



**MINUTES OF THE REGULAR MEETING  
COMMON COUNCIL OF YOUNGTOWN, AZ  
12033 N. CLUBHOUSE SQUARE, TOWN COUNCIL CHAMBERS  
THURSDAY, DECEMBER 21, 2023**

1. **Call to Order:** Mayor LeVault called the meeting to order at 5:30 p.m.
2. **Roll Call: Roll Call:** Council present: Mayor Michael LeVault, Vice Mayor Chuck Vickers, Councilmembers Margaret Chittenden, Mike Francis, Karen Haney Duncan, and Jim Starke. Councilmember Chittenden called in telephonically, and Councilmember Hout was excused.

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

Staff present: Town Manager Jeanne Blackman, Town Clerk Nicole Smart, and Pierce Coleman  
Attorney Michelle Stinson, and Town Attorney Trish Stuhan was not present.

3. **Pledge of Allegiance and Invocation:** Vice Mayor Vickers led the Pledge and Town Manager Blackman gave the Invocation.

4. **Summary of Current Events:**

Mayor LeVault mentioned the past couple of weeks, he has had a chance to speak to several of our legislators in both districts. They have been telling him that the financial performance is not meeting expectations for this fiscal year. One of the representatives is planning on cutting as much as a billion and a half dollars from the state budget. I would tell Council, in all probability, we are going to see a completely different fiscal complexion next year.

Mayor LeVault would like to do a retreat at the at the beginning of the year. We would do this off campus, so we can huddle up and talk about anything, and what we are dealing with on a day-to-day basis, and actually looking at things from a strategic standpoint.

**Summary of Current Events from Town Manager**

Town Manager Blackman congratulated all involved in the Winter Miracle event – it was a wonderful evening for the entire community!

Town Manager Blackman and Mayor LeVault attended the West Valley Mayors' and Managers' meeting hosted by the City of El Mirage.

Town Manager Blackman mentioned the new flooring has been installed in Town Hall and the Sheriff's substation. Thank you to all of the staff who coordinated this project.

Special thanks to Nicole Smart, Carla Pena-Fields, and Ashley Redman as we functioned out of the Community Development Building and continued to serve our residents and businesses.

Town Manager Blackman mentioned the new service of offering passports will begin approximately mid-January. More information will be forthcoming!

Town Manager Blackman mentioned Ashley Redman emailed the Christmas Card from the Mayor and Councilmembers to the others Mayors and to Supervisor Hickman.

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.
  - G.
6. **Response to Call to the Community:** No response from the Community.
7. **Citizens Comments/Appearances from the Floor:** No comments from the floor,
8. **Consent**

**Approval of the corrected minutes of the Regular Council Meeting of November 2, 2023**  
*Councilmember Haney Duncan*  
*Second Councilmember Starke*  
***Motion passed unanimously on a voice vote with all Councilmembers in attendance voting. Councilmember Chittenden's telephonic voice vote was noted as a yes, and Councilmember Susan Hout was excused.***
9. **Business**
  - A. **Presentation and/or Discussion 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 Chief Rob Schmitz presented the Sun City Fire and Medical District monthly report. Discussion followed including inspections, fire preventions, response times, purchasing and cost of the new ambulance vehicle, burning trash, and no burn days.

Mayor LeVault thanked the Fire Chief for everything they do for us, and be sure to tell his staff to stay safe.

- B. Presentation and/or Discussion 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 Brian Stutsman 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 homelessness, and the Flock Safety cameras, etc.

Mayor LeVault thanked Captain Stutsman and to tell his staff to stay safe.

- C. Presentation, Discussion and / or Action Re:** Approval of Ordinance 2023-05 for text amendment.

**Case Z2023-07 Text Amendment.** In order to align with current town development goals, the Town's Planning and Zoning Hearing Officer is proposing a text amendment to **Title 17 - Chapter 17.24 - R-3 Single-Family Dwelling District, Section 17.24.070 – Height Regulations**. The effect of the amendment would be:

- Changing the building height restriction in the R-3 Single-Family Dwelling District from a one-story limit to a two-story limit with a maximum height of 35 feet.
- Removing the 15-foot maximum height restriction requirement for buildings in the R-3 Single-Family Dwelling District; and
- Eliminating the side-wall height restriction of eight and a half feet for buildings in the R-3 Single-Family Dwelling District.

The text amendment would be as follows:

**Title 17 - Chapter 17.24 - R-3 Single-Family Dwelling District, Section 17.24.070 – Height Regulations**

**A.** No building shall exceed ~~one-story~~ TWO STORIES or ~~fifteen (15) feet~~ THIRTY (30) FEET IN HEIGHT, FROM THE FIRST-FLOOR FINISH ELEVATION TO THE HIGHEST POINT ON THE ROOF OR CUPOLA, except as provided in Chapter 17.52.

**B.** No ~~residential building or~~ accessory building shall exceed fifteen (15) feet ~~have side walls which exceed eight and one-half feet~~ in height.

- i. Staff Report including review of Planning and Zoning Hearing Officer Recommendation.

Town Clerk Nicole Staff presented the staff report. Staff is recommending, and The Town of Youngtown is proposing Text Amendments amending Section 17.24. Single-Family Dwelling District and amending Section 17.24.070 – Height Regulations.

Staff is in support of the Text Amendment to the Youngtown Municipal Code, Section 17.24.070, and the amendment to Section 17.24.030 – Regulations.

## **CRITERIA FOR TEXT AMENDMENTS**

### **1. CONSISTENCY WITH GUIDING DOCUMENTS.**

The proposed text amendment is to support enforcement and penalties, related to imposing regulations in the Town's residential zoning district subject to size, number, and location requirements for such developments.

The Town of Youngtown's 2025 General Plan set a goal to promote the community as a desirable place to live, work, and visit. The Town's proposal is aligned with this effort.

### **2. COMPATIBLE WITH THE SURROUNDING AREA.**

This text amendment does not have one area to be compatible with. However, the proposed amendment is compatible with the goals of the Town and would assure that new and existing developments meet the expectation of high-quality development throughout the Town.

### **3. PROMOTION OF HEALTH, SAFETY, OR GENERAL WELFARE.**

This proposed amendment promotes a healthy environment and the general welfare of Youngtown citizens.

### **4. FACILITATION OF INFRASTRUCTURE.**

The proposed amendment does not impact the facilitation of infrastructure.

### **5. THERE ARE CHANGED CONDITIONS.**

There are existing residential establishments that justify the need for this amendment. The proposed Text Amendment shall provide regulations of the development of Single-Family structures.

### **6. EFFECT ON NATURAL ENVIRONMENT.**

The proposed amendment does not impact the natural environment.

### **7. COMMUNITY NEED.**

The proposed Text Amendment ensures continued high-quality development and advances quality developments in Youngtown.

### **NEIGHBORHOOD IMPACT/INTERFACE**

A Notice of Hearing was posted at the following location (s) as required by established public hearing procedures.

Town's Information Boards, Website, Newspaper.

The Citizens' Review Hearing was held on December 5, 2023, and the Planning and Zoning Hearing was held on December 12, 2023.

As of the writing of this staff report, no written comments raising issues with the text amendment have been received. The Planning and Zoning Commissioner Ray Jacobs recommendation is to approved the maximum height of 30 feet instead of the 35 feet

previously requested, and to add maximum height shall be defined as: from the first floor finish elevation to the highest point on the roof or cupola.

- ii. Mayor LeVault Opened Public Hearing and take testimony from the public related to the text amendment at 6:11 p.m.

Kathryn French, President of Agua Fria Ranch Homeowners Association mentioned they are already two-story homes in Agua Fria Ranch, and LGI Homes as well.

- iii. Mayor LeVault Closed Public Hearing at 6:17 p.m.

Discussion followed, including the foundation stability in building a second story, going through the review process of submittal of plans, process in obtaining a permit, not going through the Planning and Zoning Process.

- iv. Action to approve Ordinance 2023-05

Approval of Ordinance 2023-05 for text amendment.

*Vice Mayor Vickers*

*Second Councilmember Francis*

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

**D. Presentation, Discussion and / or Action Re:** Discussion and update of the Peoria Wrap Project.

Mayor LeVault asked for this item to be placed on the agenda as a refresher for Council and the public. It is important to note that this project has been in the pipeline for a decade. It was over ten years ago; we spent a million dollars over the top of the hill on Peoria straightening it out, and we made that a gentle sweeping curve. When we did that, we moved the ball from up there to a half a mile down the road to where Peoria bends down in Agua Fria Ranch. The north entrance to Agua Fria Ranch was poorly designed, and this design would not have passed with this council and staff, as we would not have allowed it. A lot of the first responders are now forced to go down through and around and in front of the top third of the community.

Mayor LeVault mentioned the Peoria Wrap is a separate project, and the only connection this has to do with Ulysses project, the Acacia Apartments is that the developer would actually pay for the Peoria Wrap, which would be about a million and a half dollars.

Town Engineer Grant Anderson stated there are a few reviews to go through before this is finalized. The developer is having his engineer do the final engineering on it. And they are working on it along with other requirements because we have heard EPCOR may want to put a waterline in there. We want to make sure that we hear as much as we can from the citizens to try to accommodate reasonableness, and in terms of having this beneficial road in a new location that will really help first responders get into this subdivision from the 111th Avenue area, as well as other traffic that is coming in some from the Ulysses, some from the north end of Agua Fria Ranch, and would probably prefer to use this. So, it has some real good benefits for the whole neighborhood, and certainly first responders.

So, I am sure you've all had a chance to look at it more than once. Currently the road is designed with one lane in each direction, and cannot accommodate multiple lanes in either direction, due to the constrictions both at the north and south end.

Mayor LeVault mentioned this is a kind of an ancillary benefit, Peoria Avenue, especially when you are heading west and you are coming down that hill into Agua Fria Ranch which has become a raceway as well as Agua Fria Ranch Parkway. The speed limit in both those locations is 25 miles an hour, but almost no one pays attention to that. The way this is designed with the two roundabouts, there will be one on Peoria Avenue which currently bends at Nofs, and the other one will be at the South where the Peoria Wrap would reconnect with the Parkway.

Town Manager Blackman mentioned the double left turn lane, the one right off the Parkway and Olive, has also been in the pipeline and we have received approval from the County.

Kathryn French, President of the Homeowners Association, and in speaking on behalf of the HOA, she believes that if we attempt to widen all of those streets, you are going to get some huge public outcry. Because we already have speeding that goes on there. Also, parking is going to be an issue, but it always has been in Agua Fria Ranch.

**E. Presentation, Discussion and / or Action Re: Approval of the agreement between Colby & Powell, LLC, and the Town of Youngtown.**

Town Manager Blackman mentioned you have before you an agreement for Colby & Powell to start doing the annual audit. As you know, in the past we have used Clifton Larson, Allen, and not that we had had any problems with their work, but it is always good to change it up, and it is actually recommended by the Government Finance Office of Arizona.

Recently there has been a change, Sandy Cromstrom, who was one of the lead partners, has retired, and most of the staff who had been familiar with Youngtown and have worked with us in the past are no longer there. We thought this was a good opportunity to go ahead and start with Colby & Powell.

The other benefit is they have a lot more experience in dealing with smaller cities and towns and the challenges we face, which we think will be a benefit for us as well. And also, the price is a good price as well. Normally, we end up paying almost \$35,000 a year for Clifton Larson Allen, and the contract with Colby & Powell will be around \$21,000.

Mayor LeVault asked if the process will start next month and when do we anticipate our first budget.

Town Manager Blackman stated probably in February, as we can't do the audit and the budget at the same time.

Approval of the agreement between Colby & Powell, LLC, and the Town of Youngtown.  
*Councilmember Starke*  
*Second Councilmember Haney Duncan*

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

- F. Presentation, Discussion and / or Action Re:** Ongoing efforts to address criminal activity, nuisances, and homelessness in the Town

Mayor LeVault mentioned the Town will continue doing what we are doing in regards to keeping the town safe.

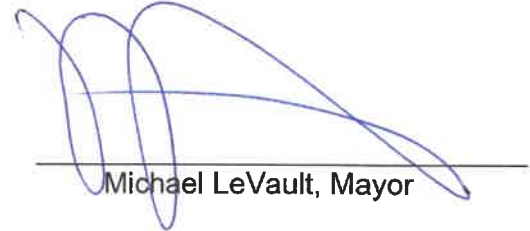
**10. Call to Executive Session:** No Call to Executive Session.

**A. Future Agenda & Meetings**

- a. Future Agenda Items – none

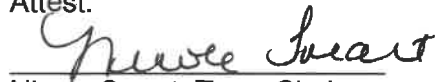
**Adjournment**

*Motion to Adjourn*  
*Councilmember Francis*  
*Second – Councilmember Starke*  
**Meeting Adjourned 6:41 p.m.**



Michael LeVault, Mayor

Attest:



Nicole Smart, Town Clerk

Minutes approved at the January 18, 2024 Council meeting.