



YOUNGTOWN VILLAGE Reporter

First in Concept • Fostering Community Pride • Building Quality of Life

VOLUME 5 NUMBER 9

youngtownaz.org

September 2011

Now is your chance to decide Youngtown's future

It's time to have a Community Conversation. The Youngtown Town Council is seeking direction from all of the residents (homeowners, renters) and business community (tenants, property owners) on the town's future direction.

Please take a few minutes to participate in the community survey from September 7th to September 23rd and attend a Town Hall meeting. The survey is available online and a copy is included in this issue of the Village Reporter. See inside special section for more information on upcoming Town Halls



and the survey.

The Town holds a unique place in Arizona and U.S. history as the first retirement community. Since the age overlay was overturned, the community has had an influx of new residents

with only 19 percent over the age of 60 and the median age of 36.7 years. The community is at a crossroad. Based on the existing level of service and without additional new revenues, the Town will be without sufficient

funds to operate beyond three years.

For the past year, the Town Council and staff have engaged in reducing the cost of providing services, increasing revenues such as the rental tax and discussing options

for sustaining the Town. Several Town Halls have been held to inform the residents and businesses of the financial situation and to obtain their input. The Council has identified five potential options for moving forward: Disincorporation, De-annexation, Municipal Bankruptcy, Reduce

Services or Property Tax.

The purpose of this campaign is to raise awareness of the Town's dilemma and to engage the community in a conversation on the future direction of their town, giving clear direction to the Town Council. Please see the special section to complete the survey.

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SEE ENTRY FORM INSIDE THIS PAPER



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What's for lunch?

By HONORABLE
MICHAEL LeVAULT
 MAYOR
 TOWN OF YOUNGTOWN

What is a community and why do we, as a people, come together to form one? Community is

defined by Merriam-Webster as:

- A unified body of individuals
- The people with common interests living in a particular area
- An interacting population of various kinds of individuals
- A group of people with a common characteristic or interest living together

Benjamin Franklin once said: "Democracy is two wolves and a lamb voting on what to have for lunch; liberty is a well armed lamb contesting the vote."

In an era when so much of what happens in our lives is beyond our control, when we often feel like that lamb about to be devoured by faceless bureaucrats in Phoenix or Washington D.C., the concept of having some local control over important aspects of our lives has a real, almost tangible, value.

That is the essential reason we come together as communities: to maintain and exert some local control over important aspects of our lives.

This value is enhanced, I believe, for those of us who have chosen to live in small towns and cities

across America. Local government, especially in the smaller municipalities, tends to be the most transparent level of government and affords the best and greatest opportunity for citizens to get involved and actually have an impact on policies which will profoundly affect their lives.

It is in that spirit of community which we-your Mayor, Town Council and staff-will be reaching out to you for your thoughts and opinions on the future of Youngtown.

Beginning with an in-depth survey regarding the essential nature of Town services-what they should be, how they should be delivered and how they should be paid for, we're hoping to establish an on-going dialogue with you, the citizens of Youngtown.

Liberty- the ability to be that well armed lamb in Ben Franklin's quote- is the foundation of governance in America and is best exemplified in small towns and cities.

Sometimes it takes hard work and a fighting spirit to maintain it, but it is so worthy of the price it demands...



Mayor Michael LeVault



Vice Mayor Jack Duran



Councilmember Margaret Chittenden



Councilmember Susan MacKay



Councilmember Dorena Mello



Councilmember Shirley Oglesby



Councilmember Judy Johnson

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TOWN OF YOUNGTOWN COUNCIL ACTIONS REGULAR MEETING

Disclaimer: This document does not contain the complete official meeting minutes but is intended to provide information about meeting activity. To obtain official meeting minutes, please contact the Youngtown Clerk's Office.

DATE: THURSDAY, AUGUST 2, 2011
TIME: 6:13 p.m.
PLACE: TOWN CLUBHOUSE, 12033 CLUBHOUSE SQUARE

Approved for Town Manager to enter into a contract for professional services with an independent surveyor to conduct a survey of

Town residents at an amount not to exceed \$20,000 and authorizing the Town Manager to execute the contract.

COUNCIL RECESS
The Youngtown Council was recessed for the month of August except for a Special Meeting and Executive

Session held on August 2. Council will resume meetings on Thursday, September 15, 2011 at 6 p.m. Two Mayor's Town Hall Meetings are scheduled for Saturday, September 10 at 9 a.m. and Monday, September 19, at 6 p.m. in the Town Clubhouse, 12033 Clubhouse Square.

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Fire Flow Improvement Project Phase I completed

By **JIM FOX**
PUBLIC WORKS MANAGER

Remember back in July when the Town of Youngtown announced that Phase I of its Fire Flow Improvement Project was starting construction? Well, as promised, Phase I has been completed! The initial portion of the total project, Phase I, included the area of town bordered by Grand Avenue to the north, Tennessee Avenue to the south, and between 111th to 113th Avenues. As you recall, this multi-year improvement project was started to vastly improve the existing antiquated fire flow system and give firefighters the ability to pump adequate water for firefighting purposes.

According to Public Works Manager Jim Fox, this project is all about life safety and hazard mitigation. When a fire happens, the obvious firefighting tool for firefighters is water. The proximity of available water to the source of the fire is critical for a timely response to a fire call. A Fire Truck (Pumper) only carries a limited amount of water in its on-board tank. Without being connected to a water source (Hydrant) a modern fire pumper truck only has several minutes of water available. Requiring our firefighters to stretch hose over distances of several city blocks in order to access a functioning fire hydrant is not safe. Successful firefighting requires quick and ready access to fire hydrants which provide sufficient water pressure and flow. This is why this project is so critical

to the Town of Youngtown.

This Phase of the project has added more than 4,000 linear feet of six-inch water pipe and 9 fire hydrants in the Town's Right of Way. Without getting too technical, the new six-inch water lines are added to the existing water lines in the Town's Right of Way. These new lines are "looped" throughout the system so no hydrants are on a "dead-end line" which means the hydrants are served by more than one waterline which provides increased steady pressure, volume and assurance that plenty of water is available when needed.

The Phase I portion of the project was completed significantly ahead of schedule and caused minimal disruption to the community. Fox says, "We learned a few things that we can apply to future phases of the project to cause even less disruption to our citizens and the businesses".

Projects Programs Grants Manager Mark Hannah reports, "Phase II funding is likely to be secured for \$400,000 which will continue the upgrade from Tennessee Avenue south to at least Alabama Avenue" The Town has planned the total project's construction to span three to four years, with a total estimated cost of \$2 million using both Town funds and HUD grants. Work on Phase II could begin as early as November or December 2011.

For more information about Town projects, programs, and activities, visit www.youngtownaz.org or contact the Town offices, 623-933-8286.

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NEWS FROM THE COMMUNITY

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 The right to accept or reject material rests with the publication editor

West Valley Genealogical Society meets

Jan Estelle Cordell, state registrar of the Huguenot Society of Arizona, Corresponding Secretary of the National Huguenot Society, Inc., member of thirteen lineage societies and holder of local, state and national offices in a number of them, will speak on Oral Family Histories and their beginning factual basis in genealogical searches. A Huguenot ancestor: Rene St. Julien, was only the beginning and the easiest part of the undertaking. Gaining understanding of the Huguenot contribution to the foundation and growth of America has been an additional part of the reward and appreciation of her undertaking. The meeting will be held at 1:30 p.m., Monday, Sept. 12, at the First Presbyterian Church, 12225 N. 103rd Avenue, Sun City. Attendance is open to anyone interested in family history. Can't attend? More details are available at the website of the West Valley Genealogical Society: <http://www.azwvgs.org/>, or by calling 623-933-4945. *Wanita Zarumba, Publicity, West Valley Genealogical Society*

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Your green thumb is needed

Do you have a green thumb? Do you enjoy eating fresh, healthy vegetables and fruits? Would you like to help grow those fresh veggies and fruit for yourself and your neighbors? If so, kindly keep reading. We're inviting you to volunteer your green thumb. A group of community volunteers, led by Councilmember Dorena Mello, has been working on developing a community garden and town residents are invited to join in its planning and development. A preliminary site has been found and a draft design has been suggested, but there's plenty of work to be done. You are invited to a community meeting to be held on Saturday, September 10 at 11:00 a.m. at the Town Clubhouse kitchen, located at the northwest corner of 112th Drive and Alabama Avenue at 12035 N. Clubhouse Square. The agenda for this upcoming meeting includes discussions on possible fundraising events and budgets, determining cost estimates and developing timelines. Interested residents may direct questions to Mark Hannah through Town Hall at 623-933-8286 or by email at mhannah@youngtownaz.org.

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North Youngtown Street Light Improvement District (NYT SLID)

Notice of proposed improvement

In mid-August signs reading "NOTICE OF PROPOSED IMPROVEMENT" were posted throughout the proposed North Youngtown Street Light Improvement District noticing the proposed improvement district. July 21, the Mayor and Common Council of the Town of Youngtown, Arizona, adopted Resolution No. 11-25 (the "Resolution of Intention") declaring its intention to create a street lighting improvement district to purchase energy for the operation of the Street Lighting System in the proposed district, which will be known as North Youngtown Street Light Improvement District (the "District"). The District boundaries are Peoria Avenue north to Grand Avenue and 111th Avenue west to the Agua Fria River. The work and all proceedings connected therewith shall be known as the North Youngtown

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Youngtown Dog Park update

By COUNCILMEMBER
**MARGARET
CHITTENDEN**

October 1 and October 15.

Following these meetings the next step in the process is to seek Council approval (October 20, 2011, 6:00 p.m.) for the complete dog park plan including location with site plan, Town costs, hours of operation, amenities of benches, trees, water fountains, etc. The supporters are confident in-kind donations and sponsorships will be a major portion of securing the success of this project.

Upon Council approval the supporters

will organize a campaign to seek donations for necessary features to ensure a pleasant, functional and low-maintenance dog recreational area for the community.

“The grassroots group has accomplished much in just four meetings, but after the August heat break, we must get the ball moving along. You may not have a dog and not wish to use a dog park, but it is a nice service amenity for Youngtown and some of your neighbors”, states Margaret Chittenden, Councilmember/

Advocate.

Future meetings will be important to finalize strategies, design and timing to move this project from vision to reality. Direct any comments, questions to Councilmember/ Advocate Chittenden at the Town Hall, 623-933-8286.

Mission Statement:
Building a social network for people and their dogs 4 paws at a time.

Purpose: To provide a clean environment for people and their dogs to get healthy exercise and socialize safely.

Upcoming meetings:
Attend and be an important part of this grassroots project: Saturdays at the Youngtown Methodist Church (113th and Alabama Avenues), 9:00 a.m., on September 17,

No cost rabies and spay/neuter clinics

Serving neighborhoods, families and pets one by one, Maricopa County will be holding clinics to provide free rabies vaccinations and spay/neuter surgeries for your pets. All clinics will be held at Greer Park, 12030 Clubhouse Square, Youngtown.

Vaccination Clinics

Wednesday, September 14, 2011 4 – 7 p.m.
Wednesday, September 21, 2011 4 – 7 p.m.

No-Cost Spay and Neuter Event

Wednesday, September 14, 2011
Wednesday, September 21, 2011
Check-in begins at 6:30 a.m. but customers start lining up much earlier than this.

For more information or questions please call Maricopa County at 602-506-7387 or visit their website at www.pets.maricopa.gov.

NYT SLID: Proposed improvements, From 4

Street Light Improvement District (NYT SLID).

For further particulars, reference is hereby made to the Resolution of Intention and to the Improvement District map which is also on file in the offices of the Town Clerk and Public Works Manager located at 12030 and 12024 Clubhouse Square, Youngtown, Arizona 85363.

The owners of property within the District may file written protests against the formation of the proposed District or file written objections against the extent of the District. The protests or

objections must be filed with the Clerk of the Town of Youngtown, 12030 Clubhouse Square, Youngtown, AZ 85363, within fifteen (15) days after the last publication of the Resolution of Intention or the date of the posting of this Notice, whichever date is later. The 15-day period will commence on Aug.27, and end on Sept.12.

The Town already has a Street Lighting Improvement District in Agua Fria Ranch (AFR SLID) that pays for the energy for street lights in that subdivision south of Peoria Avenue and is not affected by the NYT SLID.



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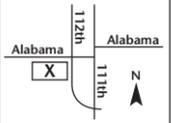
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Remembering former Library Director Florence Hinrichs

**Florence A. Hinrichs
1922 - 2011**

On July 31, 2011 former Youngtown Public Library Director, Florence Hinrichs passed away in Goodyear, AZ. She is survived by her daughter, Lisë Chlebanowski, and three grandchildren.

Florence and her husband, Don, retired to Youngtown from Westmont, Illinois in the early 1980's, and she soon became a volunteer at the Youngtown Public Library and a member of the

Library Board. Over a period of 20+ years, Florence held several positions in the Library. She began working as a volunteer in 1986 when the Town's Library was located in the Public Works Building on Youngtown Avenue just east of the current Library building. In 1991 the organization called Friends of the Youngtown Public Library was formed, and she was the first president of the organization. Florence and the organization's members spearheaded the effort to raise funds to build a new

library for the Town, as the Library had outgrown the building that housed it (so much so that books were kept in the old bathtub of the building!). Through the organization's many fund raisers and Florence's efforts, in collaboration with then Youngtown Mayor, Ben Biery, a Community Development Block Grant was secured to build the new Youngtown Public Library building in 1994.

Florence became the Director of the Library on October 7, 1992 and

continued in that position until January 5, 2007 when she retired. The success of the Youngtown Public Library, from its beginning in 1959 through the present, has been due to the efforts and generosity of many volunteers and staff. Florence held the Library's volunteers in great esteem. During her many years with the Library, she witnessed first hand "From Bathtubs to Barcodes". Florence will be well remembered and greatly missed by all who were fortunate to know her.

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| Glendale | Cerreta, Jonathan | 602-617-8939 | Phoenix | Joseph Profeta | 602-540-1020 |
| Glendale | Hawkins, Mindy | 623-533-4302 | Phoenix | Noble, John | 602-722-9309 |
| Glendale | Cook, Phil | 623-385-9070 | Scottsdale | DeWitt, Linda | 480-201-6259 |
| Glendale | Harrison, Virginia | 480-334-1115 | Scottsdale | Drummond, Ian | 480-748-1375 |
| Glendale | Platt, Thomas | 602-615-8470 | Scottsdale | Hilton, Pamela | 602-481-4006 |
| Goodyear | Nissalke, Tabitha | 623-606-3378 | Scottsdale | Jones, LeMar | 602-318-8672 |
| Lake Havasu | Cheon, Judy | 928-486-0793 | Scottsdale | Washington, Bill | 602-550-3880 |
| Litchfield Park | Rasmussen, Ashley | 623-203-8770 | Surprise | Zillmer, Ed | 602-410-9242 |
| Mesa | DiQuattro, Stefanie | 623-687-4915 | Tempe | Dishman, Robert | 480-217-9507 |
| Mesa | Lanterman, Rob | 602-550-4813 | Tucson | Reisig, Gerry | 520-990-7653 |
| Peoria | Hall, Kory | 602-743-6073 | Yuma | Erlenback, Peter | 928-503-0263 |
| Peoria | Johnson, Erik | 623-533-4302 | | | |

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YOUNGTOWN

Let's Decide Our Future

SPEAK UP!

VOLUME 5 NUMBER 9

youngtownaz.org

September 2011

Youngtown is facing crossroads: Future Decisions

Engage in a community conversation on the future direction of our town.

Speak Up Sept. 7 to 23

The Town of Youngtown is at a crossroads. During the last five years, our Town has grown to over 6,000 residents and now has an average age of 37 years. This growth and transition to a younger, family oriented community, combined with a continued decline in state shared revenues, has put a strain on our resources. We have taken action to reduce expenses,

but still the Town is unable to maintain a base level of services without using money in the savings account.

At the existing level of service and without any new revenue, we will deplete the Town's savings account in approximately three years.

For the last year, we have been discussing options for our future and have identified five possible options each with a different impact to you. To better



Mayor
Michael LeVault

understand what is important to you and to proactively address our revenues, we have launched a two-week community conversation about the Town's future.

Please take a few minutes during the next two weeks to tell us why Youngtown is important to you and consider which of the five options you are willing to support. We have lots of ways you can get involved. I will be hosting two special town hall meetings devoted to determining our future direction.

We have a survey which you

can complete online or complete the survey in this paper and mail or return to one of the Speak Up collection locations. We can also come to your meeting or event to talk more about our future.

Your input will be used by the Council to begin implementing plans for the future.

If you have any questions, please feel free to call the Town Hall at 623-933-8286, or visit the website for more information www.YoungtownAZ.org.

Thank you for speaking up!

Mayor Michael LeVault

Join the Conversation

- Why did you choose to live in Youngtown?
- What do you value about the community?
- Do you think it is important to have local control of your community?
- Which future direction do you support?
- What other ideas do you have?

The Town Council is looking for answers to these questions and more. To make it easy to have your voice heard the Town has established multiple opportunities for you to provide input.

- Take an online survey - www.YoungtownAZ.org
- Complete and return the survey in this paper
- Attend a Town Hall meeting
- Hold a conversation with your neighbors
- Schedule a presentation for your next community or organization meeting
- Post your thoughts on Youngtown's Facebook page
- Tweet your ideas on Twitter

If you want to schedule a presentation or have any questions, please feel free to call the Town Hall at 623.933.8286 or visit the website for more information www.YoungtownAZ.org.

Community invited to Town Hall Meetings

Residents are invited to attend a special Town Hall meeting to talk with fellow residents about the future direction of the town. The meeting will be held on two different days and times to give all residents an opportunity to participate.

The Mayor and council members will be present to answer your questions.

All of the meetings will be held in the Youngtown Clubhouse, 12033 Clubhouse Square.

- Town Hall - Saturday, September 10, 9 a.m.
- Town Hall - Monday, September 19, 6 p.m.

A progress report on the community conversation will be given at the September Town Council meeting.

- Council Meeting - Thursday, September 15, 6 p.m.

You will also have a chance to celebrate Cisco's retirement and welcome Prince to Youngtown's police force.



Cisco, Sgt. Dave Evans, Prince

Options to consider: Council appreciates public input

For the past year the Town Council has been researching options for the town's future. The Mayor and Council want to take a proactive approach to creating a sustainable community.

These are the options identified to date. The Council would like to know what you think about these options and which you are most likely to support. Also, please let the Council know if you have any other ideas or suggestions.

Provide your feedback by completing the community survey online at www.YoungtownAZ.com or complete the form on the next page and drop at a

collection location by September 23, 2011.

1. What is a Primary Property Tax?

Arizona has a two-tiered property tax system. Primary (ad valorem) property taxes are not restricted in their use and may be used to pay for government operations. Secondary property taxes are restricted to pay for bonds and similar obligations that may fund construction of public facilities and infrastructure. The Maricopa County Assessor establishes a full-cash value for a property. A residential full-cash value is typically about 85 percent of the home's market value.

The assessed value, which is 10 percent of the full-cash value, is the number used to determine property taxes.

Currently, the Town of Youngtown (the "Town") does not assess a primary property tax. Property taxes assessed on Town residents are assessed by Maricopa County, school districts and special districts that are separate from the Town government. Revenues received from the State "revenue sharing" funds are very limited due to the Town's low population and the Town does not have any local control over the allocation of those funds. For two years the Arizona legislature has been engaged

in "sweeping" funds from various state agencies and has threatened to reduce or eliminate revenue sharing with the municipalities. The Town receives revenues from sales taxes that do not and will not meet the increasing costs to adequately serve the expanded service needs of the Town.

Under Arizona law, an initial primary property tax may not be assessed unless a majority of the Town's qualified electors voting at an election authorizes the Town to impose the tax. The next possible date for an election seeking voter approval to impose a primary (ad valorem) property tax is May 15, 2012.

Monies raised by a primary property tax would be used to fund the operation of the Town. Each property owner should refer to his/her annual property tax statement issued by the Maricopa County Treasurer or his/her property tax bill to determine the Maricopa County Assessor's primary assessed value. That information will enable a property owner to determine the estimated annual and monthly tax cost that would result from the implementation of the primary property tax.

2. What are the Limitations on Primary Property Tax Assessments?

No primary property taxes

may be collected in any tax year in excess of one percent of the full cash valuation of the subject residential property. (Such limitation does not apply to any secondary property tax levy for indebtedness including that hereinafter described.) Primary property taxes levied on all types of property by counties, cities, towns and community college districts are limited to a maximum increase of two percent over the prior year's levy plus any amount directly attributable to new construction and acquisition. The two percent limit does not apply to school districts.

MORE OPTIONS ON 2



OPTIONS: City council asks for community input in regards to town's future, From 1

3. Is There Relief from a Primary Property Tax for Certain Property Owners?

There are various forms of property tax relief available under Arizona state law. First, there is an exemption for widows, widowers and totally disabled persons. For qualified people, the exemption has the effect of reducing the assessed value of the real property by up to \$3,000 with a corresponding reduction in property tax. Second, there is a program of tax deferral. Under the deferral program, payment of property taxes is not required until the real property is sold or the person dies or the property becomes income producing. Third, qualified individuals are granted a property tax freeze under Proposition 104 which Arizona voters passed in 2000. A qualified individual should inquire about applying for an exemption, freeze or deferral through the Maricopa County Assessor's Office.

4. May a Primary Property Tax Election be Called by the Voters?

The Town Council has not passed a resolution calling for an election relating to the establishment of an initial primary property tax. A person or organization wishing to file an initiative petition to hold an election regarding whether Town property owners should pay a primary property tax may do so, but must follow strict Arizona laws regarding initiative petitions and elections.

A person or organization wishing to file an initiative petition must file an application with the Town Clerk on a form provided by the Secretary of State setting forth:

- Name or, if an organization, its name and the names and titles of its officers.
- Address.
- Intention to circulate and file a petition.
- A description of no more than 100 words of the principal provisions of the measure.
- Text of initiative measure in no less than 8 point type.
- Request for issuance of an official number to appear on all the petitions.

The Town Clerk will then issue an official number to the applicants. This number must appear on the lower right hand corner of both sides of the petition signature sheets. The Town Clerk must also give the applicant a pamphlet, prepared by the Secretary of State's of-

fice, containing the laws governing initiative and referendum and the rules adopted by the Secretary of State regarding the same. The Town Clerk must also furnish the applicant with a Statement of Organization and a \$500 Threshold Exemption Statement form with a notice stating that one of these forms must be filed before valid signatures can be collected.

After the petitions are returned, the Town Clerk immediately issues an initial receipt. That receipt can be an estimate of the number of sheets and signatures filed and does not indicate that the measure has qualified for the ballot. After the receipt is issued no additional petitions may be filed. The Town Clerk must, within fifteen days after the filing of an initiative petition and issuance of receipt, conduct an initial review.

The Town Code and state law dictate the number of signatures needed. Under Arizona law, an initiative requires valid signatures of at least 15% of the qualified electors, which is calculated according to Town Code as "[t]he basis upon which the number of qualified electors of the town required to file an initiative petition shall be the total number of registered voters qualified to vote at the last town election, whether the primary, general or special, immediately preceding the date upon which any initiative petition is filed."

If the total number of signatures for verification equals or exceeds the minimum required, the Town Clerk must randomly select 5% of the signatures for verification by the Maricopa County Recorder. (The Town must pay the Maricopa County Recorder for counting the signatures at a maximum rate of fifty cents per signature.) Within ten days thereafter the Maricopa County Recorder will return the documents to the Town Clerk with its certification. Within forty-eight hours thereafter the Town Clerk will determine the total number of valid signatures and, if the minimum number of signatures has been achieved, the Town Clerk issues a receipt and notifies the Mayor that there are adequate signatures to place the measure on the ballot.

5. What are the Timing Requirements for an Initiative to Call an Election Proposing a Primary Property Tax for the Town?

The next possible date

for an election seeking voter approval to impose a primary property tax is May 15, 2012. The Town must accept an initiative petition not less than 120 days before the election, or January 16, 2012.

6. Who May Vote in an Election Proposing a Primary Property Tax for the Town?

A person is entitled to vote in an election regarding the imposition of an initial primary property tax on Town property owners if the individual has resided in a precinct in the boundaries of the Town for 29 days preceding the election, who is qualified to register to vote as provided in A.R.S. § 16 101 et seq. and whose registration has been received by the Elections Department of Maricopa County, Arizona prior to midnight of the 29th day preceding the date of the Election. Accordingly, the last day to register for the Election would be April 16, 2012.

If sufficient signatures on an initiative petition are filed, the Town's qualified electors will be asked to vote on the following question: "Should the Town should be authorized to raise a specified amount, identified in the initiative petitions, by primary property taxes?" If passed, this amount will be the base for determining levy limitations for the Town for subsequent years. It is estimated that, should the proposition pass voter approval at a May 15, 2012 special election, the property tax would be levied and collected beginning in October 2012.

7. What are the Other Legal Options Available to the Town if a Primary Property Tax is Not Assessed and the Town is Unable to Generate Sufficient Revenues from Other Sources?

A. Disincorporation

Arizona law allows the Town to disincorporate upon petition of two-thirds of the qualified electors in the Town if the procedures outlined in Arizona law are followed. Specifically, if the Maricopa County Board of Supervisors is presented with a petition of two-thirds of the qualified electors residing within the Town, within 60 days it must either: (1) disincorporate the Town and appoint a trustee with authority to "wind up" the affairs of the Town, including selling and conveying the Town's property, real and personal, paying Town debts and placing any sur-

plus monies in the Maricopa County Treasury and to be used "for the benefit of the inhabitants of the disincorporated" Town; or (2) call for an election for the purpose of deciding for or against the disincorporation of the Town.

In the event the County Board of Supervisors calls an election on the question of whether to disincorporate, the election must take place within 180 days after the petition is filed (except that no disincorporation election may be called within twelve months from a previous disincorporate vote for the same city/town). If a majority of the qualified electors voting thereon votes for disincorporation, the Maricopa County Board of Supervisors ("Board") must declare the Town disincorporated. At that time, the Board will appoint a trustee to "wind up" the affairs of the Town.

Any indebtedness and obligations of, issued by, or on behalf of the Town does not immediately become Maricopa County's indebtedness or obligations after disincorporation. Maricopa County is responsible as a trustee to insure that all obligations and debts of the Town are paid. Rather, the trustee must pay the Town's indebtedness and obligations as follows: (1) the appointed trustee will annually estimate an amount to be levied as a tax on all taxable property in the disincorporated Town to pay the indebtedness or obligations; (2) on or before June 30, Maricopa County must levy, as secondary taxes, the amount necessary to satisfy the indebtedness or obligations; and (3) the annual levy will continue until all indebtedness and obligations of the disincorporated Town are satisfied. Notably, a disincorporated city or town continues as a political subdivision until all of the debts and obligations of the city or town are satisfied. The trustee, therefore, may operate the facilities of the disincorporated Town until such facilities are sold or otherwise disposed of as determined by the Maricopa County Board of Supervisors.

B. Deannexation

Territory located within the Town may be de-annexed to another city or town, pursuant to A.R.S. § 9-471.02, as long as the de-annexed territory is contiguous to the city or town that annexes the territory. In the case of territory de-annexation, the Town Council shall, by ordinance, set forth the legal description of the territory and declare the de-

annexation of the territory contingent upon the fulfillment of the conditions of A.R.S. § 9-471.02. Those conditions are:

1. The city or town that intends to annex the territory must also pass an ordinance with a legal description showing the land it intends to annex, subject to fulfillment of the conditions of A.R.S. § 9-471.02.

2. Both ordinances must be filed with the Maricopa County Board of Supervisors, who then sets a hearing date of not less than thirty (30), nor more than sixty (60), days from the date the ordinance is filed. The Board must then notify the governing body of the city or town, and the city or town that intends to annex the property, of the hearing date at least thirty (30) days prior to the date.

3. The Town must notify the owner of any real property within the territory to be de-annexed at least twenty (20) days before the hearing by the Board. Such notification shall specify that the area is to be de-annexed and annexed to another city or town, and that such property shall continue to be subject to any tax lawfully assessed against it for the purpose of paying any indebtedness lawfully contracted by the Town while the property was within the Town's corporate limits.

4. That letter must also notify the property owner that he/she may protest the action to the Board, by letter, prior to the hearing or in person at the hearing. If property owners of fifty-one percent (51%) or more of the land area of the territory to be de-annexed protest the action, then the Board must deny de-annexation.

5. The Board, upon determining that the requirements of A.R.S. § 9-471.02 have been satisfied, and after the public hearing and rejection of any protests, must then order that the territory be de-annexed from the Town and that the same territory be annexed to another city or town as specified in the two ordinances.

Arizona law states that the land that is de-annexed and annexed is not exempt from paying taxes assessed by the Town while such land was within Town limits. Therefore, the land is liable for any unpaid taxes even after it is de-annexed. Therefore, if the Town levies a tax for the purpose of paying indebtedness before the de-annexation is completed, or any part thereof and interest thereon, the Town has the authority to levy a tax on

the de-annexed land at the same rate and for the same purpose.

C. Municipal Bankruptcy

Chapter 9 of the Federal Bankruptcy Code provides for reorganization of municipalities to resolve municipal debts. Chapter 9 cases are rare. The purpose of Chapter 9 is to provide a financially-distressed municipality protection from its creditors while it develops and negotiates a plan for adjusting its debts. Reorganization of municipality debts is typically accomplished either by extending debt maturities, reducing the amount of principal or interest, or refinancing the debt by obtaining a new loan.

Although similar to other chapters in some respects, Chapter 9 is significantly different because the law does not allow for liquidation of the municipality assets and distribution of the proceeds to creditors. The functions of the bankruptcy court in Chapter 9 cases, therefore, are generally limited to approving the reorganization petition (if the debtor is eligible), confirming a plan of debt adjustment, and ensuring implementation of the plan.

D. Service Reduction

The Town may also reduce the level and number of services it offers to Town residents. Services such as the library, park and street maintenance, and may be reduced from current and past levels in the event the Town is unable to fund these projects.

E. Dip Into the Town's Savings Account

Currently, the balance of the General Fund LGIP, which is the Town's savings account, is \$1.7 million. Ten years ago that balance was \$2.1 million. From 2002 to 2006, the Town drew funds from this savings account to meet expenses, reducing the balance to \$764,000 at the end of the Fiscal Year 2005/2006. From Fiscal Year 2006/2007 forward, the Town deposited money back into the savings account through: (1) deposits for reinvested interest earned; (2) tax audit payments (collecting past-due sales taxes); (3) Agua Fria Ranch CFD O&M that was transferred to the savings; and AZ Municipal Risk Pool annual dividends received. The Town has proposed spending \$583,103 from the Town's savings account to balance the budget for Fiscal Year 2011/2012. This amount was the shortfall of expenses over revenues projected for the fiscal year.



Community Survey

THIS SURVEY CAN BE COMPLETED ONLINE -- GO TO WWW.YOUNGTOWNAZ.ORG, OR
 Complete this copy, cut from paper and drop at one of the collection locations
 Deadline - September 23, 2011



1. Why did you choose to live in Youngtown? Select all that apply.

- Safe, quiet and comfortable neighborhoods
- Friendly people who have vitality for life
- Close proximity to work
- Close proximity to sports/shopping/restaurants
- Historical significance of the community
- Small town atmosphere
- Affordable housing
- Close to family and friends
- Other; please specify _____



2. What do you value most about living in Youngtown?



3. How often do you or someone in your household use the services or attend the events listed below?

| | Frequently | Occasionally | Seldom | Never |
|---|-----------------------|-----------------------|-----------------------|-----------------------|
| Library | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Town Park(s)- Greer, Uribe, Schliefer, Beck Remembrance | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Special Event(s) GAIN, Winter Event | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Read Village Reporter | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| ESL (English as Second Language) Classes | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Historical Museum | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Town website | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Called the police | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |



4. How important is it to you that the Town of Youngtown provides the following services?

| | Very Important | Important | Neutral | Unimportant | Very Unimportant |
|-------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Street maintenance and repair | <input type="radio"/> |
| Street lighting | <input type="radio"/> |
| Maintenance of alleys | <input type="radio"/> |
| Park maintenance | <input type="radio"/> |
| Police services | <input type="radio"/> |



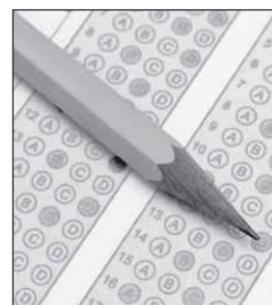
5. How interested would you be in using the following NEW services and programs?

| | Very Interested | Interested | Neutral | Uninterested | Very Uninterested |
|--|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| More park amenities | <input type="radio"/> |
| Transit service such as bus and dial-a-ride | <input type="radio"/> |
| Youth activities | <input type="radio"/> |
| Dog park | <input type="radio"/> |
| Community garden | <input type="radio"/> |
| New community classes (recreation, sports, computer, etc.) | <input type="radio"/> |



6. How important is local control of Youngtown to you? Local control includes the ability to elect council members and a Mayor and maintain Town staff to make local decisions on providing services to Youngtown residents.

- Very Important
- Important
- Neutral
- Unimportant
- Very Unimportant





7. The Town currently has enough money to operate for approximately three years. To be sustainable, the Town must obtain new revenues or consider a decision to greatly reduce services and/or no longer be a Town. How likely are you to support the following options?



| | Very Likely | Likely | Neutral | Unlikely | Very Unlikely |
|---|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Disincorporation - Become a resident of Maricopa County under the control of the Board of Supervisors. | <input type="radio"/> |
| De-annexation - Be annexed by a neighboring community (El Mirage or Peoria) and become a resident of that community governed by their council and staff. | <input type="radio"/> |
| Municipal bankruptcy - Town continues to operate with no changes until bankrupt. Maricopa County Board of Supervisors would assume control of the community. | <input type="radio"/> |
| Eliminate Services - Eliminate or greatly reduce current services by closing facilities and make decision about future at a later date. | <input type="radio"/> |
| Property tax - Pay a new property tax to sustain the Town of Youngtown and local delivery of existing and new services | <input type="radio"/> |



*Note: See page 1 for more details about each option.

8. Do you have any other suggestions for the future direction of Youngtown? If so, please list below.



9. Where do you live?

- North of Peoria Avenue
- South of Peoria Avenue
- Don't live in Youngtown

10. What is your age?

- 0 - 24
- 25 - 39
- 40 - 54
- 55 - 69
- Over 70



11. How long have you lived in Youngtown?

- Less than 1 year
- 1 - 4 years
- 5 - 9 years
- 10 - 14 years
- 15 - 24 years
- 25 or more years
- Don't live in Youngtown



12. Do you own or rent the home you are living in?

- Homeowner
- Renter
- Don't live in Youngtown

Optional

If you would like to be added to the Town's e-mail and mailing list to receive updated information on our future, please provide your contact information below:

Name: _____

Address: _____

Email: _____

Return a completed a survey to one of the locations below by Sept. 23:

- Town Hall, 12030 Clubhouse Square, Youngtown
- Youngtown Library, 2035 Clubhouse Square, Youngtown
- Ace Hardware, 11125 Arizona Avenue, Youngtown
- 4 Paws Animal Rescue, 11129 W Michigan, Youngtown

On the five options for our future check out the fact sheet on the Town's website: www.YoungtownAZ.org



New Public Works Technician

I wish to extend a warm welcome to Kevin Donovan, Youngtown's newest Public Works Technician. Kevin comes to us from his most recent employment with the State of Arizona DOT, where he was in Highway Operations caring for the maintenance and landscaping along State highways. Prior



Kevin Donovan

to that Kevin was the Maintenance Director at Union Hills Country Club responsible for the clubhouse and the greens at the golf course. Kevin has been placed in the Public Works - Parks Division due to his considerable experience with landscaping maintenance. Kevin is in the process of becoming

pesticide application certified and carries his Class A CDL. Along with this experience, Kevin is also a member of the US Naval Reserves where he is an operator and trainer of heavy equipment. Kevin will make a great addition to our already well-qualified Public Works Team!

Arrowhead Barbershop

\$7

HAIRCUT

WITH THIS AD (REG. PRICE \$12)

9720 W. Peoria Ave., Ste. 131
(623) 977-1755
Open Tues-Sat 8am-5pm

Welcome new library manager

Youngtown resident Heidi Speed has joined the Management Staff as the Library Manager, taking the place of former Manager Nancy Lewis, who recently retired.



Heidi Speed

shared environment with the public.

She brings some innovative talents and conception to enhance the level of service to the Library patrons.

Please take time during a visit to the Youngtown Library to personally meet Heidi.

Welcome Heidi!

Heidi comes to the Youngtown Library with experience working in a Peoria School District library that initially was a

Friends of the Library hosted party

The "Friends of the Youngtown Public Library" hosted a party for members and Library volunteers on Aug. 19. This was a way of saying "Thank You" to Nancy Lewis, our Library Manager, who is retiring to "do things I haven't had time to do" according to her statement. The Friends have had a very wonderful working relationship with Nancy over the past three years. She has helped us in so many ways to

become an important piece in the puzzle of how to improve our little library. The over 20 guests all expressed the appreciation and respect we have for her. We will miss Nancy but wish her a Happy Retirement.

With Fall approaching the Friends will begin accepting donations of good condition books, paperbacks and media materials. Our special for September is "3 for \$1.00" on all media materials.

Monthly Trivia

1. What branch of the Armed Forces first popularized the phrase "gung ho"?
2. What part of the eye changes shape in LASIK surgery?
3. Which two states salute the Wright brothers on their license plates?
4. What was the name of Henry Ford's only son?
5. At what chilly temperature are the Celsius and Fahrenheit scales the same?
6. What battle in American history was the origin for the famous quote: "Don't fire until you see the whites of their eyes."?



If you have an interesting trivia question that you would like to submit, please send it to Jamie Boyett at jamielboyett@cox.net.

Trivia answers on page 11

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SUNDAY SCHOOL

9:00 AM All Ages

• WORSHIP 10:00 AM

WEDNESDAY 7 PM

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(Accredited) Open Enrollment

• WOMEN'S MINISTRY
Once a month

• MEN'S BIBLE STUDY
Twice a month

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Pastor Jack & Carol Duran
(623) 977-9114

12600 N. 113th Ave. Suite B-1, Youngtown

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Surprise, AZ

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Passing of the torch

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YTR

To all the Youngtown residents and 'Face Book' followers of Cisco, the Youngtown Police Department's Narcotics Detection Dog, I am with mixed emotion announcing his retirement.

Likewise, I am also introducing Prince, the new Youngtown Narcotics Detection Dog.

As most of you know, Cisco has been the 'face of the Youngtown Police Department's Community Pride Program' for several years. His retirement has been on the horizon for a while due to his age (8) and Valley Fever, which is in remission, but with him for life.

Cisco has served this Town admirably and has placed smiles on the face of citizens of all ages for over six years with his community public relations appearances. Additionally, through his efforts as a Narcotics Detection Dog, he has placed many traffickers in illegal narcotics distribution activities in prison.

Following my column, please read the story about Prince! What a very compelling story about a "throw away dog" that was fortunate to have been rescued days before his demise due to malnourishment and poor care.

For all of you who are able, the following two dates and times have been scheduled to celebrate Cisco's retirement and the introduction of Prince as the newest member of our Department. Please feel to come join us!



Sgt. Dave Evans with his two companions, retiring Youngtown K-9 Cisco and the newest addition to the Youngtown Police force, Prince.

Also on the agenda is Mayor Michael Levault's discussion regarding the viability of Youngtown's future and the citizen survey campaign, "Speak Up Youngtown-Let's Decide Our Future".

Mayor's Town Hall Meetings

Saturday, September 10, 2011 9:00 a.m. and Monday, September 19,

2011 6:00 p.m. Youngtown Clubhouse, 12033 Clubhouse Square.

Dear AGR Members, Adopters and Supporters, If I could attach flashing lights and bells and whistles to this message I would - I have some very exciting news for you! An Arizona Golden Rescue

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TORCH: Great future for a wonderful dog,

dog has just been certified as a narcotics detection dog and will be working with the Youngtown Police Department!

Prince, found in terrible condition in the desert near Tonopah in March, had been my foster for four months while we got his many health issues under control (sarcoptic mange, eye infections, allergies to lots of things, hypothyroid, severely underweight). On an evening near the end of July, I got a call from AGR's Placement Manager, Michele Wehry, asking me to contact Youngtown PD Sergeant Dave Evans, who was looking for a specific kind of dog to train for drug detection. Because of Prince's obsession with tennis balls among other criteria, we both thought

Prince might be a good candidate. He was! After training with Sergeant Dave for gruelingly long days for 3 1/2 weeks, Prince passed his certification test! He will begin work as an official narcotics detection dog on Monday!

We are so very proud of this throw-away dog that somebody dumped in the desert! You should be proud to be a member/supporter of the Rescue that saved this dog's life and that, with your help, we have been able to raise funds enough to be able to spend \$2500 to get his health issues diagnosed and under control. We can now provide a healthy, beautiful Golden Retriever for this very important job.

When working, Prince will wear an official police

department badge with an ID number on it, just like all the officers. He will also have a bullet-proof vest, which Sergeant Dave will put on him anytime he feels a situation is dangerous enough to merit he, himself, putting one on. Prince and Sergeant Dave will be together 24/7/365 and when he is off duty, Prince will have retiring drug-detection dog Cisco to play with. What a great future for a wonderful dog!

If you live in the West Valley in Sun City, Youngtown or any of the surrounding areas, you will see an article and photos about Prince in the Daily News-Sun newspaper probably next week; the story will most likely also be on their website, as a reporter

From 8

and photojournalist from that publication were at the training session on Thursday. There will also be a much longer story about Prince in the November issue of The Golden Paw newsletter.

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Explore and shop Youngtown

Update on Youngtown's Chapter of Surprise Regional Chamber of Commerce:

Following the May 2011 kickoff meeting for Youngtown's Sub-Chapter #1, the Provisional Council (Tom McCormick - General Exterminating, Pat Sherman - 4Paws and Dr. Kathryn French - Agua Fria Ranch HOA) continues to partner with David Moss, President/CEO of the Surprise Chamber, to complete the organizational structure and formation of a Board to oversee Youngtown's Chapter. They are currently working on revamping the Youngtown Business Directory to reflect a more professional and customer-friendly format. The business community will have many resources to inspire and motivate



toward a successful resurgence of the commercial areas of town with the Surprise Chamber partnership. Get plugged in to the progressive

happenings in our business community and support Youngtown businesses - "Buy in Youngtown".

Currently, the Town of Youngtown maintains the Youngtown Business Directory. Hard copies are available at the Town Offices, Library and online at www.youngtownaz.org/businesses. If you have any question about a particular business or category, please contact Cecilia Casillas, Town Administrative Office, 623-933-8286.

Explore and support Youngtown's business community by shopping local!



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| Nov 14, 2011 | Nov 7, 2011 |

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Brownfields Environmental Review

The Town of Youngtown will soon begin a Phase-II Brownfields Environmental Review (ER) of a Town-owned property site located at 11350 W. Wisconsin Avenue.

The site has an interesting past and was acquired by the Town several years ago. Most recently, it was leased to an RV repair facility, and has been used as an equipment-staging area for Town public works projects.

In late 2009, then public works manager Mark Hannah wrote a successful Brownfields grant application to the Arizona Department of Environmental Quality (ADEQ) to conduct a Phase-I ER of the Wisconsin Avenue property and another location in central Youngtown. In April 2010, the town was notified that the engineering firms had been selected and work would soon begin.

ADEQ reported that at the one site in the central part of town there were no environmental concerns that justified further study. The report recommended, however, that a follow-up investigation, called a Phase-II ER, be conducted at the Wisconsin Avenue location.

So just what is a Brownfields site?

According to Hannah, a Brownfields site is defined by the EPA as an abandoned or under-used property with redevelopment potential complicated by either real or perceived environmental contamination.

Often these properties lie abandoned for fear of the contamination and the liability it implies. Fortunately, when contaminants are found, there are often cleanup funds available to help communities reclaim use of the location.

Following the recommendation of ADEQ, Hannah, now the Town's Projects, Programs & Grants Manager, wrote a second Brownfields grant application to complete the Phase-II ER. The Town recently received word the grant was awarded and work will soon begin.

In order to keep residents of Youngtown informed and updated on the progress of this Phase-II ER, the Town has developed a Community Notification and Outreach Plan. Under this plan, the Town will inform residents of the Brownfields project activities and progress using four (4) communications outlets that are available and/or targeted to the general public.

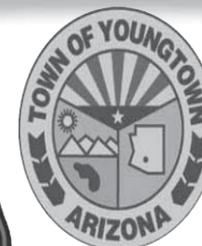
- Web postings – Internet postings to the Town's website at www.youngtownaz.org
- Updates to the Town Council, to include public notifications, as necessary.
- Articles or public notices placed in the Town's Youngtown Village Reporter.
- Articles or public notices published in local and/or regional newspapers.

The Town will track any press releases of this Brownfields project issued by ADEQ. The public is encouraged to contact Mark Hannah, at 623-933-8286 or by email at mhannah@youngtownaz.org with any questions or concerns.

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OCTOBER 8, 2011

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|--|--|---------------------------------------|---|
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October 8, 2011 - 1st Annual S.A.F.E. Run

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From the Bench: Product liability

All of us have seen advertisements that some law firms run soliciting their services for personal injury cases. They seek out clients that claim injury from accidents including those from defective consumer goods. From toys to tea kettles, virtually anything and everything the public comes in contact with can be the cause of personal injury litigation if there is proof of negligence or defect that resulted in an injury.

Many cases are perfectly legitimate; some are seemingly suspect, and others appear blatantly disingenuous. Many of the liability cases deal with food or drink products which the consumer buys and trusts to be fresh, properly cooked, bottled, canned, frozen free of harmful bacteria or foreign objects. To prevail in a product liability case, the consumer must show he has been damaged in some manner.

As the jurisdictional limits of the lower courts increases, so do the number of product liability cases. One such case that falls into the "blatantly disingenuous" category came to trial



Judge Lex Anderson

before me several years ago in the Justice Courts. The matter involved a beer product in which the consumer was suing the beer company for substantial monetary damages.

The case involved a man that claimed he was poisoned by the packaging glue used in holding the cardboard beer box together. In his testimony, the self represented plaintiff/claimant stated that he was entertaining a business client during a backyard barbecue. He stated that he popped open a can of beer without first examining it. He testified that he brought the can to his lips, took a "long pull" and immediately choked on some packaging glue that he claimed was on the ring of the can.

The plaintiff claimed that the packaging glue was toxic and caused him to become violently ill, thus

ruining the barbecue and the business deal he claimed to be working on. Additionally, the man claimed he was affected to the point of having nightmares over the incident as well as claiming loss of consortium with his wife.

At trial, the beer manufacturer's attorney brought in expert witnesses, a packaging production person and a chemist. The production design engineer explained in detail the entire packaging process done at the factory relevant to how cans are boxed up into the various packages of six, twelve, or case size. The engineer further testified that although it was not entirely impossible for a small bit of packaging glue to somehow transfer to the top of a can, the chances of it happening were very slight indeed.

Next, the chemist testified that the glue used in this packaging process as well as in any food/beverage industry packaging is "by law" a "food grade" glue and absolutely harmless to humans or animals.

The case was dismissed; however the claimant/plaintiff

probably did switch beer brands as he threatened he would do.

While many product liability cases do have varying degrees of merit, there are certainly many examples like this that never come close to meeting the burden of proof required to prevail in a civil case.

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Trivia answers from page 7

1. The Marines. 2. The cornea. 3. Ohio and North Carolina.
4. Edsel. 5. - 40 degrees. 6. Bunker Hill.

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FACTORY REBATE.....-\$1,000
Or Lease \$279/Mo.

72 month lease. Total due at lease signing, \$3,601, no security deposit required. Lease end termination fee, \$200. Based on 10,000 miles per year. Additional charges may be imposed at end of lease term. On approved credit. Plus tax, title, license and \$399 doc fee. STK. #BGA76939



NEW 2011 FORD FLEX \$25,541
MSRP.....\$30,390
DISCOUNT..-\$2,849
FACTORY REBATE.....-\$2,000
Or Lease \$289/Mo.

72 month lease. Total due at lease signing, \$3,985, no security deposit required. Lease end termination fee, \$200. Based on 10,000 miles per year. Additional charges may be imposed at end of lease term. On approved credit. Plus tax, title, license and \$399 doc fee. STK. #BBD33668

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