



**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 **March 4, 2021** through technological means in order to minimize the spread of COVID-19. Council members will attend the Council meeting via telephone, as authorized by A.R.S. Section 38-431(4). The public may 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. No in-person attendance is available.

The Mayor authorizes this action to serve the goal of protecting Town residents, staff, and in the interests of public safety. We thank you for your understanding. If you 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 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.**

DATE: March 4, 2021
TIME: 5:30 p.m.
PLACE: Join the Regular Meeting by phone: 1-346-248-7799
Meeting ID: 962 0515 4292
Password: 505016
Link to the zoom meeting:
<https://zoom.us/j/96205154292?pwd=cjhoMnp4NWRRDQjMT1NVTXdjZ2g4QT09>

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/Appearances 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:

- i. Regular meeting minutes of **February 18, 2021.**

9. Business

A. Presentation, Discussion and/or Action: Approval of recommended allocation of improvement funds for the Façade Improvement Program (Arrington)

B. Presentation, Discussion and/or Action: Approval of the contract between the Town of Youngtown and Southwest Slurry Seal for the asphalt resurfacing (Mosbrucker)

- 10. Call to Executive Session:** 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.

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:

- i. **Next Regular Council Meeting will be Thursday, March 18, 2021**

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 6:00 p.m. on **February 26, 2021** in the Town's designated posting locations pursuant to Resolution No. 06-04 and on the Town's website.


Nicole Smart, Town Clerk

STAFF REPORT TO COUNCIL

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

- Attended the annual Arizona Metropolitan Trust meeting to discuss our benefits and associated costs for the upcoming fiscal year.
- Met with Town Attorney Stuhan to discuss letter to be sent to rental properties
- Working with Code Enforcement, the Town Clerk and the Town Attorney to update current Town codes
- Attended the West Valley Managers' meeting hosted by the City of Surprise
- Attended the Maricopa Association of Governments Managers Prop 400 working group meetings
- Met with several Youngtown businesses with Mayor LeVault



STAFF REPORT TO COUNCIL

DEPARTMENT: LIBRARY	DEPARTMENT REPORT SUBMITTED BY: HEIDI SPEED
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REPORT:

The Library Manager is recommending Town Council approve National Library Week to be held April 4th – 10th, 2021.

The Library remains closed to the public, however we still offer these services:

- ***FREE WI-FI Mon-Fri from 10:00 am – 4:00 pm***
- ***Curbside Service***
- ***E-books***
- ***Books can be checked out for two weeks***
- ***DVD's are FREE for one week***
- ***FREE Tax Forms***
- ***FREE Legal Forms***
- ***Copies \$.15 each***
- ***Faxes – free with our library card***
- ***Reference questions – (623) 974-3401***

Reopening plans are continually being evaluated with the Town Manager on a regular basis.



STAFF REPORT TO COUNCIL

DEPARTMENT: Public Works	DEPARTMENT REPORT SUBMITTED BY: Marty Mosbrucker, Public Works Manager
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REPORT:

- Ridgeview subdivision in process of installing sewer line along Peoria Ave.
- Greer Park stage roof removal and re-build due to the windstorm is in progress.
- Met with Citizens' Dog Park Committee Chairperson: Shade structures and trees.
- Caliche Park shade ramada roof panel replaced: (wind storm)
- Street resurfacing contract completed. To be presented to Council for approval at this meeting.
- Landscape maintenance request for bids: Bid opening conducted today. Contract recommendation to be presented to Council at a later date.
- Safety committee meeting conducted.
- Town Hall roof leak repaired.
- Plumbing issues performed in Town Square buildings.
- Memorial Park sign was hit by a vehicle. MCSO report filed. New signs on order.
- Citizens' Dog Park to be fertilized in mid to late April, depending on weather temperatures. In the past staff report, I mistakenly reported the fertilization would take place in March. This recommendation for the April fertilization comes from the Town's landscape maintenance contractor.



STAFF REPORT TO COUNCIL

DEPARTMENT: Community Development

DEPARTMENT REPORT SUBMITTED BY:
Community Development Manager, Gregory Arrington

- **CDAC MEETING**
 - DISCUSSION REGARDING THE SELECTION OF CONTRACTOR FOR YOUNGTOWN SIDEWALK IMPROVEMENT PROGRAM – PHASE II
- **ATTENDED YOUNGTOWN CODE REVIEW MEETING**
- **ATTENDED ARIZONA ASSOCIATION OF ECONOMIC DEVELOPMENT**
 - GOVERNMENT AFFAIRS COMMITTEE
- **MARICOPA ASSOCIATION OF GOVERNMENT**
 - ECONOMIC DEVELOPMENT COMMITTEE



STAFF REPORT TO COUNCIL

DEPARTMENT: Town Clerk/Community Development Coordinator	DEPARTMENT REPORT SUBMITTED BY: Nicole Smart
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REPORT:

- 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.



STAFF REPORT TO COUNCIL

DEPARTMENT: Youngtown Municipal Court	DEPARTMENT REPORT SUBMITTED BY: <i>Court Administrator – Lisa Lipinski</i>
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REPORT:

No formal presentation will be given on the following items:

Citation Activity for February 2021:

Citations filed by MCSO: 15

Citations Filed by Code: 5

Long Forms Filed by Prosecutor: 0
(IPMC's for Code Enforcement)

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 on classes, jail or probation. Assisting citizens to refer to correct court for handling cases, providing contact information for law enforcement, animal control, directions to other Town services and local businesses.



**MINUTES OF THE REGULAR TELEPHONIC
MEETING COMMON COUNCIL OF YOUNGTOWN, AZ
12033 N. CLUBHOUSE SQUARE, TOWN COUNCIL CHAMBERS
THURSDAY, FEBRUARY 18, 2021 at 5:30 P.M.**

1. **Call to Order:** Mayor LeVault called the meeting to order at 5:45 p.m., after the executive session.
2. **Roll Call:** Council present telephonically: Mayor Michael LeVault, Vice Mayor Chuck Vickers, Council Members, Margaret Chittenden, June Miller, Susan Hout, Karen Haney Duncan. Excused: Councilmember Jack Duran.

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

Staff present telephonically: Town Manager Jeanne Blackman, Town Attorney Trish Stuhan, Public Works Manager, and Town Clerk Nicole Smart.

3. **Pledge of Allegiance and Invocation:** Councilmember Chittenden 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 gave an update on the Prop 500 extension on the ballot for the half-cent sales tax that generates money allocated for transportation projects, maintenance, transit, etc.

Mayor LeVault mentioned that he went out with Town Manager Blackman to mark the locations of the FLOCK safety cameras around town.

Councilmember Miller asked if we are aware of the people fighting this, as this is an invasion of privacy. Will we have any issue with this?

Mayor LeVault stated that he is aware of the issue, however, the cameras will not be taking facial shots just shots of vehicle license plates.

Councilmember Chittenden stated that the Town received \$350,000 from Community Development Block Grant program.

Councilmember Chittenden mentioned that the Dog Park meeting will be held at the dog park this Saturday at 11:00 a.m.

B. Summary of Current Events from Town Manager

Town Manager Blackman mentioned that we provided to Council the flyer for Parks & Sons Bulk Trash pickup.

Town Manager Blackman participated in the West Valley Mayors & Managers' meeting hosted by the City of Tolleson.

Town Manager Blackman participated in a conference call with Mayor LeVault and Town Attorney Stuhan in regards to code issues.

Town Manager Blackman mentioned staff is happy that the Town awarded \$350,000 from CDBG (Community Development Block Grant) program through Maricopa County for continuation of the Town's sidewalk program.

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 the floor.

8. Consent

A. Approval of Minutes:

Regular meeting minutes of **February 4, 2021**

*Motion to approve the Consent Agenda with changes – Councilmember Haney Duncan
Second – Councilmember Hout*

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

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.

Chief Ron Deadman was in attendance and presented the report and answered questions from Council.

Mayor LeVault read the letter we received from Chief Ron Deadman thanking the Mayor, Councilmembers, Town Manager and the Town all their services.

Mayor LeVault and Councilmembers thanked Chief Deadman for his service, and congratulated Chief Deadman on his retirement.

Town Manager Blackman thanked Chief Deadman for all his hard work, and stated it was a pleasure working with him, and congratulations on his retirement.

- 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.

Captain Brian Stutsman was in attendance and presented the report and answered questions from Council.

- C. Presentation, Discussion and/or Action Re:** Storm damage to the Greer Park Stage Roof including authorization for emergency work pursuant to Youngtown Town Code Section 3.16.060 and approval of a contract between the Town of Youngtown and Sunland Plumbing & Construction, Heating and Air Conditioning for the repairs.

Public Works Manager Mosbrucker was in attendance to discuss the storm damage to the Greer Park Stage Roof which includes authorization for emergency work pursuant to Youngtown Town Code Section 3.16.060 and approval of a contract between the Town of Youngtown and Sunland Plumbing & Construction, Heating and Air Conditioning for the repairs and answer questions from Council.

Public Works Manager Mosbrucker recommends Council to approve a contract with Sunland Plumbing & Construction, Heating & Air Conditioning for removal and new construction of the Greer Park stage roof and lighting structure. Storm damaged debris and roof material to be removed with a crane. Construction will include a new 22 ft. X 22 ft. open lattice roof with posts. Upgraded material for the posts are included. The height will be 8 ft. The color will be "Apache Brown", to match the existing color. Upon completion of the roof structure, four (4) new light fixtures attached to the existing circuit will match wattage and voltage of the four (4) damaged lights.

The Greer Park stage roof was destroyed in a violent windstorm on 01/25/2021. The roof material along with debris remain in the park next to the concrete stage foundation in the park grass area. A new stage roof along with lighting will restore the stage roof structure and will expedite the removal of the roof material storm debris to ensure a safe park environment for the Town residents and staff.

Recommend proceeding with an emergency procurement pursuant to A.R.S. 34-606, with Sunland Plumbing & Construction, Heating & Air Conditioning for removal of the Greer Park stage roof and related debris and new construction of the Greer Park stage roof and lighting structure. The Greer Park stage roof was destroyed in a violent storm. The stage roof structure and related debris including broken lighting glass, conduit and sharp structures need to be removed expeditiously, in order to facilitate new construction of the stage roof and lighting. A threat to the public health, welfare and safety exists necessitating an emergency procurement.

Town fiscal impact: \$3,914.58. An insurance claim has been filed, approved and received for the amount of \$20,426.32. The Town will pay \$3,914.58 towards the project, as this reflects the insurance policy deductible limit and depreciation of the stage structure.

Mayor LeVault asked if we will be making electrical upgrades.

Public Works Manager Mosbrucker stated that the stage will be built like for like, and the only upgrade the insurance is allowing is the posts that hold the roof.

Councilmember Chittenden asked if they would be adding more outlets, and how old was the stage, and can he explain the open lattice roof.

Public Works Manager stated he does not know how old the stage is, it is probably was built in 1996. The roof lattice is two-inch wood that creates an open lattice roof.

Approval of storm damage to the Greer Park Stage Roof including authorization for emergency work pursuant to Youngtown Town Code Section 3.16.060 and approval of a contract between the Town of Youngtown and Sunland Plumbing & Construction, Heating and Air Conditioning for the repairs.

Councilmember Miller

Second – Vice Mayor Vickers

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

- D. Presentation, Discussion and/or Action Re:** Approved of Ordinance 2021-02 of the amendments to the Tax Code for the Town of Youngtown related to transaction privilege taxes.

Town Attorney Trish Stuhan was in attendance to present ordinance 2021-02 and answered questions from Council.

Approved of Ordinance 2021-02 of the amendments to the Tax Code for the Town of Youngtown related to transaction privilege taxes.

Vice Mayor Vickers

Second – Councilmember Miller

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

- E. Discussion and Possible Direction Re:** Nuisance Regulations and Enforcement Actions to Address Dilapidated Buildings, Litter, Trash, Debris, and Other Unsafe Property Conditions in Town (Stuhan)

Town Attorney Stuhan was in attendance to discuss the nuisance Regulations and Enforcement Actions to Address Dilapidated Buildings, Litter, Trash, Debris, and Other Unsafe Property Conditions in Town, and answered questions from Council.

Vice Mayor Vickers asked do we need to do a public notice before we set this in motion.

Town Attorney Stuhan stated it is the responsibility of the homeowner to upkeep their property. When the Town sends out a notice of violation it is a courtesy notice, however, if the items are not cleaned up after ten (10) days then a citation will be issued.

Councilmember Chittenden mentioned that the Apostolic Church has moved out of Youngtown, however, she saw Pastor Daniel and he stated that his volunteers are always available to help in the Town.

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

11. Future Agenda & Meetings

A. Future Agenda Items

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

i. Regular Council Meeting for Thursday, March 4, 2021.

Adjournment

Motion to Adjourn – Vice Mayor Vickers

Seconded – Councilmember Hout

Meeting Adjourned 6:37 p.m.

Michael LeVault, Mayor

Attest:

Nicole Smart, Town Clerk

Minutes approved at the February 4, 2021 regular meeting



TOWN COUNCIL ACTION FORM

SUBJECT: Youngtown Façade Improvement Program

STAFF PRESENTER: Gregory Arrington Community Development Manager

RECOMMENDATION: Discussion and/or action in regards to the recommended allocation of improvement funds for the Façade Improvement Program.

COMMUNITY BENEFIT: The Facade Improvement Program provides grants to businesses or property owners to facilitate economic development in the Town by enhancing and restoring business storefronts. This year's program will mark the first time in the program that improvements to security enhancement will be eligible for funding.

This is the sixth consecutive year that the Town has offered this program to our local businesses.

DISCUSSION: Permitting upward development of our business centers will create greater capacity for redevelopment and economic development.

FISCAL IMPACT: \$50,000.00 allocated through the 2020/2021 Community Development/Economic Development budget.

REVIEWED BY:

PREPARED BY:

Trish Stuhan (per email)
Trish Stuhan, Town Attorney

Gregory Arrington (per email)
Gregory Arrington, Community Development Manager

Nicole Smart
Nicole Smart, Town Clerk

Jeanne Blackman
Jeanne Blackman, Town Manager

YOUNGTOWN FAÇADE IMPROVEMENT PROGRAM - YEAR SIX					
Property Owner	Proposed Improvements	Estimate	Award	Matching Funds	Comments
Used Tools and More	Landscaping on east side of property - Painting exterior of building	\$2,700.00	\$2,500.00	\$200.00	
Jubilee Parish	Repave asphalt parking lot	\$38,616.00	\$19,308.00	\$19,308.00	
Wisconsin Plaza (done)	Security fencing	\$1,169.32	\$1,169.32	N/A	
Sun Valley Plaza	Interior light of monument sign - Intall 10 Goosenck over suites	\$9,340.20	\$4,670.01	\$4,670.01	
Youngtown Community Fund	Awnings of the front of the building	\$1,500.00	\$1,500.00	N/A	
Aspire Health, LLC	Awning above windows and door - Sign panel	\$2,407.09	\$2,407.09	N/A	
Roger Cox AC & Heating , LLC	Decorative flower pots - Reseal of building - Awning	6,980.00	\$3,490.00	\$3,490.00	
Big Daddy Auctions	Signage	\$3,826.40	\$2,869.00	\$957.00	
Sun City Total Care	Overhead doors - Chain link fencing - Resurface rear parking lot	\$11,899.00	\$5,949.00	\$5,949.00	
Ameican Family Ins.	Security Fencing	\$9,975.00	\$4,987.50	\$4,987.50	
General Exterminating	Paint building -Fence - Landsaping -Signage	\$0.00	\$0.00	\$0.00	No Bid Provided
	Total	\$84,586.61	\$48,849.92	\$39,561.51	



TOWN COUNCIL ACTION FORM

SUBJECT: Presentation, Discussion and/or Action: Approval of the contract between the Town of Youngtown and Southwest Slurry Seal for the asphalt resurfacing	STAFF PRESENTER: Marty Mosbrucker, Public Works Manager
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RECOMMENDATION: Council approval of a contract between the Town of Youngtown and Southwest Slurry Seal to provide asphalt resurfacing to the streets from Alabama Ave., proceeding south to Greer Ave.

COMMUNITY BENEFIT: Asphalt resurfacing will extend the life of the streets, negating the need for extensive and often cost prohibitive milling/overlay or removal/replacement. Aesthetic value is an additional benefit as the pavement receives a new wearing surface of uniform color and texture, potentially increasing property values and town marketing potential.

DISCUSSION: The Town joined a Job Order Contract (JOC) through Pinal County with Southwest Slurry Seal, Inc. The JOC provides a cost benefit with fixed pricing for asphaltic services. The fixed pricing benefits municipalities through volume discounted pricing.

FISCAL IMPACT: \$193,598 for FY 2020/21. The budget is \$200,000.

REVIEWED BY:

per email
Trish Stuhan, Town Attorney

Nicole Smart
Nicole Smart, Town Clerk

Jeanné Blackman
Jeanné Blackman, Town Manager

PREPARED BY:

per email
Marty Mosbrucker, Public Works Manager

AGREEMENT
TO PROVIDE ITEMS OR SERVICES PURSUANT TO A
COOPERATIVE PURCHASING CONTRACT

This Agreement is made and entered into by and between the Town of Youngtown, Arizona, a municipal corporation, hereinafter designated as “Youngtown”, and Southwest Slurry Seal, Inc., an Arizona corporation, hereinafter designated as the “Vendor.”

RECITALS:

A. Vendor has contracted with Pinal County, Arizona, a municipal corporation, pursuant to Contract No. ROQ-175923 (the Cooperative Purchasing Contract); and

B. Pursuant to A.R.S. § 41-2631 *et seq.* and Youngtown Town Code § 3.16.090, Youngtown has authority to utilize cooperative purchasing contracts and engage Vendors under the terms thereof.

VENDOR AND YOUNGTOWN, FOR THE CONSIDERATION HEREINAFTER SET FORTH, PROMISE, COVENANT AND AGREE AS FOLLOWS:

1. Scope of Work.

1.1 Vendor shall provide the following items/services: street resurfacing services for the Town of Youngtown, as described in the Cooperative Purchasing Contract documents attached hereto as **Exhibit A**, which are incorporated herein by reference. As used in this Contract, all references in the Cooperative Purchasing Contract to Pinal County, Arizona, shall mean the Town of Youngtown, Arizona.

1.2 Vendor shall comply with all specific requirements and/or options of Youngtown, as specified in **Exhibit B** attached hereto and incorporated herein by reference.

2. Completion of Work. The Vendor shall complete all services on or before _____.

3. Payment. The Purchase Price is \$193,598.00. Payment to the Vendor for the items or services provided, shall be made in accordance with the price list and terms set forth in the Cooperative Purchasing Contract.

4. Terms of Cooperative Purchasing Contract Apply. All provisions of the Cooperative Purchasing Contract documents are incorporated in and shall apply to this Contract as though fully set forth herein, except as otherwise provided for in this Agreement.

5. Notices: All notices to Town shall be sent to:

Town Manager
12030 N. Clubhouse Square
Youngtown, AZ 85363

IN WITNESS WHEREOF, the parties have hereunto subscribed their names this _____
day of _____, 2021.

YOUNGTOWN:
Town of Youngtown, Arizona,
an Arizona municipal corporation

By: _____
Michael LeVault, Mayor

ATTEST:

Nicole Smart, Town Clerk

APPROVED AS TO FORM:

Gust Rosenfeld, PLC, Town Attorney
By Trish Stuhan

VENDOR:
Southwest Slurry Seal, Inc., an Arizona corporation

By: _____
Name: _____
Title: _____