLID, which was an error. Uribe Park is written down as a reminder that it is to be excluded from the SLID.

Mayor LeVault

- The AFR SLID is based on an ad valorem tax and the NYT SLID tax levy is per parcel.

Councilmember Chittenden

- How about Spanish Garden? How do they pay?

Town Manager Robinson

- Each individual property owner in Spanish Garden will pay for their parcel.
- Street lights will eventually be added in the future to the areas that are now vacant land.
- To have street lights on is a shared service. It is not based on how many street light poles there are on a street.

Mayor LeVault

- We cannot use SLID money for construction.

Councilmember Gustafson

- How does APS bill us?
- What about dusk to dawn lighting?

Town Clerk/Treasurer Goldberg

- The bill will be coming from the County Treasurer Office on your tax bill. The District reimburses the Town for paying the APS bill.

Mayor LeVault

- Dusk to dawn light could be solar lighting; however it would have to come through APS.

Motion to approve Resolution 12-10, adopting the proposed annual statements and estimates of the expenses of the North Youngtown Street Lighting Improvement District for fiscal year 2012- 2013, which shall be provided for by the levy and collection of ad valorem taxes upon the assessed value of all the real and personal property in the district, pursuant to Section 48 616, Arizona Revised Statutes, as amended; and setting a date for public hearing on said statements and estimates. – Councilmember Johnson

Second – Councilmember Gustafson

Motion passed unanimously on a voice vote.

- C. Discussion and/or Action Re: Approval of Janitorial Contract with Regency Building Solution, LLC. in the amount of \$19,200 annually, to begin July 1, 2012 through June 30, 2015.

PWM/Building Official Fox

- We went out for bid on our janitorial contract and only one bid was received from Regency Building Solution, LLC which holds the current contract. I am recommending Council to approve the janitorial contract.

Motion to approve Janitorial Contract with Regency Building Solution, LLC. in the amount of \$19,200 annually, to begin July 1, 2012 through June 30, 2015. – Councilmember Mello

Second – Vice Mayor Duran

Motion passed unanimously on a voice vote.

- D. Discussion and/or Action Re: Approval of crack seal contract with Southwest Slurry Seal, Inc. in the amount of \$45,000 for the repair and crack sealing of the Town Hall parking lot area and all streets from Grand Avenue south to Alabama Avenue in Youngtown, Arizona, to be completed by June 29, 2012 and authorizing the Town Manager to sign all documents.

PWM/Building Official Fox

- The crack seal project was placed out for bid. I received several calls; however Southwest Slurry Seal, Inc. was the only bid received and includes crack seal on narrow cracks and poly patch material on cracks 2" to 3" wide.

Councilmember Chittenden

- On Jersey Avenue the street cracks are pretty deep.

PWM/Building Official Fox

- There is a process in where high pressure air will clean out street cracks.

Resident June Miller

- When will south from Alabama Avenue to Peoria Avenue be completed?

PWM/Building Official Fox

- After fire-flow is completed. This is in our five year plan.

Motion to approve crack seal contract with Southwest Slurry Seal, Inc. in the amount of \$45,000 for the repair and crack sealing of the Town Hall parking lot area and all streets from Grand Avenue south to Alabama Avenue in Youngtown, Arizona, to be completed by June 29, 2012 and authorizing the Town Manager to sign all documents. – Councilmember Johnson

Second – Councilmember Chittenden

Motion passed unanimously on a voice vote.

- E. Discussion and/or Action Re: Approval of CenturyLink for telephone carrier services in the approximate amount of \$1,205 monthly, running from July 1, 2012 to June 30, 2017 and authorizing Town Manager to sign all documents.

Finance Officer Hoffman

- This is a renewal of a 60 month contract with CenturyLink formerly known as QWest for telephone carrier services. The approximated cost per month is \$1,205.00

Mayor LeVault

- Is it true that we are being charged for the number of jacks (telephone hookups) in the police department building?

Finance Officer Hoffman

- No sir, that is not true.

Councilmember Johnson

- This is for monthly recurring charges? This one states \$332.00 that doesn't add up.

Finance Officer Hoffman

- There should have been three documents; one is for the business line, another is for digital switch services; and for long distance services. The carrier provides our T1 line for internet access.

Mayor LeVault

- Seems to be a copying error.

Councilmember Chittenden

- Phones are already set-up for the Emergency Operation Center (EOC) in the police building.

Motion to approve CenturyLink for telephone carrier services in the amount of \$1,205 monthly, running from July 1, 2012 to June 30, 2017 and authorizing Town Manager to sign all documents. – Councilmember Chittenden
Second – Vice Mayor Duran.

Motion passed unanimously on a voice vote.

- F. Discussion and/or Action Re: Approval of Economic Developer Contract with Gayle Cooper, CECD for Economic Development Services for the period July 1, 2012 through June 30, 2013, in an amount not to exceed \$50,000.

Town Manager Robinson (report attached)

- Gayle Cooper provides monthly reports to the Town Manager. She has provided three presentations to Council; sent out 160 letters to business owners; written articles for the Village Reporter regarding Economic Development; has made 30 contacts in the last four months with fast food restaurants. She has found that some of the issues are problems with economic development: retail's not expanding at this time; there's others already established around us; lack of homes traveling to the west; they don't rely on traffic numbers especially on Olive Avenue. Gayle has completed website pages for EcDev; attended Westmarc's Annual Economic Development Summit with the Mayor; attended Surprise Chamber events; is working on monument signage; working on beautification, redevelopment and landscaping in public and commercial areas and working on development of Youngtown Commerce Park.

Mayor LeVault

- How much have we spent in economic development this contract year?

Town Manager Robinson

- We budgeted for \$100,000. We've spent \$72,000.

Mayor LeVault

- There is a buzz in the community due to economic development. Economic development doesn't happen by accident. We have to make investments and economic development is an investment.

Councilmember Johnson

- The property behind us and the Pet Pharmacy across from them is the heart of the town. Has anyone noticed the hair designer business and the colorful potted plants they've placed? That is visible and it makes an impact. It's very attractive. It's so little but it means so much. A sidewalk café would be nice.
- Can you explain the scope of work, number 5, establishing a business finance program to aid businesses/landowners in upgrading their properties?

Economic Developer Cooper

- This is a 50/50 fund. We have requested \$20,000 to be placed in the budget for next year. Businesses would have to apply; for every \$5,000 given, the business owner would have to match and put in \$5,000 of upgrades into the property. We have a meeting with the City of Peoria staff, which has implemented this type of program.

Mayor LeVault

- I read an article where investors are purchasing old apartments, upgrading them and giving them a retro look. The coffee shop, "Kindred Spirits" has done that here. They have entertainment every weekend. Ace Hardware is a major business destination. I think businesses would do more with the help of the Town.

Councilmember Johnson

- The Town of Williams, Arizona built around the tagline of "Route 66" with retro buildings.

Councilmember Gustafson

- The Tohono Oodham Nation gives out grants for Economic Development.

Motion to approve Economic Developer Contract with Gayle Cooper, CEcD for Economic Development Services for the period July 1, 2012 through June 30, 2013, in an amount not to exceed \$50,000. – Vice Mayor Duran

Second - Gustafson

Motion passed unanimously on a voice vote.

7. Call for Executive Session

None needed.

8. Citizens Comments/Appearances from the floor:

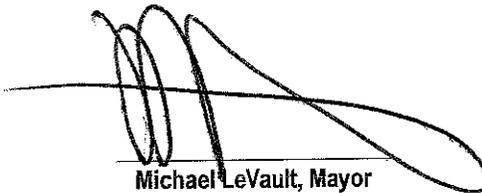
None.

Adjournment.

Motion to adjourn – Councilmember Mello

Second – Councilmember Johnson

Meeting adjourned at 8:54 p.m.



Michael LeVault, Mayor

Attest:



Diane Cordova, Deputy Town Clerk

Minutes approved at the May 17, 2012 Regular Meeting.