



**PUBLIC NOTICE  
REGULAR MEETING FOR THE COMMON COUNCIL OF  
YOUNGTOWN, ARIZONA**

The Town of Youngtown provides notice that it will conduct its Town Council meeting on **September 16, 2021** through *in-person and technological* means in order to minimize the spread of COVID-19. Council members may attend the Council meeting in-person or via video/telephone conference, as authorized by A.R.S. Section 38-431(4).

The in-person meeting will occur at 12030 Clubhouse Square, Youngtown AZ 85363, in the Town Council Chambers. A limited public audience will be allowed to attend on a first-come, first-served basis, with physical distancing.

The public may also listen to the Town Council meeting by calling in telephonically using the conference call and meeting identification number provided below. **Please state your name when you call in, then mute your telephone for the remainder of the call to ensure the Town Council can conduct its meeting without interference.** If you are appearing by remote means and would like to comment on any matter on the agenda, please download a public comment form and submit it via email to Town Clerk Nicole Smart, [nsmart@youngtownaz.org](mailto:nsmart@youngtownaz.org) at least one hour before the meeting. **The Town Clerk will read public comments submitted before the meeting into the record. You may also comment during the public hearing portion of the agenda by unmuting your phone and providing verbal comments, or coming up to the podium to speak if appearing in-person.**

**DATE:** September 16, 2021

**TIME:** 5:30 p.m.

**PLACE:** Join the Regular Meeting by phone: 1-346-248-7799

**Meeting ID:** 829 1061 6171

**Password:** 632834

**Link to the zoom meeting:**

<https://us02web.zoom.us/j/82910616171?pwd=NmJUQXVRMHpKcWVVGdvdHNXU1R2UT09>

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance and Invocation**
4. **Summary of Current Events:** Brief Summary of Current Events pursuant to ARS § 38-431.02(K). Council may not propose, discuss or take legal action on the current event updates.
  - A. Summary of Current Events from Mayor and Council.
  - B. Summary of Current Events from Town Manager.
5. **Staff Reports:** Staff may provide reports to Council on the following subjects which may include discussion with Council. Council will not take legal action.
  - A. **Library:** The Library Manager may report to Council on library operations, monthly activities, book club events, and upcoming author visits.
  - B. **Public Works:** The Public Works Manager may report to Council regarding maintenance of Town facilities, recreational facilities, streets, parks, and schedules for work in the Town.

- C. Community Development:** The Community Development Manager and/or Community Development Coordinator may report to Council regarding business outreach, economic development projects, and code enforcement operations and activity reports.
- D. Finance:** The Finance Manager may report to Council regarding the Town's budget and monthly expenditures.
- E. Town Clerk:** The Town Clerk may report to Council regarding Town events, activities, meetings, and promotion of the Town on its website and social media sites.
- F. Municipal Court:** The Court Administrator may report to Council regarding activities of the Municipal Court, citations, hearings and schedules.

## **6. Response to Call to the Community**

- 7. Citizens Comments/Appearences from the Floor:** Please complete a speaker request form for the Town Clerk, listing the subject you would like to discuss. Each speaker is limited to five (5) minutes. Before you begin to speak, identify yourself clearly by stating for the record your name and address. Non-Agenda items: This is the time for citizens who would like to address the Town Council on any non-agenda item. The Council will listen to comments, and may take one of the following: 1) Respond to criticism; 2) Request that staff investigate and report on the matter; or 3) Request that the matter be scheduled on a future agenda.

## **8. Consent**

### **A. Approval of Minutes:**

Special Council Meeting of August 11, 2021.  
 Invenergy Open House Meeting of August 12, 2021.  
 Regular Council Meeting of August 19, 2021  
 Coffee with a Cop Meeting of August 21, 2021  
 Special Council Meeting of August 30, 2021

## **9. Business**

- A. Discussion and/or Action Re:** Administer the Oath of Office to Michael Francis to fill the vacant Council seat with a term expiring on August 2, 2022 (Smart)
- B. Presentation, Discussion and/or Action Re:** Sun City Fire and Medical District (SCFD) Report, which may include discussion of inspections, fire prevention, staffing levels, response times, community needs, and ambulance services (Fire Marshal Jim Fox)
- C. Presentation, Discussion and/or Action Re:** Maricopa County Sheriff's Office (MCSO) Report, which may include discussion of crime statistics, specific crimes including traffic violations, thefts, violent crimes, trespass and issues with homelessness, crime prevention, MCSO staffing levels, community needs, and response times (Captain Stutsman)
- D. Presentation, Discussion and/or Action Re:** Review of the Storm Water Management Plan (SWMP) for FY 2020-2021 and a public hearing to allow public comment on the plan (Mosbrucker)
  - i. Staff Presentation
  - ii. Open Public Hearing
  - iii. Close Public Hearing
- E. Presentation, Discussion and/or Action Re:** Approval of Resolution 2021-16, Community Development Block Grant Application 5-year Plan Update and Authorizing the Town Manager to sign the application on behalf of the Town (Blackman/Arrington)

- F. Presentation, Discussion and/or Action Re:** Approval of a notice of intent to establish fees pursuant to Town Code Title 22 for wired facilities in the public right of way. Ordinance 2020-04 Wired Facilities in the Right-of-Way adopting Title 22 was approved on December 3, 2020 (Stuhan)
- G. Presentation, Discussion and/or Action Re:** Approval of a Proclamation declaring October 2021 as Domestic Violence Awareness Month (Mayor)
- H. Presentation, Discussion and/or Action Re:** Abatement of a Nuisance and Demolition of Dilapidated Building at 11111 W. Indiana Avenue, Youngtown, AZ 85363. Action may include authorization for expenditure of funds for abatement and authorization to initiate litigation against the property owner (Stuhan/Blackman)
- I. Presentation, Discussion and/or Action Re:** Approval of the Amendment No. 1 to the Intergovernmental Agreement between Maricopa County Administered by its Human Services Department and the Town of Youngtown (Blackman)
- i. Add that the County shall increase funding by \$150,000 for the Subrecipient to complete the installation of 10,500 linear feet of ADA compliant sidewalk identified in Section 3 (Work Statement), Subparagraph 2.0 (Scope of Work) in the Agreement.
  - ii. The Agreement total amount shall be increased from \$350,000 to \$500,000. The funding for this Amendment No. 1 is provided by Catalog of Federal Domestic Assistance (CFDA) 14.218, U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) funds
- J. Presentation, Discussion and/or Action Re:** Ongoing efforts to address criminal activity, nuisances, and homelessness in the Town including review of key laws in enforcement (Mayor)

**10. Call to Executive Session:**

- A.** Convene Executive Session pursuant to ARS § 38-431.03(A)(3) for discussion or consultation for legal advice with the Town Attorney regarding any above agenda items, as needed.
- B.** An Executive Session pursuant to (1) A.R.S. § 38-431.03(A)(3) for discussion or consultation for legal advice with the Town Attorney regarding nuisance abatement and demolition procedures in the Town of Youngtown pursuant to Town Code and State Law and (2) A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding contemplated litigation against Donald P. Garcia, owner of 11111 W. Indiana Avenue, Youngtown, AZ 85363, related to demolition of a dilapidated building and ongoing nuisance abatement efforts.

**11. Future Agenda & Meetings**

- A.** There may be discussion of whether to place an item on a future agenda and the date, but not the merits of the item.
- B.** Announcement of the next Regular Council Meeting:  
**Next Regular Council Meeting will be Thursday, October 7, 2021 at 5:30 p.m.**

**Adjournment**

\*NOTE: Persons with special accessibility needs, including large print materials or interpreter, should contact the Town Clerk's office at (623) 933-8286 or TDD (623) 974-3665 no later than 24 hours in advance of regular scheduled meeting times. Citizens may appear before the Council to present their views on any subject concerning Town Government. The Council, however, may not discuss, consider or decide items NOT on the

Agenda (ARS § 38-431.02 (H)) The Council will, if necessary, follow up at a later date. Due to limitation of time, citizens' comments are requested not to exceed five (5) minutes.

**POSTING CERTIFICATION OF THIS NOTICE**

The undersigned hereby certified that a copy of the attached notice and agenda were duly posted by 5:00 p.m. on **September 13, 2021** in the Town's designated posting locations pursuant to Resolution No. 06-04 and on the Town's website.

  
\_\_\_\_\_  
Nicole Smart, Town Clerk

**AGENDA DATE: September 13, 2021**

**STAFF REPORT TO COUNCIL**

<b>DEPARTMENT: <i>General Government</i></b>	<b>DEPARTMENT REPORT SUBMITTED BY: <i>Town Manager, Jeanne Blackman</i></b>
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**REPORT:**

- **Participated in Coffee with a Cop – Sheriff Paul Penzone and MCSO Deputies on hand to provide an update to Youngtown on MCSO.**
- **Participated in the Special Council meeting**
- **Attended the League of Cities and Towns Conference at the Biltmore from September 1<sup>st</sup> through September 3<sup>rd</sup> – hosted a booth for Youngtown at the Cities and Towns Showcase**
- **Participated via zoom in the MAG (Maricopa Association of Governments) monthly Managers' meeting**
- **Participated via zoom in the Luke West Valley Council meeting**
- **New Administrative Assistant hired in Town Hall – we welcome Felicia Patton**



## STAFF REPORT TO COUNCIL

<b>DEPARTMENT:</b> LIBRARY	<b>DEPARTMENT REPORT SUBMITTED BY:</b> HEIDI SPEED
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### REPORT:

September is National “Get a Library Card” Month. To promote it, we will be giving out prizes to any new patrons getting a library card.

Our Book Club discussion this month was on the novel, “Gone Girl”, by Gillian Flynn. October will be on the biography, “Becoming”, by Michelle Obama.

Last Friday, we had our first Friends of the Library meeting in over a year. They are doing a Bag Sale for September and October for \$3.00 per bagful.

We are partnering with the Family Resource Center, in Peoria, which is supported by First Things First, (Arizona’s early childhood agency), for development and learning of young children from birth to age 5. The Family Resource Center provides programming, resources & referrals to connect families with community resources (such as child care, clothing/food/housing/utility assistance, developmental concerns, etc.) ALL programs are FREE to families.

We will soon be offering Chrome Book and Hotspot check-outs for community members who do not have computers and/or internet in their home, thanks to funds from the CARES ACT Grant and a grant from the ARPA (American Rescue Plan Act).

STORY TIME is on Wednesday mornings at 11:00 am for kids of all ages.

We are also working on developing a Youngtown Historical Society and looking for members to honor and preserve our past.

### Services we offer:

- **FREE WI-FI: Mon-Fri from 10:00 AM – 4:00 PM**
- **FREE Faxes**
- **FREE Tax Forms**
- **FREE Legal Forms**
- **FREE Resume assistance**
- **E-books**
- **Copies \$ .15 each**



## STAFF REPORT TO COUNCIL

<b>DEPARTMENT:</b> Public Works	<b>DEPARTMENT REPORT SUBMITTED BY:</b> Marty Mosbrucker, Public Works Manager
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### **REPORT:**

- Attending stakeholder new storm water permitting process.
- Storm water management and discharge monitoring report annual reports in progress.
- Alleyway weed spraying conducted.
- Maricopa Lake decorative water feature (1) inoperative: Covered under warranty, will be repaired asap.



## STAFF REPORT TO COUNCIL

**DEPARTMENT: Community Development**

**DEPARTMENT REPORT SUBMITTED BY:**  
*Community Development Manager, Gregory Arrington*

- EL SOL BATTERY STORAGE FACILITY – PROPERTY ACQUISITION – ACCESS ROAD
  - TEAM MEETING
- EL SOL BATTERY STORAGE FACILITY MEETING
  - WEEKLY PROGRESS MEETING
- COMMUNITY DEVELOPMENT ADVISORY COMMITTEE
  - PUBLIC MEETING
- ARIZONA ASSOCIATION OF ECONOMIC DEVELOPMENT
  - 2021 Notice of Funding Opportunity (NOFO)
    - HOMELESS FUNDING KICK OFF
- MIXED USE DEVELOPMENT PROPOSAL RFP
  - BID OPENING



### STAFF REPORT TO COUNCIL

<b>DEPARTMENT:</b> Town Clerk/Community Development Coordinator	<b>DEPARTMENT REPORT SUBMITTED BY:</b> Nicole Smart
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**REPORT:**

- Attended Code Enforcement League of Arizona monthly Board meeting.
- Attended the Arizona Municipal Clerks Association Elections Training Part Three.
- Attended the Mixed-Use Development RFP Proposal.
- The monthly Business License Report is attached for your review.
- Human Resources interviews for Court Administrator.
- Continue to work on record retention and cleanup of old files that have exceeded the required retention period.
- Continue work on Town inventory list.
- I would encourage all staff and Council to “like” the Town’s page and submit pictures and stories. [www.facebook.com/townofyoungtownaz](https://www.facebook.com/townofyoungtownaz).



## Town of Youngtown

### August 2021 Business License Report

#### New Business Licenses

• Transient	18
• Commercial	2
• Home Based	0

#### Renewals Business License

• Transient	0
• Commercial	0
• Home Based	0

New Business Licenses		Renewals Business License	
Transient	\$905.00	Transient	\$0.00
Commercial	\$133.34	Commercial	\$0.00
Home Based	\$0.00	Home Based	\$0.00
<b>TOTALS</b>	<b>\$1,038.34</b>	<b>TOTALS</b>	<b>\$0.00</b>

**Total Revenue for August 2021 = \$1,038.34**

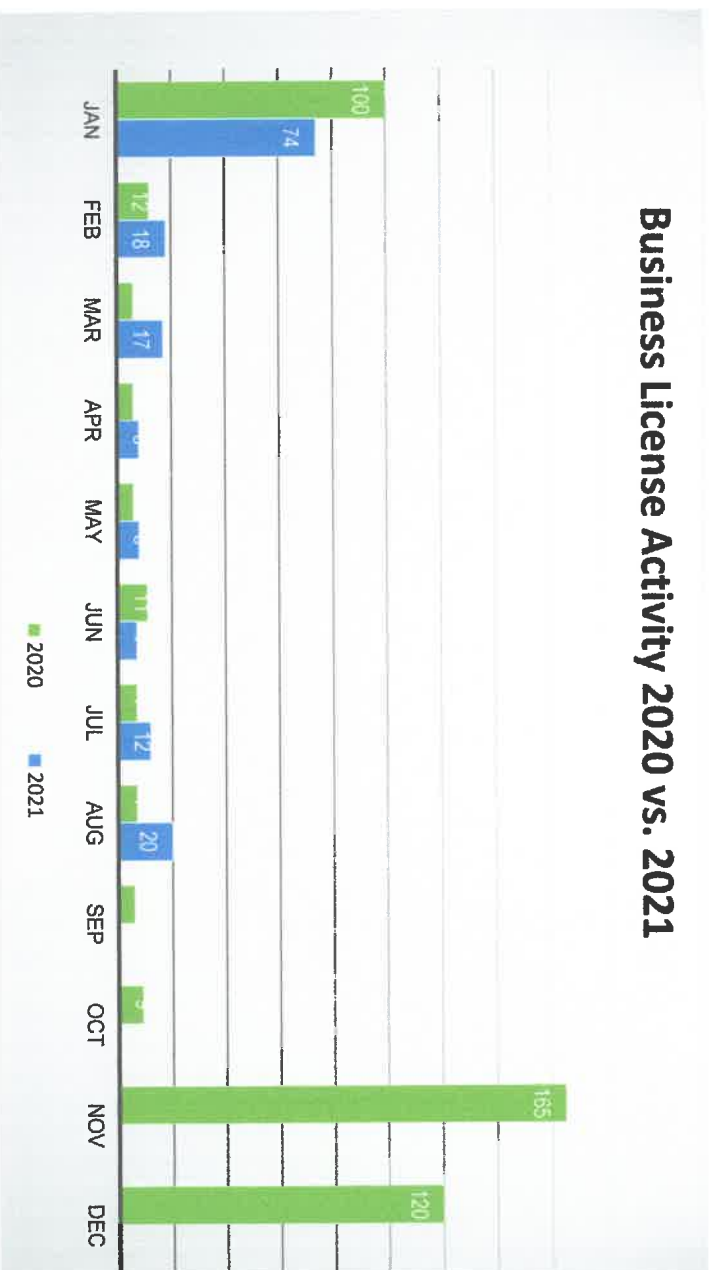
**There were two new Commercial Businesses for the Month of August:**

Paws Choose Us, LLC

Brenda's Kitchen LLC ( new owners)

**All licenses now expire on December 31st of each year.**

	2020	2021
Jan	100	74
Feb	12	18
Mar	6	17
Apr	6	8
May	6	8
Jun	11	7
Jul	7	12
Aug	7	20
Sep	6	
Oct	9	
Nov	165	
Dec	120	
<b>Total</b>	<b>455</b>	





## STAFF REPORT TO COUNCIL

<b>DEPARTMENT: Youngtown Municipal Court</b>	<b>DEPARTMENT REPORT SUBMITTED BY:</b> Court Clerk – Cynthia Upchurch
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### **REPORT:**

No formal presentation will be given on the following items:

#### **Citation Activity for July 2021:**

Citations filed by MCSO:	9
Citations Filed by Code:	1
Long Forms Filed by Prosecutor's Office:	0
Warrants issued:	23
Plea Agreements filed:	1
Diversion/differed prosecutions entered:	1
Cases dismissed by prosecutor:	3
Continuances filed by prosecutor:	3

#### **Citation Activity for August 2021:**

Citations filed by MCSO:	14
Citations Filed by Code:	0
Long Forms Filed by Prosecutor's Office:	0
Warrants issued:	21
Plea Agreements filed:	0
Diversion/differed prosecutions entered:	0
Cases dismissed by prosecutor:	3
Continuances filed by prosecutor:	0

**Note:** All Pre-trials set for the month of August were rescheduled to 9/16/2021 court session

### **The Youngtown Municipal Court daily operations include:**

Handling general inquires, payments in person and by phone, collection contact for past due cases, sentencing of cases and processing warrants for failure to appear/non-compliance of classes, jail or probation. Assisting the prosecutor's office with inquires and pretrial preparations. Assisting citizens by referral to the correct court affiliation for handling cases, providing contact information for law enforcement, animal control, directions to other Town services and local businesses.



**MINUTES OF THE REGULAR  
SPECIAL MEETING COMMON COUNCIL OF YOUNGTOWN, AZ  
12033 N. CLUBHOUSE SQUARE, TOWN COUNCIL CHAMBERS  
THURSDAY, AUGUST 11, 2021 at 5:30 P.M.**

1. **Call to Order:** Mayor LeVault called the meeting to order at 5:30 p.m.
2. **Roll Call:** Council present: Mayor Michael LeVault, Vice Mayor Chuck Vickers, Council Members, Margaret Chittenden, June Miller, Karen Haney Duncan. Council present telephonically - Councilmember Hout.

Mayor Michael LeVault noted that a quorum is established for transacting business.

Staff present telephonically: Town Manager Jeanne Blackman, Community Development Manager Gregory Arrington, and Town Clerk Nicole Smart.

3. **Pledge of Allegiance and Invocation:** Vice Mayor Vickers led the Pledge and Councilmember Chittenden gave the Invocation.

4. **Summary of Current Events:**

- A. Summary of Current Events from Mayor and Council.

Mayor LeVault mentioned he will be attending WESTMARC meeting with their legislature's event, and he will give an update of the meeting at a later date.

- B. Summary of Current Events from Town Manager

Town Manager mentioned they are keeping busy at Town Hall, and she will give an update at the next regular council meeting.

5. **Response to Call to the Community:** No response to Call to the Community.
6. **Citizens Comments/Apearances from the Floor:** No response from the Citizens.
7. **Business**

- A. **Presentation, Discussion and/or Action Re: Case No. Z2021-02: PAD Request.** Applicant GJK Holdings, LLC seeks approval of a planned area development (PAD) overlay zoning district for property located at 12600 N. 113<sup>th</sup> Avenue, Youngtown, AZ 85363, pursuant to **Title 17 Zoning, Chapter 17.48 Planned Area Overlay Districts, Section 17.48.010 Designation of District**, in order to allow the property to be developed subject to an approved plan of development for the site.

Community Development was in attendance to present the Plan Area Development, answer questions from Council. This item was scheduled tonight for approval, however, GJK Holdings, LLC is working with the Sun City Fire and Medical District for an

approved site plan. It's his understanding they did get the site plan resolved, and they will be coming back again next week at a special council meeting for an approval.

Applicant GJK Holdings, LLC seeks approval of a Planned Area Development (PAD) overlay zoning district for property located at 12600 N. 113<sup>th</sup> Avenue, Youngtown, AZ 85363, pursuant to **Title 17 Zoning, Chapter 17.48 Planned Area Overlay Districts, Section 17.48.010 Designation of District**, in order to allow the property to be developed subject to an approved plan of development for the site.

The underlying zoning district shall remain a C-1 Commercial District with modifications to **Chapter 17.36 C-1 Commercial District, Section 17.36.050 Intensity of Use**, which provides: Apartment dwellings with only one bedroom and one bathroom shall have a living area of at least six hundred forty (640) feet. All other apartment dwellings shall have a living area of at least eight hundred fifty (850) square feet. These requirements shall apply to the area enclosed by the walls proper of the house exclusive of open porches, pergolas or attached garages or carports, if any, or any similar extension thereof.

The effect of the PAD will be to allow Applicant to turn the existing fifty-five (55) office spaces into five hundred and fifty-eight (558) square feet one (1) bedroom units plus an office by modifying the standards in Chapter 17.36, Section 17.36.050 to increase the density and permit the multi-family housing units. The proposed project is located at 12600 N. 113<sup>th</sup> Avenue, Youngtown, AZ.

Property is owned by Gary Corato, GEM Capital Management, LLC which is in escrow with GJK Holdings, LLC.

The subject property is designated as Commercial on the General Plan. The proposed use is consistent with the General Plan.

The zoning designation of the property is C-1. The proposal is consistent with uses allowed in the R-3 zoning district. The applicant is requesting an amendment to Title 17 Zoning-Section 17.32.030 Intensity of Use. The Parcel was posted with the Public Hearing Notice as required by the public hearing procedures.

One resident spoke at the Citizens' Review Hearing held July 13, 2021 and staff believes his questions were answered by the applicant. The Planning and Zoning Hearing was held on July 20, 2021, and there were no comments from the public. The Community Development Manager Gregory Arrington gave an update to Council which was held on August 5, 2021. A public hearing will be held on August 11, 2021.

Staff does not expect any significant conflict with nearby commercial/residential uses in the area.

The Planning and Zoning Commissioner Ray Jacobs recommends approval with the conditions of approval.

Community Development Manager presented and reviewed the power point with Council.

Community Development Manager Arrington mentioned the front yard setup has been reduced from twenty feet to fifteen feet, due to the change of the site plan. The property owners will soften the front of the building with landscaping. The new site plan shows three-story buildings will be in the front of property, and one three-story building in the back of the property.

Fire Marshall Jim Fox mentioned they approved the conceptional site plan.

Community Development Manager Arrington mentioned the property will be called the Youngtown Flats.

Mayor LeVault mentioned to Council the site plan has changed, due to the fire truck being able to have access to all buildings.

Applicant Jerome Maldonado stated the existing buildings are the ones that will be reduced in size, and the new build will be one-bedroom apartments. The existing building frame fits with the 558 sq. ft. units, and we do not have to demolish the building to fit that size of units. This will be a full rental complex. We met with the Fire Marshall, and we came to a resolution to accommodate the parking and the Sun City Fire trucks.

Councilmember Hout asked if there will be off street parking.

Applicant Kyle Mitchell stated there will be a parking table.

Councilmember Miller asked if there will be parking space for each apartment.

Community Development Manager Arrington mentioned they will be following the parking table per the Town Codes.

Applicant Jerome Maldonado stated that they are bringing the building up to codes with the International Codes, and the Youngtown Codes.

Councilmember Haney Duncan asked where is the nearest fire hydrant the Fire Department will be able to use.

Fire Marshall Jim Fox stated the developer will be adding two hydrants; one at the west end where the turn-around is, and one in the central area. Fire Marshall Jim Fox will be working with the developers in regards to access, stairs, and other items.

Fire Marshall Jim Fox stated there will be no fencing allowed facing 113<sup>th</sup> Avenue, due to the fire department being able to access those buildings.

Mayor LeVault asked if they would need to add an elevator to the three stories building.

Community Development Manager Arrington stated an elevator is not needed for three stories building, elevator is only need anything above three stories.

Councilmember Chittenden asked if they are demolishing the building, to add the second story, and would they need additional re-enforcement for the foundation.

Applicant Jerome Maldonado stated the existing buildings are the ones that will be reduced in size, and the new build will be one-bedroom apartments, those will be one story only. The others will be new construction three story buildings.

Councilmember Hout asked how many units will there be?

Applicant Jerome Maldonado stated there will be 40 units that will be 558 sq. ft., three buildings will be a total of 64 units, for a grand total of 104 units.

Councilmember Haney Duncan asked if this will disrupt the traffic on 113<sup>th</sup> Avenue.

Community Development Manager Arrington mentioned they will be starting the remodel with the existing building.

Community Development Manager Arrington mentioned they will have a common area laundry room.

Councilmember Miller asked if each unit would have an HVAC?

Community Development Manager Arrington mentioned the new built will have an HVAC for each unit, however, the existing building will be one HVAC unit located on the roof.

Councilmember Chittenden asked if the apartments would be plumbed for washer and dryers?

Applicant Jerome Maldonado stated there will be a common area for the washer and dryer, and on the space showing on the plans would be a closet.

Councilmember Haney Duncan asked if all the tenant would have a key to the common laundry area, and would it be open all the time.

Applicant Jerome Maldonado stated there will be onsite maintenance and there will be hours of operations for the common laundry room.

Community Development Manager Arrington listed the Conditions of Approval.

1. This project shall be constructed according to the stipulation(s) set forth by the Youngtown Council.
2. Applicant must secure the required permits for construction.
3. Applicants will have the project inspected to ensure compliance with local codes.
4. An area map showing adjacent property owners' location of all buildings and existing uses within three hundred (300) feet of the parcel.
5. A legal description of the metes and bounds of the parcel.
6. The existing topographical features of the site.
7. A statement of intended design philosophy and environmental quality. This statement may be in writing, graphic, photographic or a combination of these.
8. Where portions of the site are subject to flooding, the map shall indicate extent and frequency; location of retention areas, calculations and maintenance responsibility.
9. The proposed circulation system and traffic analysis including any improvements needed to accommodate additional traffic; indicating whether they are public or private.
10. Delineation of the various land use areas indicating for each such area its general extent, size, total number of dwelling units and approximate percentage allocation by dwelling type, building arrangement, architectural style and exterior building materials and colors.
11. The interior open space system.
12. General statement as to how common open space is to be owned and maintained.
13. A calculation of the residential density in dwelling units per gross acre including interior roadways.
14. Perimeter treatment and relationship of the project to surrounding land uses.

15. If the development is to be phased, a general indication of how the phasing is to proceed. Whether or not the development is to be phased, the sketch plan shall show the intended total project.
16. Landscaping.
17. Screen planting.
18. Setback and height of building.
19. Paving, location of drives and parking areas.
20. Storm drainage and storm water retention.
21. Maintenance of grounds.
22. Regulation of signs.
23. Fences and walls.
24. Adequacy of vehicular (shall meet the requirements of Sun City Fire and Medical) and pedestrian circulation and access.
25. Timing and phasing.
26. Applicant will add sufficient landscaping in front of the development with approval of the Town Staff.
27. Applicant will meet all conditions from Sun City Fire and Medical District.

Mayor LeVault opened the public hearing at 6:10 p.m.

State Farm Agency business owner Wayne Barress asked what's the time frame the businesses would need to move out.

Mayor LeVault mentioned when he was at the property, he was asked the same question. Mayor LeVault stated to the tenant that the applicant does not have authority until they close escrow.

Applicant Jerome Maldonado stated they are working with the broker, and the tenants are still under the current owner, once they close on the property they will be able to help them relocate. A letter will be sent to businesses once they take ownership of the property. They have been speaking with the businesses and have let them know what their intent is, and they are willing to work with the businesses. The applicant spoke to some tenants that are willing to move to other locations that are available in Youngtown.

Mayor LeVault closed the public hearing at 6:20 p.m.

Councilmember Chittenden asked is it up to the current owner or the new owner to assist in relocation if a business has a long-term lease? Councilmember Chittenden asked if the 558 sq. ft. and the 640 sq. ft. apartments will cost the same to rent, and will pets be allowed and will there be restrictions on the number of pets and the breed?

Applicant Kyle Mitchell stated they will be assuming responsibility for the tenants of the building, and they will be working with them. Applicant stated there will be different price points which will be based on the square footage. Applicant stated pets will be allowed, and there will be a cap on the number of animals allowed. They also will have a pet area in the common ground.

Council Haney Duncan asked if the businesses will be able to rent a space for their businesses once the project is completed.

Applicant Kyle Mitchell stated the multi family is strictly apartments, and no business spaces will be rented.

*Approval of Ordinance 2021-04 Plan Development with 27 conditions of approval*

*Vice Mayor Vickers*

*Second – Councilmember Chittenden*

***Motion passed 6-0 on a roll call vote with all Councilmembers in attendance voting (Ayes: Mayor LeVault, Vice Mayor Vickers, Councilmember Chittenden, Haney Duncan and Councilmember Miller. Councilmember Hout telephonic voice vote was noted as aye.***

- B. Presentation, Discussion and/or Action Re:** Approval of a License Agreement between the United States Post Office and the Town of Youngtown for temporary use of Town property for the Youngtown Post Office for approximately six (6) months on the Town campus.

Mayor LeVault mentioned two weeks ago the post office area was flooded, along with the ACE Hardware store and the restaurant. Mayor LeVault stated he and with the Town Manager have had several meetings with Mr. Chapman, the building owner, in regards to the flooding issue, to discuss ways resolve this issue. Mayor LeVault mentioned the ideas they had on the table two years ago with Mr. Chapman are back on for further discussion.

Town Manager Blackman mentioned this is the same agreement we had with the United States Post Office two years ago to have the Post Office trailer on the Town property. Hopefully we will come to a resolution with Mr. Chapman to resolve this flooding issue once and for all.

Discussion followed in regards to the flooding issues at the post office, apartment building, and possible time frame when the issue will be resolved.

*Approval of a License Agreement between the United States Post Office and the Town of Youngtown for temporary use of Town property for the Youngtown Post Office for approximately six (6) months on the Town campus.*

*Councilmember Miller - Second – Councilmember Haney Duncan*

***Motion passed unanimously on a voice vote with all Councilmembers in attendance voting, and Councilmember Hout telephonic voice vote was noted as a yes.***

- 8. Call to Executive Session:** No Call to Executive Session.

- 9. Future Agenda & Meetings**

**A.** Future Agenda Items

**B.** The next Regular Council Meeting will be held on:

**I. Regular Council Meeting for Thursday, August 19, 2021 at 5:30 p.m.**

## **Adjournment**

*Motion to Adjourn – Councilmember Chittenden*

*Seconded – Councilmember Haney Duncan*

***Meeting Adjourned 6:44 p.m.***

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Michael LeVault, Mayor

Attest:

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Nicole Smart, Town Clerk

Minutes approved at the September 16, 2021 regular meeting



**INVENERGY OPEN HOUSE MEETING OF THE  
COMMON COUNCIL OF YOUNGTOWN, ARIZONA  
12033 N. CLUBHOUSE SQUARE, TOWN COUNCIL CHAMBERS  
AUGUST 12, 2021 at 5:00 P.M.**

1. **Call to Order:** Mayor LeVault called the meeting to order at 5:00 p.m.
2. **Roll Call:** Council present: Mayor Michael LeVault, Vice Mayor Chuck Vickers, Council Members Margaret Chittenden, June Miller, Karen Haney Duncan. Excused Councilmember Susan Hout.

Staff present: Town Manager Jeanne Blackman and Town Clerk Nicole Smart.

3. **Agenda Topics:**

A quorum was present, no action was taken at this meeting. Invenergy staff spoke to council and the citizens, one on one, regarding the operations and the proposed project in Youngtown.

Renewable Development Manager from Invenergy Paul Burman spoke in regards to battery energy storage systems, uses, and how power is stored, including life/safety considerations, traffic and /or other impacts to the community. Other discussion included legal requirements for the Proposed Facility, building permits, fire and building inspections, and zoning considerations, timeline for the project and renderings of the facility, and project design, construction, and operation requirements.

**Adjournment**

*Meeting Adjourned 7:00 p.m.*

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Michael LeVault, Mayor

Attest:

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Nicole Smart, Town Clerk

Minutes approved at the September 16, 2021 regular meeting



**MINUTES OF THE REGULAR  
MEETING COMMON COUNCIL OF YOUNGTOWN, AZ  
12033 N. CLUBHOUSE SQUARE, TOWN COUNCIL CHAMBERS  
THURSDAY, AUGUST 19, 2021 at 5:30 P.M.**

1. **Call to Order:** Mayor LeVault called the meeting to order at 5:30 p.m.
2. **Roll Call:** Council present: Mayor Michael LeVault, Vice Mayor Chuck Vickers, Council Members, Margaret Chittenden, June Miller and Karen Haney Duncan. Councilmember present telephonically Councilmember Susan Hout.

Mayor Michael LeVault noted that a quorum is established for transacting business.

Staff present: Town Manager Jeanne Blackman, Town Attorney Trish Stuhan, Clerk Nicole Smart, and Community Development Manager Gregory Arrington.

3. **Pledge of Allegiance and Invocation:** Councilmember Miller led the Pledge and Town Manager Blackman gave the Invocation.
4. **Summary of Current Events:**

**A. Summary of Current Events from Mayor and Council.**

Mayor LeVault mentioned he attended a Valley Metro meeting today, and the ridership is still down by fifty percentage pre-pandemic. This has already been an interesting dilemma, not dilemma, an interesting subject during the pandemic as ridership has ebbed and flowed. Just so you know that many cities in our city - in our region, including Glendale, Phoenix, Peoria, what that has done is that has created a surge of demand for our paratransit. One thing that you should know, and our Ride Choice, both -- in both areas, our paratransit provider, Transdev, and Ride Choice, American Logistics, have been met with the same challenges that others have is hiring sufficient number of drivers and workers to provide services.

Councilmember Chittenden mentioned there will be no dog park meeting in July and August, the next meeting will be September 18, 2021.

**B. Summary of Current Events from Town Manager**

Town Manager Blackman participated in the zoom meeting for regional homelessness coordination with Maricopa Association of Governments.

Town Manager Blackman conducted interviews for an administrative assistant and code enforcement/parking officer.

Town Manager Blackman participated in a zoom meeting with Invenergy and TEP (Tucson Electric Power) regarding the battery storage project.

Town Manager Blackman participated in the zoom monthly Maricopa Association of Governments Managers' meeting.

Town Manager Blackman participated in the special Council meeting regarding the multi-family housing project.

Town Manager Blackman attended the El Sol/Invenergy Battery Storage open house.

Town Manager Blackman participated in WebEx meeting for the Arizona Metropolitan Trust.

Town Manager Blackman mentioned Public Works will be spraying the weeds in the alleyways, which will be conducted on August 24<sup>th</sup> and 25<sup>th</sup> weather permitting.

Town Manager Blackman mentioned September is National "Get a Library Card" Month. To promote it, the library will be giving out prizes next month to any new patrons getting a library card.

Town Manager Blackman mentioned the library has received several deliveries of children's book donations from the Lakeview United Methodist Church to benefit the children of Youngtown, and in turn will be donating them to Discover U school.

**5. Staff Reports:**

- A. **Library:** No formal report was given.
- B. **Public Works:** No formal report was given.
- C. **Community Development:** No formal report was given.
- D. **Finance:** No formal report was given.
- E. **Town Clerk:** No formal report was given.
- F. **Municipal Court:** No formal report was given.

**6. Response to Call to the Community:** No response to Call to the Community.

**7. Citizens Comments/Appearances from the Floor:** No comments from Citizens.

**8. Consent**

**A. Approval of Minutes:**

Consent of the following minutes with the correction:

- I. Mayor's Town Hall and Special Meeting of June 29, 2021.
- II. Special Meeting of July 16, 2021
- III. Regular Council Meeting of August 5, 2021.

*Motion to approve the Consent minutes with changes– Councilmember Miller  
Second –Councilmember Haney Duncan.*

***Motion passed unanimously on a voice vote with all Councilmembers in attendance voting, and Councilmember Hout and Councilmember Haney Duncan telephonic voice vote was noted as a yes.***

## 9. Business

- A. Presentation, Discussion and/or Action Re:** Sun City Fire and Medical District (SCFD) Report, which may include discussion of inspections, fire prevention, staffing levels, response times, community needs, and ambulance services.

Fire Marshall Jim Fox thanked the Town of Youngtown for supporting the purchase of the ambulance. Fire Marshall Jim Fox presented the Sun City Fire and Medical District monthly reports. Discussion followed including inspections, fire preventions, and response times.

- B. Presentation, Discussion and/or Action Re:** Maricopa County Sheriff's Office (MCSO) Report, which may include discussion of crime statistics, specific crimes including traffic violations, thefts, violent crimes, trespass and issues with homelessness, crime prevention, MCSO staffing levels, community needs, and response times.

Lieutenant Todd Hogan reviewed the Maricopa County Sheriff's Office monthly reports, discussion followed including review of crime statistics, crimes including traffic violations, thefts, violent crimes, trespass and issues with the homelessness, and the Flock Safety cameras, etc.

Youngtown Citizen Jim Starke asked if there's an update on the Arizona Rangers, Affinium, and Law Enforcement Specialist.

Town Manager Blackman mentioned Affinium will be rolling out this evening, and we are still working on the contracts with Arizona Rangers and Law Enforcement Specialists.

- C. Presentation, Discussion and/or Action Re:** Approval of Resolution 2021-15 authorizing the submissions of an application for CDBG -CV Infrastructure funding.

Community Development Manager Arrington was in attendance and presented the approval of resolution 2021-15 authorizing the submission of an application for Community Development Block Grant-CV Infrastructures funding, and answer questions from Council.

Community Development Manager Arrington mentioned that staff is recommending moving forward with the Community Development Block Grant CARES Act application for the Youngtown Infrastructure Improvement. The financial request by the Town will be in the amount \$500,000.00 dollars and will be utilized in our existing business districts.

The creation of outdoor space which will allow for safe, socially distanced activity in areas where pedestrian volume is high and pedestrian space is limited. The Town would like to repurpose its on-street parking and underused parking by constructing permanent barriers such as railings, fences, or planter boxes, permanent awnings, spaced seating and improved lighting.

The Town has made a concerted effort to create a safe and walkable community for its residents and visitors alike. For many years now, the Town has been a participant in the Community Development Block Grant Program, and has over the years received over a million dollars in grants to improve the Town's infrastructure.

Mayor LeVault asked how much are we applying for, and when will the money will be awarded?

Community Development Manager Arrington stated they are applying for half a million dollars, and the monies have to be used by June 2023.

Discussion followed regarding the sidewalks in the business area.

*Approval of Resolution 2021-15 authorizing the submissions of an application for Community Development Block Grant (CDBG)-CV Infrastructures funding.*

*Vice Mayor Vickers*

*Second – Councilmember Chittenden*

***Motion passed unanimously on a voice vote with all Councilmembers in attendance voting, and Councilmember Hout telephonic voice vote was noted as a yes.***

**D. Presentation and Discussion Re: Legislative Updates.**

Town Attorney Stuhan presented the legislative updates, and to answer questions from Council.

Town Attorney Stuhan stated the League of Arizona Cities and Towns prepared a 2021 New Laws Report dated July 2021, with information regarding new laws adopted by the Arizona Legislature during the 55<sup>th</sup> Arizona Legislature.

There were 1,774 Bills introduced and 446 signed into law. The League's New Laws Report provides summaries of laws impacting cities and towns.

Town Attorney Stuhan presentation focused on key laws impacting Youngtown and how staff is adapting to the evolving legal landscape. Unless otherwise noted, the effective date of new laws is September 29, 2021. This is 90 days after the legislative session has concluded, which is the effective date for laws passed without an emergency clause or alternative effective date.

Town Attorney Stuhan highlighted some of the new laws as followed.

- HB2029 & HB2770 Mask update: Businesses are not required to enforce a mask mandate on its patrons.
- Budget Reconciliation - This year's budget reconciliation also included numerous Covid-19 Preemption Provisions. Cities and towns may not adopt any order, rule, ordinance or regulation related to Covid-19 that impacts private businesses, schools, churches, or other private entities. This includes face coverings (masks), business closures, or imposing a curfew. Cities and towns may enforce mitigation measures in their own buildings. Significant changes to the Governor's emergency authority and powers. See Chapter 405, Senate Bill 1819.

- Chapter 367 – HB2750 Licenses, Pandemics, Revocation, Prohibition – Prohibits cities and towns from permanently revoking any license held by a business for failure to comply with a state-issued emergency order unless it is demonstrated the business caused the transmission. There are also pre-suspension notices, dispute resolution requirements, and attorneys' fees provisions.
- Chapter 212 – SB1258 State of Emergency; Tolling Permits - If there is a state of emergency and cities or towns alter or limit ordinary government operations, the time period to apply for permits, licenses, etc. is tolled –which may provide more time to pull the permit and not be harmed by the emergency.
- Chapter 179- SB1377 – Civil Liability – Liability protections from a civil claim is acting in good faith to protect a person or public from injury during a public health state of emergency. Applies to claim filed on or after March 11, 2020.
- Chapter 324 – HB2624 – Public Officials, Entities, Civil Liabilities - Public entity not liable for damages caused by a public officer who renders emergency care gratuitously and in good faith in a public building, at a public gathering, on the grounds of a public building, or at the scene of an emergency (exemption if grossly negligent).
- Chapter 9 – HB2034 – Noxious Weeds - Cities and Towns may remove noxious weeds and should not be planting them. Prohibits a city or town from enforcing a fine, penalty, or assessment for a failure to remove rubbish, trash, weeds or dilapidated buildings before the 30-day notice requirement and time to request an appeal has lapsed.  
Note: Code enforcement procedures generally include a notice of violation. Most violations have a period to cure –i.e., ten to thirty days, depending on the violation. Nuisances require 30 days per state statute (A.R.S. §9-499).
- Chapter 149 – SB1429 – Solid Waste Services – Private Provider - Prohibits cities and towns from enforcing a criminal penalty against a resident who doesn't purchase solid waste collection services a private provider unless the provider contracts with the city/town for services and is billed through the city/town. Youngtown requires services in Section 8.08.110 but the penalty is civil –so no code amendment is required.
- Chapter 162 – HB2400 – Ordinances - Changes to the requirement for posting ordinances that impose a penalty –simple update to form of ordinance and clerk postings.
- Chapter 275 – SB1645 Publication of Ordinance – Allows cities and towns to publish statutorily required notices in a newspaper printed in the city or town or a newspaper printed and published within the county in which the city or town is located that has a greater circulation to residents of the city or town. •Avoids prior monopoly problem.
- Chapter 358 – SB1409 Zoning Ordinances - Before adopting any zoning ordinance (i.e., rezoning ordinance or PAD amendment) or text amendment to the Zoning Code, cities and towns must consider the probable impact on the cost to construct housing for sale or rent. Tips: •1. Revising application forms to ask applicant to provide housing information; •2. Staff to review housing information and provide information to Council for consideration; and •3. Form of ordinance updated to memorialize compliance.

- Chapter 427 – HB2906 Government Audits - Requires auditor to present findings to Council on an active agenda. Requires Council to demonstrate compliance with new law preempting cities and towns from using public monies for and requiring an employee to engage in orientation, training, or therapy that presents any form of blame or judgment based on race, ethnicity or sex.
- Chapter 161 – HB2242 – Agency Actions, fee awards - Liability? Note: Legislature increased caps on attorneys' fees against cities and towns -\$150,000 at each level of judicial appeal in certain actions.
- Law Enforcement – Various Amendments – Peace Officers & Law Enforcement Updates: Lots of Changes to Law Enforcement Laws (some of which are being challenged). Youngtown contracts with MCSO so most of these will not directly impact Youngtown.

Discussion followed regarding backyards, inoperable vehicles, weeds, and law enforcement.

**10. Call to Executive Session:** No Call to Executive Session.

#### **11. Future Agenda & Meetings**

A. Future Agenda Items

E. Announcement of the next Regular Council Meeting:

**The Council Meeting of September 2, 2021 is cancelled.**

**Next Regular Council Meeting will be Thursday, September 16, 2021 at 5:30 p.m.**

#### **Adjournment**

*Motion to Adjourn – Councilmember Miller*

*Seconded – Councilmember Haney Duncan*

***Meeting Adjourned 6:34 p.m.***

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Michael LeVault, Mayor

Attest:

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Nicole Smart, Town Clerk

Minutes approved at the September 16, 2021 regular meeting



**COFFEE WITH A COP MEETING  
COMMON COUNCIL OF YOUNGTOWN, ARIZONA  
12033 N. CLUBHOUSE SQUARE, TOWN COUNCIL CHAMBERS  
AUGUST 21, 2021 at 9:00 A.M.**

1. **Call to Order:** Mayor LeVault called the meeting to order at 9:00 a.m.
2. **Roll Call:** Council present: Mayor Michael LeVault, Vice Mayor Chuck Vickers, Council Members Margaret Chittenden, June Miller, Karen Haney Duncan and Susan Hout.

Staff present: Town Manager Jeanne Blackman and Town Clerk Nicole Smart.

3. **Business:**

A quorum was present, no action was taken at this meeting. Sheriff Paul Penzone and the deputies spoke to council and the citizens one on one, regarding law enforcement issues.

Sheriff Paul Penzone spoke in regards to patrol services, Maricopa County Sheriff's Offices staffing levels, policing needs, and other areas of concerns.

**Adjournment**

*Meeting Adjourned 11:00 a.m.*

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Michael LeVault, Mayor

Attest:

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Nicole Smart, Town Clerk

Minutes approved at the September 16, 2021 regular meeting



**SPECIAL MINUTES OF THE REGULAR  
MEETING COMMON COUNCIL OF YOUNGTOWN, AZ  
12033 N. CLUBHOUSE SQUARE, TOWN COUNCIL CHAMBERS  
MONDAY, AUGUST 30, 2021 at 5:30 P.M.**

1. **Call to Order:** Mayor LeVault called the meeting to order at 5:30 p.m.
2. **Roll Call:** Council present: Mayor Michael LeVault, Vice Mayor Chuck Vickers, Council Members, Margaret Chittenden, June Miller, Susan Hout and Karen Haney Duncan.
3. Mayor Michael LeVault noted that a quorum is established for transacting business.

Staff present: Town Manager Jeanne Blackman, Town Attorney Trish Stuhan, Town Clerk Nicole Smart.

4. **Pledge of Allegiance and Invocation:** Councilmember Miller led the Pledge and Town Manager Blackman gave the Invocation.

5. **Summary of Current Events:**

A. Summary of Current Events from Mayor and Council.

Mayor LeVault mentioned a three-pronged approach has been put in place to assist MCSO in issues affecting the Town. Affinium Protection Services have been put in place, and they are providing security services in Youngtown from 10:00 p.m. to 6:00 a.m. Also, we will be signing a contract with the Law Enforcement Specialist in a couple of weeks, and they will be out on the street from 2:00 p.m. to 10:00 p.m.

Councilmember Chittenden mentioned that most of Council will be attending the Arizona League of Cities and Towns, and she's looking forward to attending some of the work sessions.

6. **Response to Call to the Community:** No response to Call to the Community.
7. **Citizens Comments/Appearances from the Floor:** No comments from Citizens.
8. **Business**

A. **Discussion and/or Action Re:** Approval of the Intergovernmental Agreement between the City of El Mirage and the Town of Youngtown for Shared Transit Services to provide transportation to the El Mirage Senior Center.

Town Manager Blackman was in attendance to present the Intergovernmental Agreement with City of El Mirage in regards to the shared Transit Services to provide transportation to the El Mirage Senior Center, and answer questions from Council.

Town Manager Blackman mentioned the Town contracted with El Mirage a few years ago, and we didn't renew the last year as everything was shut down due to Covid. The Town has partnered with El Mirage as we do not have a Senior Center, and this is one way we can provide a benefit to our seniors in Youngtown for socialization and other programs provided at the Center.

Mayor LeVault mentioned due to the lack of the mass transit in the West Valley, this is a great program for the Town Seniors to get involved in social activity.

Councilmember Chittenden asked what kind of interest have we had for the seniors to do this, and where are the seniors being picked up?

Town Manager Blackman mentioned that two years ago they did one hundred and fifty-six trips though out the year. We had some inquiries from residents this year to see if the Town was going to partner again with El Mirage. Currently, there has been an uptick in interest and the Town is looking forward to partnering with El Mirage. The seniors are being picked up at their homes.

*Approval of the Intergovernmental Agreement between the City of El Mirage and the Town of Youngtown for Shared Transit Services to provide transportation to the El Mirage Senior Center.*

*Councilmember Haney Duncan*

*Second – Vice Mayor Vickers*

***Motion passed unanimously on a voice vote with all Councilmembers in attendance voting.***

**B. Presentation, Discussion and/or Action Re: Review of applications for the vacant Youngtown Town Council seat.**

Each candidate will have an opportunity for a two minutes opening statement and then we will open up to questions from Council. Each candidate will be interviewed alphabetically according to their first name. The order for interviews were as follows, starting with the two applicants who called in electronically, Ensign Beesley and Christina Price. The interviews will continue with Ann Marie Nelson, Brian Olson, Douglas Walker, Linda Wallace Howard, Michael Francis, and Randy Givens.

**C. Mayor LeVault called to convene executive session pursuant to A.R.S. 38-431.03(A)(1) for discussion or consultation of appointment of applicants for Town Council. The applicants are:**

- Anne Marie Nelson
- Brian Olson
- Douglas Walker
- Christina Price
- Ensign Beesley
- Linda Wallace-Howard
- Michael Francis
- Randy Givens

Motion to adjourned the Regular Council Meeting to go into an Executive Session at 6:03 p.m.

Councilmember Chittenden  
Second Haney Duncan

Regular Council Meeting resumed at 8:46 p.m.

Following executive session, the Town Council returned to the public meeting and may take action to appoint an applicant to fill the Council vacancy and/or schedule future interviews or procedures for appointment.

All applicants have returned to Council Chambers, Anne Marie Nelson, Brian Olson, Douglas Walker, Linda Wallace-Howard, Michael Francis and Randy Givens. Ensign Beesley attended the meeting telephonically. Christina Prince was not in attendance.

Councilmember Chittenden thanked all the applicants for being here, and this is the largest number of applicants the Town has ever had, and it's very educational to see how many people are interested in the Town and hear their thoughts. Councilmember Chittenden stated that if you are not appointed, the Town has an election coming up, and she encourages them to run, and participate in the Town's activities.

Councilmember Haney Duncan made a motion to nominate Michael Francis.

Second by Vice Mayor Vickers to nominate Michael Francis.

Councilmember Miller mentioned that Michael has attended most Council meetings, he's on the Community Garden Board. Michael helps out here with water and chairs, and he has shown more interest than any of the applicants. They have enjoyed speaking to all eight applicants.

Councilmember Chittenden mentioned that before she was appointed she attended the council meeting, however, we are all working, however, she appreciated all the applicants for applying and coming tonight. If they have any questions, please feel free to contact her.

Councilmember Susan Hout thanked everyone for coming out tonight, and encouraged the candidates to run for the next election.

Vice Mayor Vickers mentioned the one reason he agrees in nominating Michael Francis is that he has known him for a few years, and Mike has checked out all of the boxes. Michael Francis has been attending all of the Council Meetings, he has run twice for election, and attended the Citizens Academy, and he is also on the Community Garden Board. Michael Francis also has helped out with projects around the town. Vice Mayor Vickers encourages all the applicants to get involved in the community for people to get to know you. If you need more information in regards to the Town, go to Town Hall as they have a lot of information to share on what is happening in the Town.

Mayor LeVault mentioned that there is only one seat to fill tonight, however, he encourages the applicants to get involved and run for election next year.

Councilmember Haney Duncan thanked the applicants for coming and being a part of the process to be part of Council. She encourages everyone to run in the next election.

*Councilmember Haney Duncan  
Second – Vice Mayors Vickers*

***Motion passed 5-1 on a roll call vote with all Councilmembers in Attendance voting (Ayes: Mayor LeVault, Vice Mayor Vickers, Councilmembers Miller, Chittenden and Haney Duncan. Councilmember Hout's vote was noted as abstained.***

**2. Future Agenda & Meetings**

**A.** There may be discussion of whether to place an item on a future agenda and the date, but not the merits of the item.

**B.** Announcement of the next Regular Council Meeting:

**The Council Meeting of September 2, 2021 is cancelled.**

**Next Regular Council Meeting will be Thursday, September 16, 2021 at 5:30 p.m.**

**Adjournment**

*Motion to Adjourn – Vice Mayor Vickers  
Seconded – Councilmember Miller  
Meeting Adjourned 8:55 p.m.*

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Michael LeVault, Mayor

Attest:

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Nicole Smart, Town Clerk

Minutes approved at the September 16, 2021 regular meeting



**Town of Youngtown  
12030 N. Clubhouse Square  
Youngtown, Arizona 85363**

### **OATH OF OFFICE**

County of Maricopa  
State of Arizona

I, Michael Francis, do solemnly swear that I will support the Constitution of the United States and the Constitution and laws of the State of Arizona, that I will bear true faith and allegiance to the same, and defend them against all enemies, foreign and domestic, and that I will faithfully and impartially discharge the duties of the office of Councilmember according to the best of my ability, so help me God.

---

**MICHAEL FRANCIS**

Subscribed and sworn to before me on this 16<sup>th</sup> day of September, 2021.

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**Nicole Smart, CMC  
Town Clerk**

**SUN CITY FIRE DISTRICT  
YOUNGTOWN MONTHLY REPORT  
AUGUST, 2021**

<b>INCIDENT RESPONSE SUMMARY</b>				
<b>Incident Type</b>	<b>AUG 2021</b>	<b>YTD</b>	<b>AUG 2020</b>	<b>YTD</b>
<b>FIRE</b>	2	37	2	36
<b>RESCUE &amp; EMS INCIDENT</b>	134	1,086	150	946
<b>HAZARDOUS CONDITION (NO FIRE)</b>	0	0	0	7
<b>SERVICE CALL</b>	0	10	1	15
<b>GOOD INTENT CALL</b>	0	15	1	11
<b>FALSE ALARM &amp; FALSE CALL</b>	0	13	4	26
<b>INCIDENT TOTAL</b>	<b>136</b>	<b>1,161</b>	<b>158</b>	<b>1,041</b>

<b>PREVENTION INSPECTION SUMMARY</b>				
<b>Property Use</b>	<b>Number of Initial</b>	<b>Number of Reinspects</b>	<b>Total Inspections</b>	<b>Total Violations</b>
<b>ASSEMBLY</b>	10	4	14	3
<b>EDUCATIONAL</b>	0	0	0	0
<b>HEALTH CARE, DETENTION, &amp; CORRECTION</b>	1	0	1	0
<b>RESIDENTIAL</b>	2	0	2	0
<b>MERCANTILE &amp; BUSINESS</b>	47	1	48	0
<b>STORAGE</b>	1	0	1	0
<b>SPECIAL PROPERTY &amp; OTHER</b>	0	0	0	0
<b>TOTAL INSPECTIONS</b>	<b>61</b>	<b>5</b>	<b>66</b>	<b>3</b>



Maricopa County Sheriff's Office

## Annual Report for Youngtown

This report reflects a year to year comparison of calls for service and on view based on the primary deputy's call sign.

### Data Sources and Knowledge Stores

The Maricopa County Sheriff's Office (MCSO) utilizes Intergraph's Computer-Aided Dispatch (I/CAD), that went live within the MCSO on September 24th, 2018.

### Definitions

**Calls for Service (CFS)** – occurs when a resident contacts the Office, typically by phone, and a deputy is dispatched to handle the call (Wilson & Weiss, 2009). They include calls to "911" for emergency assistance along with to non-emergency numbers (Police Data Initiative, n.d.).

**Deputy Initiated Activities (On View/DV)** – occurs when a deputy initiates the dispatch by conducting a traffic stop or other proactive policing event.

**Unknown Origin** – this occurs when the I/CAD is unable to determine the origin of the event. This is rare but does happen.

### Additional Information

An asterisk (\*) indicates subcodes were grouped under the main event category. For example, speeding and no seatbelt, etc., are grouped under the main event category Traffic Violation\*.

### References

Police Data Initiative. (n.d.). *Calls for Service*. Retrieved June 13, 2018, from Police Data Initiative: <https://www.policedatainitiative.org/datasets/calls-for-service/>

Wilson, J., & Weiss, A. (2009). *A performance-based approach to police staffing and allocation* Washington, DC: Office of Community Oriented Policing Services.

## Top 20 Calls For Service

Event Category	2019	2020	2021
WELFARE CHECK	725	591	447
TRESPASSING	152	272	216
SUSPICIOUS PERSON	161	181	141
FALSE BURGLAR ALARM*	148	112	58
CIVIL ACTION	108	86	103
LOUD NEIGHBORS	102	102	90
DISTURBING			
UNWANTED GUEST	80	124	75
SUSPICIOUS ACTIVITY	86	97	85
CITIZEN/MOTORIST ASSIST	92	77	68
FOLLOW UP	83	82	57
SUSPICIOUS PERSON AND VEHICLE	66	85	60
THEFT	68	79	55
CRIMINAL DAMAGE	54	53	34
INJURED/SICK PERSON	62	50	28
CIVIL MATTER/STANDBY	58	42	19
LOITERING	31	29	46
ASSIST OTHER AGENCY	44	33	26
FIGHT/MUTUAL COMBAT (DV)	30	40	17
ANIMAL PROBLEM	45	26	10
VEHICLE CRASH (NO INJURIES)*	35	29	16
<b>Total</b>	<b>2230</b>	<b>2190</b>	<b>1651</b>

## Top 20 On View

Event Category	2019	2020	2021
PATROL/VACATION WATCH	957	854	396
FOLLOW UP	433	270	167
TRAFFIC VIOLATION*	369	295	84
WELFARE CHECK	94	71	27
CITIZEN/MOTORIST ASSIST	68	58	41
TRESPASSING	38	67	59
SUSPICIOUS PERSON	50	71	34
COMMUNITY POLICING*	57	54	31
SUSPICIOUS PERSON AND VEHICLE	38	59	31
TRAFFIC CONTROL	98	22	2
SUSPICIOUS VEHICLE	27	42	19
SPECIAL DETAIL	21	15	21
ORDERS OF PROT - HARASS -	16	14	23
CIVIL USE ONLY			
ASSIST OTHER AGENCY	20	11	7
WARRANT ARREST ATTEMPT	9	12	8
CIVIL SUMMONS - CIVIL USE ONLY	8	13	7
SUSPICIOUS ACTIVITY	5	9	12
WARRANT ARREST	8	7	10
WARRANT ARREST -	5	7	10
MISDEMEANOR WARRANTS			
LOITERING	8	10	2
<b>Total</b>	<b>2329</b>	<b>1961</b>	<b>991</b>

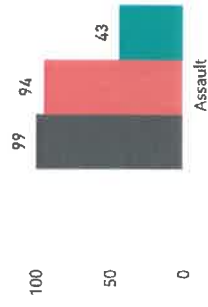
## Top 20 Calls for Service with Incident Reports

Event Category	2019	2020	2021
WELFARE CHECK	75	66	64
THEFT	54	60	43
CRIMINAL DAMAGE	50	45	28
TRESPASSING	19	40	46
BURGLARY FROM VEHICLE	26	22	29
CONVENIENCE MARKET THEFT	37	20	7
DEAD BODY	25	19	16
SUSPICIOUS ACTIVITY	15	29	11
SUSPICIOUS PERSON	14	23	17
VEHICLE CRASH (NO INJURIES)*	21	21	11
<b>Total</b>	<b>336</b>	<b>345</b>	<b>272</b>

## Major Crime Indicators

200

150



Year ● 2019 ● 2020 ● 2021



Maricopa County Sheriff's Office

## Annual Report for Youngtown

August, 2021

### Top 20 Calls For Service

Event Category	2021	Event Category	2021	Event Category	2021
WELFARE CHECK	51	FOLLOW UP	22	FOLLOW UP	22
TRESPASSING	29	PATROL/VACATION WATCH	20	PATROL/VACATION WATCH	20
SUSPICIOUS PERSON	16	TRAFFIC VIOLATION*	10	TRAFFIC VIOLATION*	10
LOUD NEIGHBORS DISTURBING	10	SUSPICIOUS PERSON	9	SUSPICIOUS PERSON	9
CITIZEN/MOTORIST ASSIST	7	TRESPASSING	8	TRESPASSING	8
SUSPICIOUS ACTIVITY	7	SUSPICIOUS PERSON AND VEHICLE	6	SUSPICIOUS PERSON AND VEHICLE	6
SUSPICIOUS PERSON AND VEHICLE	7	ORDERS OF PROT - HARASS - CIVIL USE	4	ORDERS OF PROT - HARASS - CIVIL USE	4
UNWANTED GUEST	7	ONLY	4	ONLY	4
CIVIL ACTION	6	SPECIAL DETAIL	3	SPECIAL DETAIL	3
FALSE BURGLAR ALARM*	6	SUSPICIOUS ACTIVITY	3	SUSPICIOUS ACTIVITY	3
LOITERING	6	SUSPICIOUS ACTIVITY	3	SUSPICIOUS ACTIVITY	3
THEFT	5	CITIZEN/MOTORIST ASSIST	2	CITIZEN/MOTORIST ASSIST	2
<b>Total</b>	<b>157</b>	SUSPICIOUS VEHICLE	2	SUSPICIOUS VEHICLE	2
		WARRANT ARREST -	2	WARRANT ARREST -	2
		MISDEMEANOR WARRANTS	2	MISDEMEANOR WARRANTS	2
		WARRANT ARREST ATTEMPT	2	WARRANT ARREST ATTEMPT	2
		WELFARE CHECK	2	WELFARE CHECK	2
		<b>Total</b>	<b>95</b>	<b>Total</b>	<b>95</b>

### Top 10 Calls for Service with Reports

Event Category	2021
FOLLOW UP	22
PATROL/VACATION WATCH	20
TRAFFIC VIOLATION*	10
SUSPICIOUS PERSON	9
TRESPASSING	8
SUSPICIOUS PERSON AND VEHICLE	6
ORDERS OF PROT - HARASS - CIVIL USE	4
ONLY	4
SPECIAL DETAIL	3
SUSPICIOUS ACTIVITY	3
<b>Total</b>	<b>85</b>

### Top 10 On View

Event Category	2021
FOLLOW UP	51
PATROL/VACATION WATCH	29
TRAFFIC VIOLATION*	16
SUSPICIOUS PERSON	10
TRESPASSING	7
SUSPICIOUS PERSON AND VEHICLE	7
ORDERS OF PROT - HARASS - CIVIL	7
USE ONLY	6
SPECIAL DETAIL	6
SUSPICIOUS ACTIVITY	6
CITIZEN/MOTORIST ASSIST	5
SUSPICIOUS VEHICLE	5
WARRANT ARREST -	5
MISDEMEANOR WARRANTS	5
WARRANT ARREST ATTEMPT	5
WELFARE CHECK	5
<b>Total</b>	<b>157</b>

### Areas of Special Interest

Event Category	2021
DUI	1
NARCOTICS/OTHER DRUGS	2
SEX CRIME - OTHER THAN RAPE	1
SEXUAL ASSAULT - MINOR VICTIM	2
SEXUAL ASSAULT ADULT	1
<b>Total</b>	<b>7</b>

### Events by Call Source

Call Source	2021
Calls for Service (CFS)	249
Deputy Initiated Activities (On View/OV)	111
<b>Total</b>	<b>360</b>

### Calls for Service by Day of Week

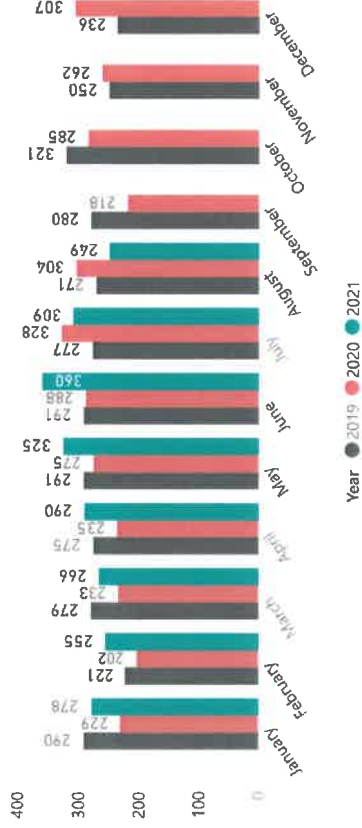


### Major Crime Indicators

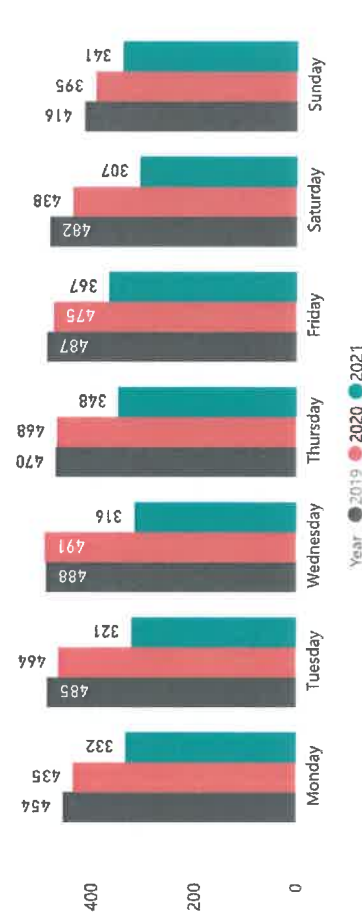


# CALLS FOR SERVICE

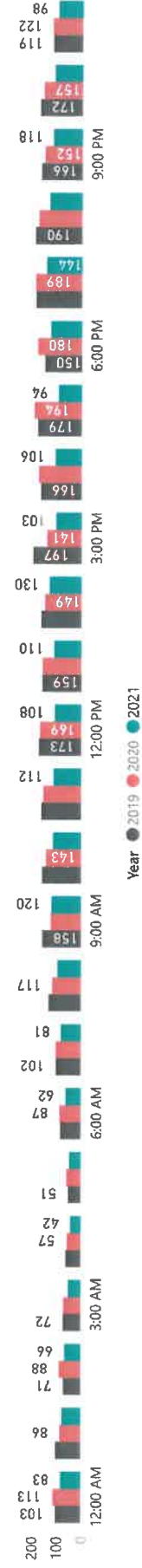
Calls for Service by Month



Calls for Service by Day of Week



Calls for Service by Hour



Calls for Service by Year and Hour of the Day

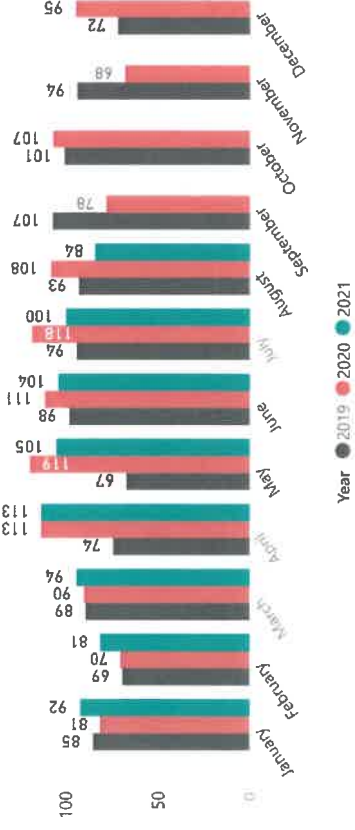
Year	00:00	01:00	02:00	03:00	04:00	05:00	06:00	07:00	08:00	09:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00	Total
2019	103	103	71	72	62	51	84	102	132	158	159	163	173	159	164	197	166	175	150	187	190	166	172	119	3282
2020	113	86	88	71	57	59	87	103	117	124	143	155	169	158	149	141	175	184	180	183	177	152	157	122	3166
2021	83	77	66	51	42	47	62	81	95	120	115	112	108	110	130	103	106	94	126	144	132	118	112	98	2332
Total	299	266	225	194	161	157	233	286	344	402	417	430	450	427	443	441	447	467	456	520	499	436	441	339	8780

Calls for Service by Day of the Week and Hour of the Day

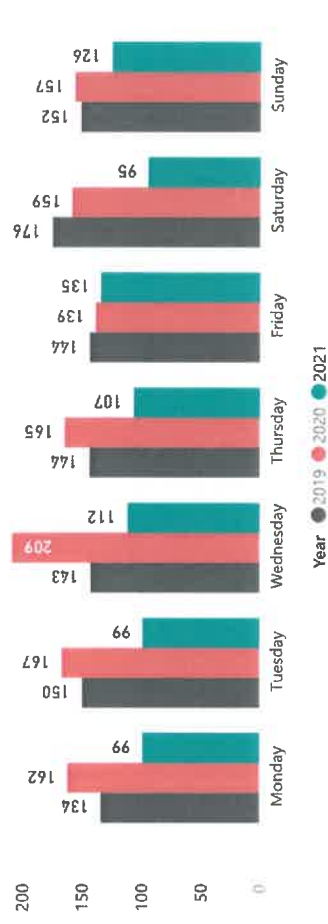
Day Name	00:00	01:00	02:00	03:00	04:00	05:00	06:00	07:00	08:00	09:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00	Total
Monday	40	32	29	25	22	14	30	34	52	74	60	62	66	78	62	66	56	60	56	61	28	51	50	51	1221
Tuesday	46	43	35	25	20	26	35	48	60	70	59	62	77	60	58	62	65	66	61	74	59	63	54	41	1270
Wednesday	33	40	33	27	28	26	32	32	44	64	69	71	78	79	63	70	61	73	58	79	83	47	58	47	1295
Thursday	24	30	28	25	22	28	51	54	67	54	76	52	64	42	64	63	71	68	66	76	69	67	54	51	1286
Friday	41	31	25	32	24	25	33	48	55	47	58	66	53	60	87	87	84	60	80	85	77	69	72	50	1329
Saturday	48	47	43	31	21	21	27	36	32	46	50	63	45	52	57	49	50	58	68	64	61	74	68	66	1227
Sunday	67	43	32	29	24	17	25	34	45	48	45	43	67	56	51	44	60	62	67	81	59	65	55	33	1152
Total	299	266	225	194	161	157	233	286	344	402	417	430	450	427	443	441	447	467	456	520	499	436	441	339	8780

# CALLS FOR SERVICE ASSISTING UNITS

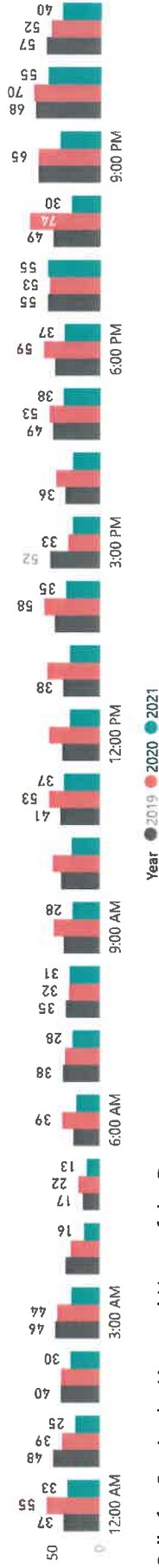
Calls for Service by Month



Calls for Service by Day of Week



Calls for Service by Hour



Calls for Service by Year and Hour of the Day

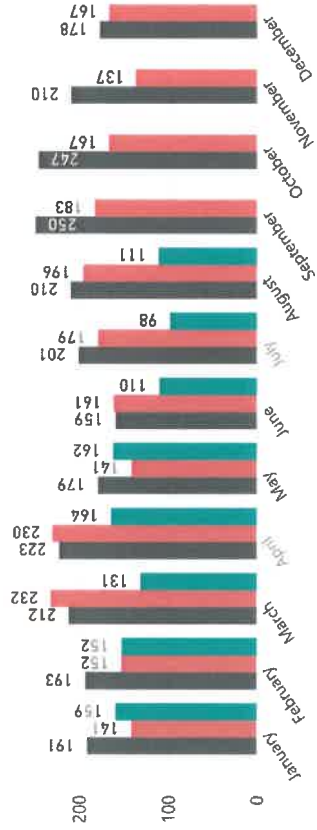
Year	00:00	01:00	02:00	03:00	04:00	05:00	06:00	07:00	08:00	09:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00	Total
2019	37	48	40	46	35	17	27	38	35	37	40	41	39	38	47	52	36	49	47	55	49	65	68	57	1043
2020	53	39	40	44	30	22	39	36	32	48	49	53	53	55	54	33	46	53	59	53	74	65	70	52	1158
2021	33	25	30	29	16	13	24	28	31	28	29	37	31	31	35	28	28	38	37	59	30	42	55	40	773
Total	125	112	110	119	81	52	90	102	98	113	118	131	123	124	140	113	110	140	143	163	153	172	193	149	2974

Calls for Service by Day of the Week and Hour of the Day

Day Name	00:00	01:00	02:00	03:00	04:00	05:00	06:00	07:00	08:00	09:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00	Total
Monday	17	14	14	16	13	6	13	16	13	20	13	17	15	19	19	14	10	35	14	14	22	21	24	26	395
Tuesday	19	23	12	17	9	11	12	14	16	21	23	20	24	17	22	15	16	23	16	18	17	18	21	15	416
Wednesday	17	18	23	18	17	7	12	9	13	23	25	18	14	26	18	21	23	18	18	28	28	18	28	24	464
Thursday	11	12	10	11	11	9	14	20	23	13	22	16	17	12	21	18	9	13	25	34	28	27	25	25	416
Friday	18	10	12	25	13	8	13	13	14	8	12	20	15	18	25	17	17	19	21	26	16	32	26	20	418
Saturday	18	21	23	14	5	6	10	13	8	13	13	21	17	18	16	14	17	19	26	21	25	25	35	26	430
Sunday	25	15	16	18	13	5	16	17	11	15	11	19	21	14	19	14	18	24	23	32	17	27	34	11	435
Total	125	112	110	119	81	52	90	102	98	113	118	131	123	124	140	113	110	140	143	163	153	172	193	149	2974

# ON VIEW

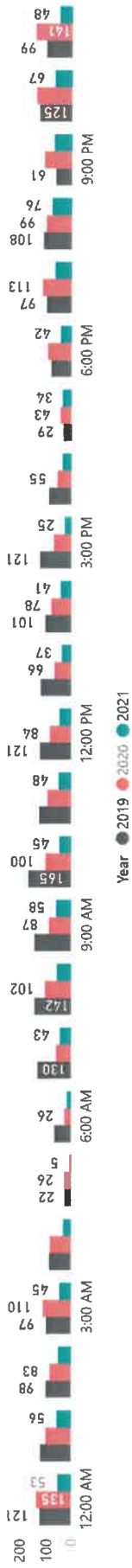
On View by Month



On View by Day of Week



On View by Hour



On View by Year and Hour of the Day

Year	00:00	01:00	02:00	03:00	04:00	05:00	06:00	07:00	08:00	09:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00	Total
2019	121	119	98	97	85	22	64	130	142	142	165	123	121	118	101	111	87	29	78	97	108	61	125	99	2453
2020	135	99	83	130	83	26	26	59	102	87	100	92	84	66	78	69	55	43	92	113	99	106	138	131	2086
2021	53	56	51	45	30	5	16	43	55	58	45	48	45	37	41	25	34	34	42	64	76	69	67	48	1087
Total	309	274	232	252	198	53	106	232	299	287	310	263	250	221	220	215	176	106	212	274	283	236	330	288	5626

On View by Day of the Week and Hour of the Day

Day Name	00:00	01:00	02:00	03:00	04:00	05:00	06:00	07:00	08:00	09:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00	Total
Monday	61	46	36	42	40	14	19	42	47	37	41	40	32	31	28	19	31	21	29	29	46	25	46	43	845
Tuesday	51	38	37	45	40	12	19	42	65	73	72	71	70	66	56	57	39	23	25	50	34	24	40	36	1094
Wednesday	46	40	32	39	38	8	26	40	57	50	54	47	33	34	34	46	43	14	23	28	22	36	45	44	879
Thursday	50	42	43	32	15	5	7	31	42	48	45	25	36	25	32	26	17	19	44	59	35	37	54	48	827
Friday	32	41	36	36	26	5	4	23	39	24	37	27	31	24	25	22	16	3	28	40	41	31	47	34	677
Saturday	35	39	26	29	16	5	17	18	28	25	27	18	13	17	14	17	7	5	23	37	62	57	48	36	607
Sunday	30	28	22	29	23	9	17	31	21	30	34	35	35	24	31	28	23	21	40	31	43	26	39	47	697
Total	309	274	232	252	198	53	106	232	299	287	310	263	250	221	220	215	176	106	212	274	283	236	330	288	5626

# TRAFFIC

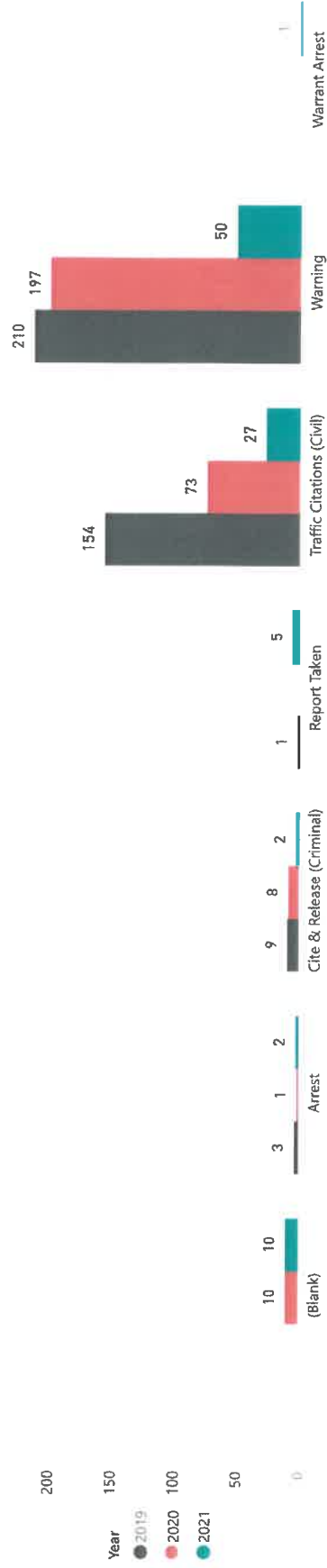
This report reflects the traffic stop activity based on call types for traffic violations (910) and reckless/overly aggressive driving (693/693R) along with DUI and aggravated DUI (692 and 692F) for all call sources (calls for service and on view). Canceled calls have been removed.

## Call Types by Year

DESCRIPTION	2019	2020	2021
WARRANT ARREST - IR GENERATED (NO NEW CHARGES FILED)	210	197	1
WARNING ISSUED	4	50	1
UNABLE TO LOCATE / UNABLE TO CONTACT FOR SERVICE	1	1	1
UNABLE TO CONTACT VIA PHONE	2	1	1
TOW TRUCK REQUEST OR CIVIL CITATION WITH VEHICLE TOW/IMPOUND	7	4	10
SUPERVISOR DUTIES	1	4	4
POLICE SERVICE REPORT SUPPLEMENT	1	1	1
POLICE SERVICE REPORT	1	1	1
OFFENSE REPORT WITH CITE & RELEASE - NON TRAFFIC	3	1	2
OFFENSE REPORT WITH BOOKING - INCLUDES TRAFFIC / NON-TRAFFIC	4	3	11
OFFENSE REPORT SUPPLEMENT	4	3	11
OFFENSE REPORT NO ARREST - NON TRAFFIC	19	2	5
NON TRAFFIC CONTACT FORM COMPLETED-NO IR	4	1	4
INCIDENTAL CONTACT	1	1	1
DETAIL COMPLETED VIA PHONE	1	1	1
DETAIL COMPLETED AS PRIMARY UNIT	4	3	3
DETAIL COMPLETED AS ASSISTING UNIT	39	64	62
CRIMINAL TRAFFIC CITE & RELEASE NO PROPERTY IMPOUNDED	6	6	6
CRIMINAL TRAFFIC CITE & RELEASE *PROPERTY IMPOUNDED	2	2	1
CIVIL CITATION *PROPERTY IMPOUNDED - IR GENERATED	7	6	6
CIVIL CITATION - NO IR	145	67	27
<b>Total</b>	<b>440</b>	<b>374</b>	<b>182</b>

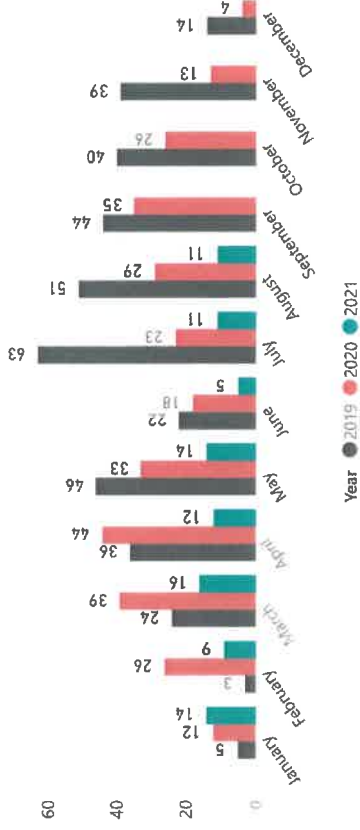
Description	2019	2020	2021
TRAFFIC VIOLATION - SPEEDING	163	129	18
TRAFFIC VIOLATION - STOP SIGN - RED LIGHT	103	65	40
TRAFFIC VIOLATION - NON-MOVING OTHER	33	35	4
TRAFFIC VIOLATION - MOVING OTHER	30	17	8
BICYCLE STOP	25	7	7
TRAFFIC VIOLATION	10	8	8
TRAFFIC VIOLATION - EXPIRED PLATES	15	2	2
TRAFFIC VIOLATION - SUSPENDED DRIVERS LICENSE	6	8	3
DUI	5	5	3
RECKLESS DRIVING	8	2	3
PROOF OF INSURANCE/MANDATORY INSURANCE	7	1	3
SUSPENSION	2	3	1
TRAFFIC VIOLATION - INVALID REGISTRATION	1	1	2
DUI - AGG. DUI	2	1	1
TRAFFIC VIOLATION - SUSPENDED REGISTRATION	1	1	1
TRAFFIC VIOLATION - FAILURE TO SIGNAL	1	1	1
OVERLY AGGRESSIVE DRIVER	1	1	1
<b>Total</b>	<b>387</b>	<b>302</b>	<b>92</b>

## Disposition Categories by Year



# TRAFFIC

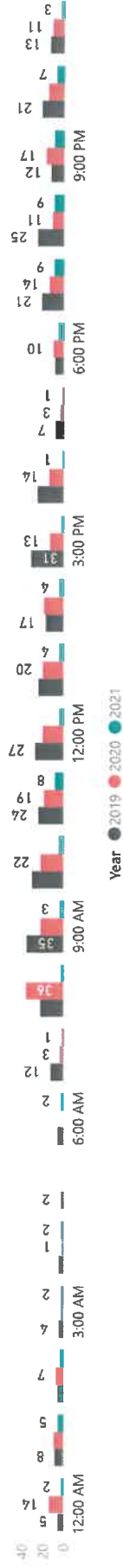
Traffic by Month



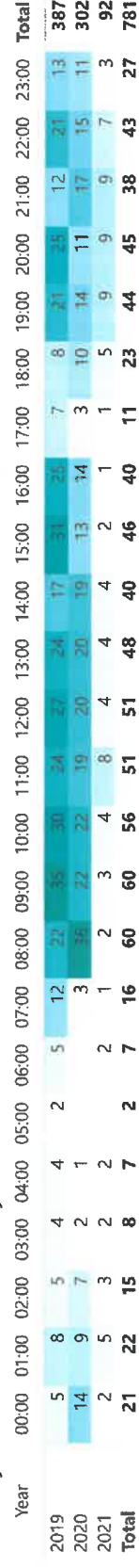
Traffic by Day of Week



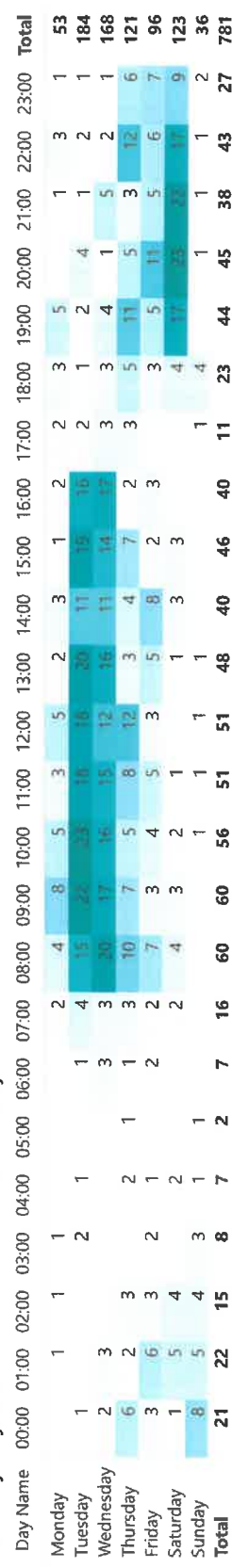
Traffic by Hour



Traffic by Year and Hour of the Day



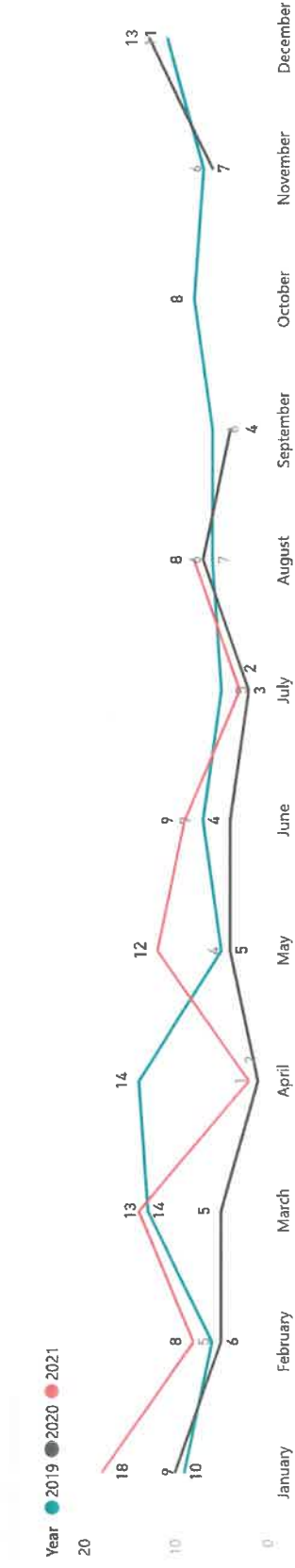
Traffic by Day of the Week and Hour of the Day



Priority	January	February	March	April	May	June	July	August	Total
1.00	8	6	8	6	5	8	1	2	44
2.00	96	69	75	88	111	103	109	98	749
3.00	333	331	313	359	368	358	295	260	2617
<b>Total</b>	<b>437</b>	<b>406</b>	<b>396</b>	<b>453</b>	<b>484</b>	<b>469</b>	<b>405</b>	<b>360</b>	<b>3410</b>



## Youngtown Burglaries



ESZCity	January	February	March	April	May	June	July	August	Total
Youngtown	18	8	14	2	12	9	3	8	74
<b>Total</b>	<b>18</b>	<b>8</b>	<b>14</b>	<b>2</b>	<b>12</b>	<b>9</b>	<b>3</b>	<b>8</b>	<b>74</b>

ESZCity	January	February	March	April	May	June	July	August	September	November	December	Total
Youngtown	10	5	5	1	4	4	2	7	4	6	13	61
<b>Total</b>	<b>10</b>	<b>5</b>	<b>5</b>	<b>1</b>	<b>4</b>	<b>4</b>	<b>2</b>	<b>7</b>	<b>4</b>	<b>6</b>	<b>13</b>	<b>61</b>

ESZCity	January	February	March	April	May	June	July	August	September	October	November	December	Total
Youngtown	9	6	13	14	5	7	5	6	6	8	7	11	97
<b>Total</b>	<b>9</b>	<b>6</b>	<b>13</b>	<b>14</b>	<b>5</b>	<b>7</b>	<b>5</b>	<b>6</b>	<b>6</b>	<b>8</b>	<b>7</b>	<b>11</b>	<b>97</b>

Data Note: Filters on this page are  
Major Crime Indicator is Burglary from  
Youngtown



### TOWN COUNCIL ACTION FORM

<b>SUBJECT:</b> Review of the Storm water Management Plan (SWMP) for FY 2020/21 and a public hearing to allow public comment on the plan	<b>STAFF PRESENTER:</b> Marty Mosbrucker, Public Works Manager.
--	--

**RECOMMENDATION:** Council to hold a public hearing to gather public comment on the Town Storm Water Management Plan (SWMP) for FY 2020/21. The 2020/21 Annual Report is due to the Arizona Department of Environmental Quality ("ADEQ") by September 30, 2021.

**COMMUNITY BENEFIT:** The Town of Youngtown's Stormwater Management Plan (the "Plan") is designed to reduce the discharge of pollutants from the Municipal Small Separate Storm Sewer System (MS4) to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the clean water act. The plan specifically considers the six minimum control measures outlined in the ADEQ General Permit AZG2016-002 (the "General Permit") for MS4's.

**DISCUSSION:** SWMP requirement: "reviewing and updating the SWMP: The Town will also evaluate the implementation status of the SWMP components, as well as, the effectiveness of each component or combination of components. The Town will determine how the SWMP needs to be revised, if at all." The Town Manager, Community Development Manager, Town Clerk and Public Works Manager reviewed the SWMP and have determined that at this time, the SWMP is not in need of revision. A public hearing is required to allow for public comment on the SWMP.

**FISCAL IMPACT**  
None.

**REVIEWED BY:**

**PREPARED BY:**

*(Per email)*

Trish Stuhan, Town Attorney

*(Per email)*

Marty Mosbrucker, Public Works Manager

A handwritten signature in blue ink, appearing to read "Nicole Smart".

Nicole Smart, Town Clerk

A handwritten signature in blue ink, appearing to read "Jeanne Blackman".

Jeanne Blackman, Town Manager



# **Town of Youngtown Stormwater Management Program (SWMP)**

**To fulfill requirements in the  
Small Municipal Separate Storm Sewer System (MS4)  
General Permit AZG2016-002**

**(Revised June, 2021)**

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## **Introduction**

The Town of Youngtown's Stormwater Management Plan (the "Plan") is designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act. The Plan specifically considers the six minimum control measures outlined in the Arizona Department of Environmental Quality ("ADEQ") General Permit AZG2016-002 (the "General Permit") for small municipal separate storm sewer systems (MS4s).

The Best Management Practices ("BMP") presented here have been proposed because they address the minimum control measures, are appropriate for the Town of Youngtown's Stormwater system, are measurable, are anticipated to make improvements in the Town's stormwater quality and are achievable. The following planned activities are categorized by the six minimum control measures. For each BMP, the appropriate measurable goals are delineated along with a schedule, where appropriate, including a start date, the achievement date, and the status.

The Town of Youngtown was incorporated in 1960. The Town has an area of just over 1.5 square miles with a population of 6836 residents. Over 90 percent of the available land in the Town is developed and only a small portion of the remaining lands can be developed. The Town has 2,831 residential structures, 131 small businesses and does not have heavy industry within its boundaries. The Town does not own or operate a water treatment facility or sewerage disposal system. The Town has a very small staff and operates with a small budget. The Town Manager or designee will be designated to oversee the Stormwater Management Program for the Town of Youngtown.

## **Stormwater Management Program**

The Town has reviewed its current stormwater practices and has revised its Plan, to address the requirements of reducing, to the maximum extent practicable, and pollutants discharged from outfalls owned or operated by the Town. The revised Plan follows criteria of Part V of the General Permit, providing the information requested and including the BMPs for each minimum control measure.

## **Receiving Waters**

The Town discharges to the Agua Fria River. The section of the Agua Fria River to which the Town discharges is not an Impaired, Not-Attaining or OAW. Twenty-four outfalls discharge to the receiving water.

## **Mapping**

The Town has completed the mapping as required by Section 5.1.b of the General Permit. The map will be updated as storm sewer systems and/or outfalls are added to or deleted from the system.

## **Water Quality Standards**

The Town has no discharges that cause or contribute to the exceedance of an applicable surface water quality standard.

## **Annual Updates**

The Town will review and re-evaluate its SWMP annually. All BMPs will be evaluated for effectiveness in accordance with Section 8.0 of the General Permit.

## **Responsible Personnel**

Each BMP listed in the Town's Notice of Intent also identifies the individual(s) or department responsible for ensuring compliance with the stated BMP.

## **SWMP Availability**

The Town's SWMP is available at Town Hall and the Town Library for public viewing during normal business hours.

## **Enforcement**

The Town's legal enforcement authority is set forth in the Town of Youngtown Municipal Code, Title 15, Chapter 15.15. In addition, the Town has developed an Enforcement Response Plan (ERP) that outlines the procedures the Town will follow to enforce its stormwater code.

## 1. Public Education and Outreach on Stormwater Impacts

Permit Condition	BMP	Measurable Goal(s)	Start Date	Status
6.4.1	Collect brochures, fact sheets and other educational materials from federal, state, local agencies or other MS4 web sites.	Town staff will contact agencies and review web pages, as deemed necessary, to ensure that the most current information is available. Agency contacts and review of Web page will be conducted at a minimum on a quarterly basis. Targeted audience: commercial and residential.	Previously implemented.	On going.
6.4.1.1	Distribute information to the general public and to specific targeted audiences such as restaurants, service stations, homeowner associations, homeowners, etc.	Town staff will collect and post public service brochures with other posted public notices in locations such as: the Town Library, the Town's website, and Town Hall. Quarterly, the Public Works Manager will ensure public service brochures are posted in the Town library and the Town Hall lobby. Quarterly, the Town Clerk will update the Town website. Mailings or door hangers will be provided to homeowners. The Public Works staff will hand deliver door	Previously implemented.	On going.

		hangers to the commercial audience by June 30, 2017. In the event of a residential code violation, staff will hand deliver along with the notice of violation, a stormwater brochure. Targeted audience: commercial and residential.		
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<b>TABLE 1.1</b> <b>Public Education and Outreach: BMP's and Measurable Goals</b>					
Permit Condition	BMP	Measurable Goal(s)	Start Date	Target Date Achievement	Status
6.4.1.2	Town will modify any ineffective messages or distribution techniques.	Corrected information will be provided to commercial, residential, and/or construction entities as needed.	03/2017	_____	
6.4.1.1	Respond to verbal or written public inquiries, comments or concerns about illicit disposal of wastes, etc., and/or requests for information.	Targeted audience: commercial, construction and residential. Meetings will be held as needed, and responses to written inquiries will be timely sent.	Previously implemented.		Ongoing.
6.4.1.1	Provide educational materials to the general public and Town employees.	The Town Manager or designee will be responsible to oversee employee training, collection of educational materials, distribution of educational materials and creation of a library	02/2017		Future classes will be held annually.

		for the materials. In February 2017, the Public Works Manager included discussion of the SWMP in a Citizens' Academy class for residential members and other interested parties.			
6.4.1.2	Define what is illicit and illegal dumping.	On an annual basis, the Town will train public employees on illicit discharges, construction site management and good housekeeping practices. Town employees are trained on how to educate the residential, commercial and construction sectors.	04/2017		To be held annually.
6.4.1.2	At public meetings, explain the hazards of illegal dumping and illicit discharges on water quality and public health and safety, and the need to reduce or eliminate sediment and erosion.	The Town Manager or designee will be the contact to handle public inquiries. The Town Manager or designee will review the information from the public and determine the appropriate response. Targeted audience: Residential, construction managers, development community, and commercial entities.	Previously implemented.		Ongoing.
6.4.1.4	Town will file its annual report as required by	The report will be filed annually with ADEQ and made available to the public upon	September 2017.		Annually thereafter.

	the permit and will include the information required in Part 6.4.1.4.	reasonable request.			
6.4.1.2	In press releases, describe the impacts of improper disposal of household chemicals; and, provide support for the Town's program for collection and disposal of such pollutants.	Town staff will collect public relations materials on illicit discharge programs developed by Phase I communities and EPA and select appropriate materials for use in Youngtown. Targeted audience: residential. In April 2017, the Public Works Manager will post an educational storm water article in the community newsletter, printed in English and Spanish.	04/2017		Ongoing.

**TABLE 1.2**  
**Public Education and Outreach: Additional Information**

<b>Permit Citation</b>	<b>Plan</b>
<i>i</i>	<p>The general population will be made aware of what hazardous materials are, the proper disposal of chemicals and household products such as, but not necessarily limited to, paints, solvents, pesticides and animal waste. Materials will be developed for the residential and non-industrial business interests prevalent in the community and will be administered by Town staff and volunteers under the guidance of the Town Manager or designee.</p> <p>Public education is an important element for which the Town will work to review stormwater services and programs, building a five-year program plan for a comprehensive approach to drainage. During that time, the Town will feature periodic articles on hazardous materials, illicit and illegal dumping and the effects of pollution on washes, streams and the Agua Fria River. Articles will be included on pollution in the local newsletter, a published monthly newsletter distributed throughout the Town. The Town will focus on several key messages in the first five-year period of the permit. These will include:</p> <ul style="list-style-type: none"> <li>A. Communicate to the community what are hazardous materials.</li> <li>B. Communicate to the community how the hazards of illegal dumping and illicit discharges affect water quality and public safety.</li> </ul>

	<p>C. Communicate to the community the importance of site controls for construction activities and advise them on how they can report concerns to the Town for follow up.</p> <p>D. Communicate NPDES permit requirements and internal operations for pollution prevention to Town staff.</p> <p>E. Communicate to the community, in English and Spanish, what hazardous materials are and the impacts of improper use and disposal of household chemicals, landscape products and trash.</p>
	<p>Public education and outreach will be conducted by a variety of methods that may include in-service training programs, distribution of brochures, newspaper articles, Town meetings or meetings with homeowners associations. Volunteers, members of the Town Council, Town staff, as appropriate, will conduct meetings or deliver materials to targeted audiences. Documents related to the SWMP, Notice of Intent (NOI) and minutes will be made available to the public at Town Hall during normal business hours.</p>
	<p>The specific target audiences such as residential and commercial developers/operators, restaurants, service stations and/or homeowners associations were selected because they are representative of the character and make-up of the community.</p> <p>Targeted audiences, which represent business activities within the community, will be made aware of hazards and costs of improper disposal of construction wastes, sedimentation and erosion, cooking grease, gasoline spills, etc., as appropriate to the industry. Audiences are identified above in the Best Management Practices listed in the identified program. They were chosen because they are mandated in other parts of the General Permit or because they represent the potential for the greatest support from the general public.</p> <ul style="list-style-type: none"> <li>• The General Public: The Town will provide information on hazardous materials and the importance of protecting the quality of stormwater using existing information and communication tools. As necessary and feasible, information will be provided in Spanish as well as English.</li> <li>• The Development Community: The Town will focus efforts on educating the development community on new development regulations and stormwater quality with materials developed specifically for the development community. As the Construction Site Runoff and Post-Construction Runoff Control programs are adopted, the Town will continue to educate the development community on the specific program requirements.</li> <li>• Public Employees: Two minimum control measures require the education and involvement of public employees. The employees of the Town are ambassadors to the community and will continue to be important conduits of information. They will receive training and information on illicit discharge as well as appropriate good housekeeping strategies.</li> <li>• Targeted pollutants: The education plan will specifically target illegal dumping, floatables that include trash, household hazardous waste, and dumping of illicit pollutants. The Town will also address sediment from construction site runoff along with other construction wastes.</li> </ul>

## 2. Public Involvement/Participation

Permit Condition	BMP	Measurable Goal(s)	Start Date	Status
6.4.2	Comply with public notice requirements for any newly created or revised ordinances, public meetings of the Town Council to discuss the permit and future renewals, annual report review with the Town Council and any significant changes to the proposed program over the life of the permit.	The Town will issue public notice of meetings and opportunities for participation in the development and implementation of the permit program and revisions or updates to the SWMP.	Previously implemented.	On going.
6.4.2.1 and 6.4.2.2	Solicit public input into the SWMP; and enlist assistance and input from HOAs.	<p>Prior to the submittal of the Annual Report or adoption of revisions to the SWMP, the Town Council will hold public hearings to receive public input.</p> <p>HOAs will be educated to help in the monitoring of the stormwater collection systems and outfalls. HOA members will have contact information to notify the Town of potential violations.</p>	<p>Previously implemented.</p> <p>04/2017</p>	On going
6.4.2.3	As appropriate, the Town will include in its annual report the information required in Part 6.4.2.3.	The report will be filed annually with ADEQ and made available to the public upon reasonable request.	09/2017	Annually.

<b>TABLE 2.2</b> <b>Public Involvement/Participation: Additional Information</b>	
<b>Permit Citation</b>	<b>Plan</b>
	The Town is committed to involving the general public in the development and implementation of its SWMP. BMPs identified for this control measure outline a program involving public input of the Plan as well as opportunities to engage the public in volunteer activities. The Town of Youngtown recognizes the benefits of direct involvement in the Town's stormwater program by its citizens. It is the Town's experience that many residents are dedicated to providing input to the Town on a wide range of issues and are willing to serve as volunteers. The Town intends to comply with all state and local public noticing requirements with regard to public hearings and all other stormwater related activities using current practices.
	The Town has long established procedures for making the public aware of involvement and participation opportunities within the community. These opportunities are published in posted notices and newspapers. The Town business meetings are open to the public and the public can attend and voice comments on the proceedings. All relevant public comments are considered. In some instances, the public is invited to apply to a committee or commission so that the citizens' ideas and voices can be provided to the elected officials. Interested applicants may apply in writing. Applicants are interviewed by appropriate Town staff and selected based on specific criteria.
	The Town will involve the public through open meetings/public hearings, during which time the Town will receive and consider public comments.
	The Town will provide a copy of the Stormwater Management Plan in the Youngtown Municipal Library and at Town Hall for the public access. In addition, copies will be provided upon request.

### 3. Illicit Discharge Detection and Elimination

<b>Permit Citation</b>	<b>BMP</b>	<b>Measurable Goal(s)</b>	<b>Start Date</b>	<b>Status</b>
6.4.1.5	In the event the Public Works Department, during inspections or as otherwise notified, identifies a violation, the Department will involve Code Enforcement staff to pursue offending	Coordination between the Public Works Department and Code Enforcement will occur regularly. Notification to the offending party will be timely provided. And, follow up with the offending party will timely occur to ensure compliance.	04/2017	

	person/entity.			
6.4.3.4	Public Works Department will establish a program to address and track the success of its IDDE program.	The program will be developed and made available to applicable Town staff.	04/2017	
6.4.3.10	The Town will train staff in the detection, identification, and how to address illicit discharges.	Training will be conducted annually and new employees will be trained within 30 days of hire.	04/2017	Annually thereafter, with new employees trained within 30 days of hire.
6.4.3.8.a	Dry weather screening will occur after a storm event that resulted in a discharge from the storm sewer system.	The monitoring will occur at least 72 hours after the described storm event.	04/2017	
6.4.3.8.b	Public Works Department has identified 5 outfalls to be monitored for stormwater discharges.	Monitoring will be conducted pursuant to 6.4.3.8(b); two monitoring events will be conducted during each wet season or as soon as practicable after the storm or discharge event.	04/2017	
6.4.1.5	Public Works Department will conduct follow-up inspections of identified or suspected illicit	Two follow-up inspections within six months will be conducted.	04/2017	

	discharges.			
6.4.3.11	Public Works Department will maintain a list of facilities discharging without an AZPDES/NPDES permit.	During pre-construction and/or permitting meetings, facilities will be required to disclose its compliance with AZPDES/NPDES permits.	04/2017	

<b>TABLE 3.2</b> <b>Illicit Discharge and Elimination: Additional Information</b>	
<b>Permit Citation</b>	<b>Plan</b>
	The program envisioned by the Town will define and prohibit illicit discharges into the Town's stormwater system. Educational efforts for the public and Town staff related to the hazards of illegal discharges and improper waste disposal are included in the Public Education and Pollution Prevention/Good Housekeeping Minimal Control Measures.

#### 4. Construction Site Stormwater Run-off Control

Permit Citation	BMP	Measurable Goal(s)	Start Date	Status
6.4.4.2.b	The Town will create and maintain an inventory of construction activity as required in Part 6.4.4.2(b).	The inventory will be updated as needed and located in the Community Development Department.	04/2017	
6.4.4.2.c and 6.4.4.5	Inspection frequency of construction sites will be determined based on the phase of each construction site, its proximity to an impaired, non-attaining water or Outstanding AZ Water, size of the site, and the history of non-compliance.	Frequency of inspections will be determined by staff after consideration of the BMP relative to the construction site.	04/2017	
6.4.4.2.a&e	Appropriate enforcement action under the Town's Code will be taken in the event a violation is noted during an inspection.	Timely enforcement will occur consistent with Town Code and other enforcement procedures.	04/2017	
6.4.4.2.f and 6.4.4.4	Community Development Manager will provide information regarding BMP for	The information will be provided during the plan review meeting between the construction site operator and the	04/2017	

	sediment and erosion control at construction sites; such information will include, at a minimum, that set forth is Part 6.4.4.2(f) of the Permit.	Community Development Manager.		
6.4.4.2.g	Community Development Manager will provide information regarding waste control at construction sites; such information will include, at a minimum, that set forth is Part 6.4.4.2(g) of the Permit.	The information will be provided during the plan review meeting between the construction site operator and the Community Development Manager.	04/2017	
6.4.4.3	The Town will train staff in the policies and procedures for the proper implementation of the construction stormwater program to ensure staff has the knowledge, skills, and abilities to carryout their assigned duties.	Training will be conducted annually and new employees will be trained within 30 days of hire.	04/2017	Annually thereafter, with new employees trained within 30 days of hire.
6.4.4.4	Town Manager or designee will timely consider and/or respond to inquiries, comments, complaints, or concerns provided by the public regarding violations	Responses, if necessary, will be provided timely. And, if required, inspections of the identified construction site will be timely conducted.	04/2017	

	or suspected violations of erosion and sediment control best management practices.			
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**TABLE 4.2**  
**Construction Site Stormwater Run-Off Control: Additional Information**

<b>Permit Citation</b>	<b>Plan</b>
	The Town has in place policies to control erosion and sedimentation from new developments and development of existing sites, affecting one acre or more as defined by Permit, to the maximum extent practicable. The Town currently requires construction site developers and operators to submit a SWPPP that includes BMPs for management of the construction site during construction and post construction. The Town uses a checklist to assess the developer's or contractor's plans. No construction permits will be issued until plans are submitted, reviewed and approved. Upon proof that the applicant has submitted a NOI to ADEQ or EPA, then a construction permit will be issued by the Town.
	The Town will review all new development plans for compliance with the construction site management and technical guidance materials. The ordinance will require new development affecting one acre or more of land to obtain approval of their plan for erosion and sediment control as well as control of other wastes prior to beginning land disturbing activities. The Town will insure that developers have applied for coverage under the Construction General Permit prior to approving the construction site management control plan.
	The Town will develop policies and procedures for an on-going construction site inspection and enforcement program. Inspectors will be trained in construction site management. The Town will receive and consider all comments from all public meetings. A list of measurable goals and dates for the initiation of activities and the achievement of the goals are specified. Presently, the Town has in place a process to review new Construction Site Plans, Grading/Drainage Plans and SWPPP's. Permits will not be issued until the SWPPP has been submitted, reviewed and approved. Construction on projects will be halted through a "Stop Work Order" or a "Cease and Desist Order", if the SWPPP is not in place at the start of construction. The Town Manager or designee is responsible for overseeing the construction site activities.
	The Town has in place a routing for all new construction projects. The Town requires all new construction to have in place a Storm Water Pollution Prevention Plan (SWPPP) and a Grading/Drainage Plan. These plans require review by the Town Manager or designee prior to any permits being issued. If construction begins prior to any permits being issued, the project will have a "Stop Work Order" placed on it. If work continues, Town ordinances will be enforced. Violations may be subject to

	penalties and fines.
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## 5. Post Construction Stormwater Management in New Development and Redevelopment

Permit Citation	BMP	Measurable Goal(s)	Start Date	Status
6.4.5, 6.4.5.1, and 6.4.5.4	The Town will establish and train staff on the policies and procedures necessary to ensure the effective long-term operation and maintenance of post-construction stormwater BMPs, including structural and non-structural BMPs.	Training will be conducted annually and new employees will be trained within 30 days of hire.	04/2017	Annually thereafter, with new employees trained within 30 days of hire.
6.4.5.2	Community Development Manager will provide information regarding BMP for post-construction stormwater controls.	The information will be provided during the plan review meeting between the construction site operator and the Community Development Manager.	04/2017	
6.4.5.3	The Town will create and maintain an inventory of post-construction BMPs as required in Part 6.4.5.3.	The inventory will be updated as needed and provided to the construction community and developers as necessary.	04/2017	

**TABLE 5.2**  
**Post Construction Stormwater Management: Additional Information**

<b>Permit Citation</b>	<b>Plan</b>
	The program will include a plan review for new development and redevelopment. The Town will research appropriate post-construction run-off management strategies for new and redevelopment projects and tailor them to the Town of Youngtown.
	Compliance procedures are specified in the Town's Stormwater Ordinance, Title 15, Chapter 15.15.070. These procedures apply to new development and redevelopment, and may change depending upon updates from the Town Council. The Community Development Manager reviews, approves and permits all new construction projects, including the SWPPP. The Code Enforcement Officers will monitor for code violations.
	The Town's policies include a mandatory pre-construction meeting. During this pre-construction meeting, Town staff will distribute SWPPP and BMP publications. These meetings routinely include explanations of the Town's policies and procedures prior to the start of construction activities.

## 6. Pollution Prevention/Good Housekeeping for Municipal Operations

Permit Citation	BMP	Measurable Goal(s)	Start Date	Status
6.4.6.a	Town developed an inventory of discharging municipal operations. The Town possesses no municipal discharging facilities.	Inventory will be reviewed annually.	Previously implemented.	Ongoing.
6.4.6.b & c	Town has developed a schedule for the inspection of municipal facilities.	The inspection schedule has been developed and will be updated on a regular basis. Inspections occur monthly; and, if warranted, will occur more frequently.	Previously implemented.	Ongoing.
6.4.6.f	Training on good housekeeping, pollution prevention, and Town procedures for operations and maintenance activities will be provided to staff as needed.	Training will occur as needed. New employees will be trained within 30 days of hire.	Previously implemented.	To be provided as needed.
6.4.6	The Town has developed a checklist to be used during facility inspections to ensure	The checklist has been developed and is used during all municipal facility inspections. Inspections occur monthly.	Previously Implemented.	Ongoing.

	stormwater controls are in place to prevent pollution discharges from the MS4.			
6.4.6	The Town will review and revise as needed policies and documents to address pollution prevention that includes municipal maintenance activities, schedules and inspection procedures.	The Town staff will meet to discuss current applicable documents and procedures as well as establishing the priorities for facility assessments. Such meeting will be held annually.	04/2017	Annually thereafter

<b>TABLE 6.2</b> <b>Pollution Prevention/Good Housekeeping: Additional Information</b>	
<b>Permit Citation</b>	<b>Plan</b>
	•
	<p>The Town will develop and implement an employee training program for:</p> <ul style="list-style-type: none"> <li>• Individuals who apply chemicals or work with chemicals in their daily activities, to ensure appropriate practices are followed to reduce or eliminate the risks of polluting stormwater run-off.</li> <li>• Individuals involved in roadway and drainage maintenance to address appropriate strategies for run-off protection.</li> <li>• Individuals who maintain public facilities to address practices appropriate to water quality and pollution prevention.</li> </ul>

## Qualifying State or Local Program

The Town of Youngtown has developed best management practices in response to the need to apply for a Municipal Stormwater Discharge Permit. The Town is not aware of any qualifying local or state programs that would address the requirements of the Small MS4 General Permit.

## **Sharing Responsibility**

The Town will have the responsibility to implement all measures within the SWMP.

## **Reviewing and Updating the SWMP**

The Town will review the SWMP in June of each year starting in June 2004. The Town will also evaluate the implementation status of the SWMP components, as well as, the effectiveness of each component or combination of components. The Town will determine how the SWMP needs to be revised, if at all. If the SWMP requires revisions, the Town will notify ADEQ of any additions. If components of the SWMP need to be replaced, the Town will submit to ADEQ the proposed revisions with an explanation of why the practice is ineffective and why the replacement is expected to achieve goals of the management practice.

## **Monitoring**

The Town will evaluate program compliance; the appropriateness of identified BMPs and progress towards achieving identified measurable goals. The Town's storm sewer systems flow to the Agua Fria River. At this time, a Total Maximum Daily Load (TMDL) has not been established for this receiving water. Also, the Agua Fria River is not listed on the Arizona 303(d) list. Therefore, the Town will not sample and analyze the discharge from the Small MS4 at this time.

## **Annual Reports**

The Town will submit an annual report to ADEQ by September 30, 2017 for the period of time between March 30, 2017 and June 30, 2017. The Town will submit an annual report on September 30<sup>th</sup> of each following year.

**RESOLUTION NO. 2021-16**

**A RESOLUTION OF THE COMMON COUNCIL OF THE TOWN OF YOUNGTOWN, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE MARICOPA COUNTY HUMAN SERVICES DEPARTMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS; AND AUTHORIZING THE MAYOR AND TOWN MANAGER TO EXECUTE AND SUBMIT GRANT APPLICATIONS, DOCUMENTS, AND CONTRACTS.**

**WHEREAS**, the Maricopa County Community Development Department is seeking proposals from state and local agencies for projects that may be eligible for CDBG funding; and

**WHEREAS**, the Town of Youngtown desires to submit project proposals for sidewalk improvements (the "Applications"); and

**WHEREAS**, the Town Council desires to designate the Town Manager as the authorized agent for the purposes of obtaining grant funds;

**NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF YOUNGTOWN, ARIZONA, as follows:**

Section 1. The recitals above are incorporated as if fully set forth herein.

Section 2. The Town Council hereby approves the submission of one or more Applications for CDBG grant funding in an amount not to exceed five hundred thousand (\$500,000).

Section 3. The Mayor, the Town Manager, and the Town Attorney are hereby authorized and directed to execute and submit all Applications and all documents and any other necessary or desirable instruments in connection with this grant request, to execute any resulting grants and to take all steps necessary to carry out the purpose and intent of this Resolution.

**PASSED AND ADOPTED by the Mayor and Council of the Town of Youngtown, Arizona, this 16th day of September, 2021.**

\_\_\_\_\_  
Michael LeVault, Mayor

ATTEST:

\_\_\_\_\_  
Nicole Smart, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Trish Stuhan, Town Attorney  
Pierce Coleman, PLLC



**YOUNGTOWN FIVE YEAR CONSOLIDATED PLAN  
FY 2021-2026**

<b>1<sup>st</sup> YEAR</b> (FY 2021-2022)	<b>2<sup>nd</sup> YEAR</b> (FY 2022-2023)	<b>3<sup>rd</sup> YEAR</b> (FY 2023-2024)	<b>4<sup>th</sup> YEAR</b> (FY 2024-2025)	<b>5<sup>th</sup> YEAR</b> (FY 2025-2026)
1. Sidewalks	1. Sidewalks	1. Sidewalks	1. Sidewalks	1. Sidewalks
2. Park Master Plan	2. Park Master Plan	2. Park Master Plan Phase I	1. Park Master Plan – Phase II	2. Park Lighting
		3. Regional Park	3. Regional Park	

**OFFICE OF THE TOWN MANAGER**

Town Hall: 623/933-8286 MSCO: 623/974-3665 Court: 623/972-8226 Fax: 623/933-5951 TDD: 623/974-3665



**Town of Youngtown  
12030 N. Clubhouse Square  
Youngtown, Arizona 85363**

**PROCLAMATION**

**A PROCLAMATION DECLARING OCTOBER 2021 AS  
DOMESTIC VIOLENCE AWARENESS MONTH**

**WHEREAS**, domestic violence is a serious crime that affects people of all races, ages, gender and income levels; and

**WHEREAS**, domestic violence is widespread and affects over ten million Americans each year; and

**WHEREAS**, one in three Americans have witnessed and incident of domestic violence; and

**WHEREAS**, children that grow up in violent homes are believed to be abused and neglected at a rate higher than the national average; and

**WHEREAS**, domestic violence costs the nation billions of dollars annually in medical expenses, police and court costs, shelters, foster care, sick leave, absenteeism and non-productivity; and

**WHEREAS**, only a coordinated community effort will put a stop to this heinous crime, and

**WHEREAS**, Domestic Violence Awareness Month provides an excellent opportunity for citizens to learn more about preventing domestic violence and to show support for the numerous organizations and individuals who provide critical advocacy, services and assistance to victims.

**NOW, THEREFORE, IT IS PROCLAIMED** by the Mayor and Council of the Town of Youngtown, Arizona, the month of October, 2021 as Domestic Violence Awareness Month and urge the citizens of Youngtown to work together to eliminate domestic violence from our community.

**IN WITNESS THEREOF**, I, Michael LeVault, have hereunto set my hand and cause the Seal of the Town of Youngtown to be affixed on this 16<sup>th</sup> day of September, 2021.

\_\_\_\_\_  
Michael LeVault, Mayor

Attest:

\_\_\_\_\_  
Nicole Smart, Town Clerk

9.H.

No Documents

## TOWN OF YOUNGTOWN PUBLIC NOTICE

### NOTICE OF INTENT TO ESTABLISH NEW OR INCREASED FEES RELATED TO LICENSES FOR TELECOMMUNICATIONS SERVICES – WIRED FACILITIES IN PUBLIC HIGHWAYS PURSUANT TO A.R.S. § 9-499.15

Pursuant to A.R.S. § 9-499.15, the Town of Youngtown, Arizona, hereby gives notice that it may adopt a resolution to impose new or increased fees and to post on the Town's website a copy of the fees and data and/or report supporting the new or increased fees. The fees to be adopted and/or increased are fees related to licenses for telecommunications services – wired facilities in public highways – which shall be charged fees as follows:

Type of Fees	Fee Amount
Application Fee	\$100.00
Amendment to Application Fee	\$100.00
Annual Fee Payment – Interstate Telecommunication Services	\$1.89 per linear foot of trench in the right of way
Late Fees	1.0% per month

\*The fees are intended to recoup costs associated with managing the public right-of-way and are enacted pursuant to Town Code, Title 22 Telecommunication Services – Wired Facilities in Public Highways, and State law including A.R.S. § 9-581 et seq. Additional fees for permits and construction work may also apply pursuant to the Town's Code and Fee Schedule.

**The Youngtown Town Council will consider approving these fees after a Public Hearing to be held on November 18, 2021 in the Council Chambers, 12033 North Clubhouse Square, Youngtown, Arizona, as part of the Council Meeting scheduled to begin at 5:30 pm.**

Copies of the fee schedule as well as the written report supporting these new or increased fees may be reviewed at the office of the Town Clerk of the Town of Youngtown, 12030 North Clubhouse Square, Youngtown, Arizona 85363 during normal office hours, Monday through Friday, 8:00 a.m. – 4:00 p.m. The fee schedule and written report/data are also available on the Youngtown website at <https://www.youngtownaz.org/>. Persons wishing to comment on the proposed changes may do so, in writing, prior to the public hearing to be held on the date listed above, or may testify at the hearing. After the public hearing on November 18, 2021, the Town Council may approve, disapprove, or modify said resolution.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2021.

TOWN OF YOUNGTOWN

\_\_\_\_\_  
Nicole Smart, Town Clerk

DATE POSTED ON YOUNGTOWN WEBSITE: \_\_\_\_\_



## TOWN COUNCIL ACTION FORM

**SUBJECT:** Approval of the Amendment No. 1 to the Intergovernmental Agreement between Maricopa County and the Town of Youngtown

**STAFF PRESENTER:** Gregory Arrington, Community Development Manager

**RECOMMENDATION:** Staff is recommending the Council to approve the Amendment #1.

**COMMUNITY BENEFIT:** Maricopa County ("County"), administered by its Human Services Department, entered into a financial Intergovernmental Agreement ("Agreement") with the Town of Youngtown ("Subrecipient") on or about July 2, 2021. The purpose of the Agreement is for the Subrecipient to install 10,500 linear feet of sidewalks in the area bounded by West Peoria Avenue to West Connecticut Avenue and North 111<sup>th</sup> Avenue to North 114<sup>th</sup> Avenue. The County has provided the Subrecipient with \$350,000 in U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) funds. The Agreement term began on July 1, 2021, and ends on June 30, 2023. The County increased the funding by \$150,000 from Community Development Block Grants Program (CDBG).

Proposed motion: *"I move to approve Amendment No. 1 to the contract Agreement with Maricopa County."*

**FISCAL IMPACT:** N/A

**REVIEWED BY:**

*Trish Stuhan (per email)*

Trish Stuhan, Town Attorney

**PREPARED BY:**

*Gregory Arrington (per email)*

Gregory Arrington, Community Development Manager

  
Jeanne Blackman, Town Manager

  
Nicole Smart, Town Clerk

AMENDMENT NO. 1 TO THE  
INTERGOVERNMENTAL AGREEMENT  
FOR SERVICES BETWEEN  
MARICOPA COUNTY  
ADMINISTERED BY ITS HUMAN SERVICES DEPARTMENT  
AND  
THE TOWN OF YOUNGTOWN

- I. Maricopa County ("County"), administered by its Human Services Department, entered into a financial Intergovernmental Agreement ("Agreement") with the Town of Youngtown ("Subrecipient") on or about July 2, 2021. The purpose of the Agreement is for the Subrecipient to install 10,500 linear feet of sidewalks in the area bounded by West Peoria Avenue to West Connecticut Avenue and North 111<sup>th</sup> Avenue to North 114<sup>th</sup> Avenue. The County has provided the Subrecipient with \$350,000 in U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) funds. The Agreement term began on July 1, 2021, and ends on June 30, 2023. The County and the Subrecipient collectively are referred to as the "Parties."
- II. The Parties agree to amend the Agreement by this Amendment No. 1 as follows:
- A. Add that the County shall increase funding by \$150,000 for the Subrecipient to complete the installation of 10,500 linear feet of ADA compliant sidewalk identified in Section 3 (Work Statement), Subparagraph 2.0 (Scope of Work) in the Agreement.
- B. The Agreement total amount shall be increased from \$350,000 to \$500,000. The funding for this Amendment No. 1 is provided by Catalog of Federal Domestic Assistance (CFDA) 14.218, U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) funds.
- C. Revise Section 1 (General Provisions) to address the following:
1. Paragraph 50.0 (CONTRACTOR EMPLOYEE WHISTLEBLOWER RIGHTS AND REQUIREMENTS TO INFORM EMPLOYEES OF WHISTLEBLOWER RIGHTS), by deleting Subparagraph 50.3 and replacing it with the following:  
50.3 The Town shall insert the substance of this clause, including this Subparagraph, in all Subcontracts over the simplified acquisition threshold (\$250,000 as of June 2021).
  2. Add paragraph 53.0 (FORCE MAJEURE):  
53.1 Neither Party shall be liable for failure of performance, nor incur any liability to the other Party on account of any loss or damage resulting from any delay or failure to perform all or any part of this Agreement if such delay or failure is caused by events, occurrences, or causes beyond the reasonable control and without negligence of the Parties. Such events, occurrences, or causes will include Acts of God/Nature (including fire, flood, earthquake, storm, hurricane, or other natural disaster), war, invasion, act of foreign enemies, hostilities (whether war is declared or not), civil war, riots, rebellion, revolution, insurrection, military or usurped power or confiscation, terrorist activities, nationalization, government sanction, lockout, blockage, embargo, labor dispute, strike,

pandemic, and interruption or failure of electricity or telecommunication service.

53.2 Each Party, as applicable, shall give the other Party notice of its inability to perform and particulars in reasonable detail of the cause of the inability. Each party must use best efforts to remedy the situation and remove, as soon as practicable, the cause of its inability to perform or comply.

53.3 The Party asserting Force Majeure as a cause for non-performance shall have the burden of proving that reasonable steps were taken to minimize delay or damages caused by foreseeable events, all non-excused obligations were substantially fulfilled, and the other Party was timely notified of the likelihood or actual occurrence that would justify such an assertion, so that other prudent precautions could be contemplated.

D. Revise Section 4 (Budget and Compensation), Paragraph 1.0 (Budget) as follows:

<b>Activity</b>	<b>Budget</b>
<b>Construction</b>	<b>\$500,000.00</b>
<b>Total</b>	<b>\$500,000.00</b>

III. Section II above contains all the changes to the Agreement made by this Amendment No. 1. All other terms and conditions of the Agreement shall remain unchanged and in full force and effect as executed by the Parties.

IV. This Amendment No.1 shall be effective on the date of final approval and signature by the Parties.

*(Signatures are contained on the following page)*

IN WITNESS, the Parties have approved and signed this Amendment No. 1:

APPROVED BY:

APPROVED BY:

THE TOWN OF YOUNGTOWN

MARICOPA COUNTY

\_\_\_\_\_  
Michael LeVault  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jack Sellers  
Chairman, Board of Supervisors

\_\_\_\_\_  
Date

Attested to:

Attested to:

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Date

IN ACCORDANCE WITH A.R.S. §§ 9-240 and 11-952, THIS AMENDMENT NO. 1 HAS BEEN REVIEWED BY THE UNDERSIGNED ATTORNEY WHO HAS DETERMINED THIS AMENDMENT NO. 1 IS PROPER IN FORM AND WITHIN THE POWERS AND AUTHORITY GRANTED TO THE TOWN OF YOUNGTOWN UNDER THE LAWS OF THE STATE OF ARIZONA.

IN ACCORDANCE WITH A.R.S. §§ 11-201, 11-251, AND 11-952, THIS AMENDMENT NO. 1 HAS BEEN REVIEWED BY THE UNDERSIGNED ATTORNEY WHO HAS DETERMINED THIS AMENDMENT NO. 1 IS PROPER IN FORM AND WITHIN THE POWERS AND AUTHORITY GRANTED TO MARICOPA COUNTY UNDER THE LAWS OF THE STATE OF ARIZONA.

APPROVED AS TO FORM:

APPROVED AS TO FORM:

\_\_\_\_\_  
Attorney for the Subrecipient

\_\_\_\_\_  
Date

\_\_\_\_\_  
Deputy County Attorney

\_\_\_\_\_  
Date

9.J.

No Documents