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 **December 2, 2021** through *in-person and technological* means. 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. 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 appearing remotely, you may provide comments by muting and unmuting your phone when recognized by the Chair during public comment portions of the agenda. Chat is not available. You may also submit a public comment form to Town Clerk Nicole Smart, nsmart@youngtownaz.org, at least one hour before the meeting to submit a written comment. All comments must be submitted in writing before the meeting or verbally made during the meeting by either coming up to the podium to speak or unmuting your phone when recognized.

DATE: **December 2, 2021**
TIME: **5:30 p.m.**
PLACE: **Join the Regular Meeting by phone: 1-346-248-7799**
Meeting ID: **816 7863 0670**
Password: **024175**
Link to the zoom meeting:
https://us02web.zoom.us/j/81678630670?pwd=RnhiZlRoaGFsWFgxZmJaa2lSWm9Udz09

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:**
      Regular Council Meeting Minutes of November 18, 2021.
      Sidewalk Improvement Program Public Meeting of November 18, 2021.
      Mayor's Town Hall Minutes of November 20, 2021.
9. **Business**

   A. **Presentation, Discussion and/or Action Re**: Presentation of a Proclamation to Deputy Zane Hagen (Mayor)

   B. **Presentation, Discussion and/or Action Re**: Approval of Ordinance 2021-05 in regards to Chapter 8 of the Town Code, Section 8.20.30 Abandoned Vehicles and Section 8.24.10 Recreational Vehicles (Stuhan)

   C. **Presentation, Discussion and/or Action Re:** Amendment to the Maricopa County Sheriff's Office contract (Blackman)

   D. **Presentation, Discussion and/or Action Re:** Code Enforcement Update (Arrington)

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

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, December 16, 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 **November 29, 2021** in the Town's designated posting locations pursuant to Resolution No. 06-04 and on the Town's website.

Nicole Smart

Nicole Smart, Town Clerk

AGENDA DATE: December 2, 2021

STAFF REPORT TO COUNCIL

DEPARTMENT: ***General Government***	**DEPARTMENT REPORT SUBMITTED BY:** ***Town Manager, Jeanne Blackman***

REPORT:

- **Working on final preparations with staff for the Winter Miracle Event**
- **Attended the Mayor's Town Hall meeting on November 20**

AGENDA DATE: December 2, 2021

STAFF REPORT TO COUNCIL

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

REPORT:

- Preparing for the Winter Miracle (decorative lights, new banners, etc.)
- Meeting with street contractor: Resurfacing schedule.
- Park shrub trimming in progress.
- Stop sign destroyed at 115th Ave and Peoria Ave: Car accident, ins. claim filed with insured driver.

AGENDA DATE: December 2, 2021

STAFF REPORT TO COUNCIL

DEPARTMENT:	DEPARTMENT REPORT SUBMITTED BY:
LIBRARY	HEIDI SPEED

Library volunteer, Jacqueline (Jackie) Martin, 80, of Youngtown, Arizona, passed away on Wednesday, November 10, 2021. She is survived by her three children, 6 grandchildren, and 6 great grandchildren. Jackie was born on June 2, 1941 in Canal Fulton, Ohio. She was a medical transcriptionist for many years. Jackie moved to Arizona in 1974, and to Youngtown in 2013. She became a volunteer at the Youngtown Public Library in October, 2015 where she worked for several years. Her hobbies were reading, scrapbooking, and volunteering.

Our Book Club discussion this month will be on Thursday, December 16th at 11:00 AM, and will be about a Christmas novel, "Dashing Through the Snow" by Debbie Macomber. The Hallmark movie of the same name will be shown following the discussion.

Our Friends of the Library are doing a Bag Sale for $5.00 per bagful.

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***

AGENDA DATE: December 2, 2021

STAFF REPORT TO COUNCIL

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

REPORT:

- Attended the Winter Miracle Meeting.
- Organizing the Annual Christmas Celebration for staff and Council.
- Working on the auction of Town Vehicles and two containers of old items.
- Working on the Town of Youngtown to be a passport agent.
- Working for the Town of Youngtown to provide payment using credit card at Town Hall and through Citizenserve for better customer service.
- I would encourage all staff and Council to "like" the Town's page and submit pictures and stories. www.facebook.com/townofyoungtownaz.

MINUTES SIDEWALK IMPROVEMENT PROGRAM PUBLIC FORUM
12033 N. CLUBHOUSE SQUARE, TOWN COUNCIL CHAMBERS
THURSDAY, NOVEMBER 18, 2021 at 5:30 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 June Miller, Margaret Chittenden, Mike Francis and Karen Haney Duncan. Councilmember Susan Hout called in telephonically.

   Business: The Youngtown Community Development Department will discuss issues concerning the Town of Youngtown Sidewalk Improvement Program and the expansion of the Town's sidewalks and community walkability.

   Community Development Manager Gregory Arrington was present to give an update on Phase II of the Sidewalk public forum.

   The project consists, in total, of approximately 10,00 linear feet of ADA compliant sidewalks in the area bounded by West Peoria Avenue to West Connecticut Avenue and North 111th Avenue to North 114th Avenue. Work includes installation of sidewalks, curb ramps, reconstruction of non-compliant driveways, and ramps in the area, as well as landscape re-establishment of the removal/relocation of existing features, such as driveways, signs, mailboxes, fire hydrants, and other features that are required to complete the work, and other incidental work.

   The location of sidewalks being installed will be as follows:

   - South Side only of West Montana Avenue between N.111th Avenue and N. 114th Avenue
   - West Nebraska Avenue between North 111th Avenue and N. 114th Avenue
   - West Ohio Avenue between North 114th Avenue and Oregon Avenue
   - West Oregon Avenue between West Peoria Avenue and West Nebraska Avenue
   - West Pennsylvania Avenue between West Peoria Avenue and North 111th Avenue
   - North 112th Avenue between West Montana Avenue and West Ohio Avenue
   - West Indiana Avenue between North 111th Avenue and 112th Avenue.
   - West Hollywood Avenue between North 111th Avenue and Georgia Avenue.
   - West Georgia Avenue between North 111th Avenue and North 111th Drive.

   The Town received an additional $150,000 from the Community Development Block Grant program. The design contract was awarded to Kimley-Horn, in the amount of $33,295.00 for design services pursuant to the Agreement dated October 12, 2021. The sidewalk bid packet will be advertised in January 2022 with a start date of April 2021, and a completion date of October 2022. Community Development Manager Arrington mentioned the Phase III sidewalk application is due on December 2, 2021, and we are requesting monies for an additional 20,00 linear feet of sidewalk.

Mayor LeVault mentioned that a few years back, the Town paved eight miles of alleys, and then installed 99 street lights. Now the Town is focused on putting in 80,000 linear feet of sidewalks throughout the Town that will be constructed, and will be compliant with the American with Disabilities (ADA). We want to see the Town become a walkable community, and enhance the quality of life.

Community Development Manager Arrington stated due to the cost of the materials, the Town had to combine Phase I and II together, and the Town had to focus on life/safety on the installation of the sidewalks to be sure the bus stops were covered and that adults and children were not standing in the street waiting for the bus to pick them up.

Councilmember Chittenden asked if anyone approached the Town stating they do not want sidewalks installed?

Community Development Manager Arrington mentioned we did not have anyone approach us about not putting a sidewalk in front of their home, and also the town would not recommend a stop and go sidewalk as it becomes a trip hazard.

Town Manager Blackman mentioned if someone does not want a sidewalk, we need to explain to them the sidewalk is being install in the right-of-way. This is a life/safety issue for the people in the community.

Councilmember Miller asked when will the back area around Kansas be completed?

Town Manager Blackman stated the back area around Kansas will probably be done in the next phase. We will continue to apply through the Community Development Block Grant program to receive grant monies to complete the sidewalk project.

Community Development Manager Arrington stated it all depends on the cost of the materials on how much progress we can make in each phase of funding.

3. **Public Comments regarding Sidewalk Improvements.**

   There were no public comments.

Adjournment

Meeting Adjourned 5:21p.m.

_____
Michael LeVault, Mayor

Attest:

_____
Nicole Smart, Town Clerk

Minutes approved at the December 2, 2021 regular meeting

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

1. **Call to Order:** Mayor LeVault called the meeting to order at 5:30 p.m. immediately following the Sidewalk Forum.

2. **Roll Call:** Council present: Mayor Michael LeVault, Vice Mayor Chuck Vickers,
3. Council Members June Miller, Margaret Chittenden, Mike Francis and Karen Haney Duncan. Councilmember Susan Hout called in telephonically.

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

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

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

   Summary of Current Events:

   Mayor LeVault mentioned he did a ride along during the night with Affinium Security from 10:00 p.m. to 4:00 a.m. Mayor LeVault stated Affinium Security is doing a terrific job for the Town, and the step the Town is taking is making an impact. During our ride along they heard positive comments from the businesses and residents.

   Mayor LeVault mentioned he will be hosting a Mayor's Town Hall meeting this Saturday at 10:00 a.m.

   Mayor LeVault mentioned he attended the Valley Metro Meeting and ridership is still down by fifty percent. On October 7th the public is now entering the front of the bus and/or light rail and they are collecting fares again.

   Councilmember Chittenden mentioned the Dog Park meeting will be held this Saturday at 10:00 a.m. as they are getting ready for the Pet Blessings and Photos with Santa.

   Vice Mayor Vickers mentioned the Community Garden is having their Potluck this Saturday from 6:00 p.m. to 9:00 p.m.

Summary of Current Events from Town Manager

Town Manager Blackman met with Pat Walker, Trish Stuhan and Mayor LeVault to discuss use of ARPA funds (American Rescue Plan Act) provided to the Town.

Town Manager Blackman attended the semi-annual PSPRS (Public Safety Personnel Retirement System) meeting.

Town Manager Blackman attended a meeting with Captain Stutsman from MCSO and the Fire Chief, Police Chief and other staff from El Mirage regarding ongoing issues in the river bottom.

Town Manager Blackman attended the quarterly AZMT (Arizona Metropolitan Trust) meeting.

Town Manager Blackman attended the Winter Miracle Planning meeting.

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:** No response to Call to the Community.

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

8. **Consent**

   A. **Approval of Minutes:**

   Regular Council Meeting Minutes of November 4, 2021.

   Motion to approve the Consent Minutes – Councilmember Chittenden
   Second –Councilmember Haney Duncan
   Motion passed unanimously on a voice vote with all Councilmembers in attendance voting. Councilmember Hout's 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.

Assistant Chief Rob Schmitz presented the Sun City Fire and Medical District September monthly report. Discussion followed including inspections, fire preventions, response times, purchasing and cost of the new ambulance vehicle, burning trash, and no burn days.

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 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 the homelessness, and the Flock Safety cameras, etc.

C. Presentation and/or Discussion Re: Presentation of a Proclamation to Deputy Zane Hagen.

This item has been tabled until the next council meeting.

D. Presentation and/or Discussion Re: Presentation from Discover "U" School regarding school operations and announcements (Principal Luis Montoya)

Principal Luis Montoya from Discover "U" School presented an update in regards to the school operations and announcements.

Principal Montoya mentioned they have additional instructors and paraprofessionals for academic interventions and assistance. They have expanded their summer school program. The math, ELA, science, and social studies provide hybrid learning potential and support academic achievement. The Benchmark software is utilized to identify struggling students and standards of concern. The school was able to provide each student an assigned Chromebook.

The school counselor, Farah Fathi, provides multiple means for social-emotional wellness and learning.

- Social-Emotional Learning (SEL) every other day for all explorers
- SEL targeted instruction for identified explorers.
- Student Action/Leadership Projects are taken on by Ms. Fathi with Sixth Graders
- These projects include sight word walks, chalking for motivation, and a sixth-grade mural.

Discover U Elementary is a Positive Behavior Intervention and Supports (PBIS) school. Their focus is on positive reinforcement.

- Reinforcing positive behaviors through a school wide rewards system and language.
- Providing students with life skills such as being respectful, kind, proactive, and courageous.
- Students take responsibility for their actions and learn how to be positive/successful young members of society.

Arizona Department of Education ratings were posted for the 20-21 school year, and Discover U moved from 44% (D) to 77% (B) proficiency!

Vice Mayor Vickers mentioned they will be there soon to construct the school garden.

E. Presentation and/or Discussion Re: Presentation from WESTMARC by Sintra Hoffman, President and Chief Executive Officer.

President and CEO Sintra Hoffman gave an update on WESTMARC. Sintra Hoffman mentioned the West Valley Communities are Avondale, Buckeye, El Mirage, Gila Bend, Glendale, Goodyear, Litchfield Park, Maricopa County (Unincorporated), Peoria, Phoenix, Surprise, Tolleson, Wickenburg, and Youngtown.

President and CEO Sintra Hoffman mentioned the WESTMARC mission is to position the West Valley for economic development and job growth. Their goals are to promote talented workforce, promote the Greater Maricopa Foreign Trade Zone, communicate the West Valley message with one voice, and increase member value.

The three pillars for the west valley pipeline report are marketing, industry partnerships, and outreach.

The West Valley secret sauce is open communities, open to diversity, open to newcomers, open to new trends and to be welcoming. Cohesive communities are connected, engaged, collaborative, and supportive.

In 2022 their initiatives include emerging leaders' program, diversity and inclusion, regional homeless planning and education.

Mayor LeVault mentioned the next decade is going to be for the West Valley, and support for the surrounding communities.

F. Presentation and/or Discussion Re: Presentation from Executive Director Les Meyers from White Tank Mountains Conservancy.

Executive Director Les Meyers was present to give the Council an update on the White Tank Mountains Conservancy. City of Surprise Mayor Skip Hall and Councilmember Chris Judd were in attendance to present and support the White Tank Mountains Conservancy presentation.

Maricopa County continues to be the fastest growing county in the nation, which means West Valley cities are growing at a rapid rate, often straining resources. In fact, last year 42% of all new homes in the metro Phoenix area were built in the West Valley.

The White Tank Mountains are an important West Valley open space and historical cultural resource which includes:

- Two regional parks covering 38,000 acres and 46 miles of trails drawing over 700,000 visitors (535,000 of them are Phoenix metro residents) annually.
- 11 archeological sites occupied by the Hohokam Indians between 500-1100 A.D. In addition, petroglyphs, some 10,000 years old, remain.

Unfortunately, the White Tank Mountains stand in the path of urban development, which has now reached the foothills to the north, east and south of the White Tanks. Habitat fragmentation from urbanization is now the greatest threat to Sonoran Desert ecosystems.

As a valued open space resource, cities in the West Valley are recognizing that the White Tanks are not only key to the health and wellness of their residents but an important contributor to the economy of all the cities in the West Valley.

- Direct consumer spending on outdoor recreation in Arizona exceeded $9.6 billion and helped create 110,172 direct jobs + $4.8 billion in wages & salaries in 2019.
- Cities in proximity to open space show positive effects on real property values (resulting in higher tax revenue), increases in municipal revenues and exhibit an enhanced ability to attract and retain businesses, workers and affluent retirees.

Our city partners also recognize that residents of the West Valley cities care about the preservation of open space like the White Tank Mountains. In fact, according to a 2020 ASU/Gallup poll:

- 92% of bipartisan Arizona voters think it is important to preserve and protect Arizona's rivers, natural areas and wildlife.

- 98% of Arizona bipartisan voters indicate that parks, preserves, forests and open spaces are either very or somewhat important.

The Conservancy's White Tank Mountains Regional Connectivity Initiative and illustrative StoryMap can:

- Educate the community and planners, showing the White Tanks are not an isolated ecosystem and how plants and animals move between all the West Valley's mountains and open spaces.
- Act as a resource for cities to assist with regional open space planning, helping proactively engage stakeholders, identify possible wildlife corridors and act as a valuable tool in state land meetings and planning.

The White Tank Mountains Conservancy's programs act as an adjunct to city programs, allowing partner city residents to participate with us in:

- Youth to the Mountains program, which provides educational programming to underserved and at-risk youth, allowing them to experience guided hikes, animal adventures, presentations on invasive species and the importance of habitat connectivity, astronomy programs, bonfire gatherings and more.

- Desert Defenders, a volunteer program working to eliminate invasive plant species which can increase the risk of wildfire.

- Leave No Trace™ training and courses.

- Steward Volunteer Program, where volunteers assist with everything from trail maintenance to community education programs.

- Educational programs such as our Expert Speaker Series, For Goodness Snakes, Animal Adaptation education and community outreach presentations.

The White Tank Mountains Conservancy would not exist without the support of the community, especially our city partners. Our city partners have played a key role in the creation, programming, accomplishments and success of the Conservancy and we are proud to promote and support them as well by:

- Organizing and deploying our network of dedicated volunteers for city programs and events (as well as using our expertise in recruiting, training and managing our volunteers to assist our partners in building their own volunteer programs).

- Promoting city programs. We are proud to promote our city partner programs and events via our email lists and social media accounts.

- Advocating for our city partners. The Conservancy monitors conservation issues on the local, state and national level, acting as an advocate and resource for our city partners. In addition, we can help them navigate the intricacies of dealing with state land holdings and management.

Councilmember Chittenden mentioned the Youth program would be great for the younger kids.

Town Manager Blackman mentioned to connect and partner with Discover "U" school for the Youth program. Town Manager Blackman mentioned the Town is proud to partner with the White Tank Mountains Conservancy. This is a great place for people to go to the park, especially with the past year with Covid and people need to go out and not being restricted to their homes.

Mayor LeVault mentioned the West Valley did a good job in protecting the White Tank Mountains.

Mayor Skip Hall mentioned we need to support the White Tank Mountains Conservancy and Chris Judd is on their Board.

G. Presentation, Discussion and/or Action Re: Adoption of Resolution 2021-17 to establish new or increased fees related to licenses for telecommunications services - wired facilities in public highway.

Town Attorney Trish Stuhan was present to review and explain Resolution 2021-17.

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.

Approval of Resolution 2021-17 to establish new or increased fees related to licenses for telecommunications services wired facilities in public highway.
Councilmember Miller
Second –Councilmember Francis
Motion passed unanimously on a voice vote with all Councilmembers in attendance voting. Councilmember Hout's telephonic voice vote was noted as a yes.

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

Mayor LeVault mentioned the Town will continue to focus on the efforts to address the criminal activity, nuisances, and homelessness in Youngtown.

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

3. **Future Agenda & Meetings**

   A. Future Agenda Items
   B. The next Regular Council Meeting will be held on:
      I. **Regular Council Meeting for Thursday, December 2, 2021 at 5:30 p.m.**

Adjournment

Motion to Adjourn – Councilmember Chittenden
Seconded – Vice Mayor Vickers
Meeting Adjourned 7:38 p.m.

_____
Michael LeVault, Mayor

Attest:

_____
Nicole Smart, Town Clerk

Minutes approved at the December 2, 2021 regular meeting

MAYOR'S TOWN HALL MEETING
12033 N. CLUBHOUSE SQUARE,
TOWN COUNCIL CHAMBERS
NOVEMBER 20, 2021 at 10:00 A.M.

1. **Call to Order:** Mayor LeVault called the meeting to order at 10:00 a.m.

2. Council present: Mayor Michael LeVault, Council Members June Miller and Michael Francis

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

3. **Business:**

   A quorum was not present, no action was taken at this meeting.

   Mayor LeVault presented issues concerning the Town of Youngtown including budget, finance, safety, code compliance issues, economic development, business attraction and retention, parks, recreation.

   Discussion included - Jobs in the West Valley, Valley Metro ridership and transportation, Prop 400, Town of Youngtown projects including Ridgeview Homes, El Sol Battery Storage, Enclave off Olive, Flooding Project, Post Office, Peoria Wrap, Sidewalk Project, Youngtown Flats Multi Family Housing, Dunkin Donuts, Women's Pharmacy Renovation, Affinium Security, Law Enforcement Specialists, Maricopa County Sheriff's Office Bike Patrol, Homelessness, Petty Crime, Illegal Drugs, Non-Emergency Number and 911.

Adjournment
Meeting Adjourned 11:55 a.m.

_____
Michael LeVault, Mayor

Attest:

_____
Nicole Smart, Town Clerk

Minutes approved at the December 2, 2021 regular meeting

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

PROCLAMATION

A PROCLAMATION DECLARING NOVEMBER 18, 2021
AS ZANE HAGEN DAY IN THE TOWN OF YOUNGTOWN

WHEREAS, Deputy Zane Hagen began his service to the Maricopa County Sheriff's Office upon his successful completion of the MCSO Law Enforcement Training Academy on July 3, 2017. He completed his field training and was assigned to District 3 Patrol, and

WHEREAS, While in Patrol, Zane requested and was approved for training in Critical Incident Stress Management (CISM). Following this training, he began assisting others in coping with and navigating traumatic events, and

WHEREAS, Zane found his niche in community outreach opportunities. He was recognized for this ability and was assigned by the Division Commander as a Community Services Deputy for D3 in May 2019. During this time, Zane has built and fostered many relationships with individuals, groups, and the community, and

WHEREAS, He has been instrumental in planning Open House events, fundraisers for the Special Olympics, gathering children's Christmas toys, and even coordinating a parade to show appreciation for the healthcare workers at the hospital. He met regularly with HOA's to address their concerns and provide services, and

WHEREAS, Zane has worked closely with the Town of Youngtown. He has been determined in his efforts to address the homelessness issues in the Agua Fria River bottom. He has identified landowners and worked tirelessly on the issues of trespassing, traffic hazards, and trash clean-up. Zane has regularly patrolled these areas and worked to keep the community safe. He has made a tremendous positive impact, and

WHEREAS, Zane's skills in Critical Incident Stress Management have been recognized and he has been selected to serve in that capacity full-time. Zane's service to the community and his efforts to improve it do not go unnoticed.

NOW, THEREFORE, IT IS PROCLAIMED by the Mayor and Council of the Town of Youngtown, Arizona, the 2nd day of December, 2021 as Zane Hagen Day and we present him this key to the Town.

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 2nd day of December, 2021.

_____
Michael LeVault, Mayor

Attest:

_____
Nicole Smart, Town Clerk

ORDINANCE NO. 21-05

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF YOUNGTOWN, ARIZONA, AMENDING THE CODE OF YOUNGTOWN, ARIZONA, TITLE 8 HEALTH AND SAFETY, AMENDING CHAPTER 8.20 ABANDONED VEHICLES ON PRIVATE PROPERTY, SECTION 8.20.010 DEFINITIONS AND SECTION 8.20.030 REMOVAL OF DISMANTLED, PARTIALLY DISMANTLED, INOPERATIVE OR ABANDONED MOTOR VEHICLES OR PARTS FROM PRIVATE PROPERTY AND AMENDING CHAPTER 8.24 RECREATIONAL VEHICLE PARKING AND STORAGE, SECTION 8.24.010 DEFINITIONS AND SECTION 8.24.020 PARKING LIMITATIONS; ALL RELATED TO NUISANCE AND PARKING ISSUES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PENALTIES.

NOW THEREFORE, BE IT ORDAINED by the Council of the Town of Youngtown, Arizona, as follows:

Section I. In General.

The Code of Youngtown, Arizona, Title 8 Health and Safety, Chapter 8.20 Abandoned Vehicles on Private Property, Section 8.20.010 Definitions is hereby amended to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

Section 8.20.010 - Definitions.

In this chapter unless the context requires otherwise:

* * *

Improved Parking Surface.

1. "Front yard" means a driveway or pad that is maintained for parking BETWEEN THE STREET LINE AND FRONT LINE OF THE PRINCIPAL BUILDING ON THE LOT AND that is concrete, ~~or~~ asphalt, OR PAVERS AND IS WEED AND GRASS FREE.
2. "Side yard" means a driveway or pad that is maintained for parking EXTENDING FROM THE FRONT YARD TO THE BACK YARD AND MEASURED BETWEEN THE SIDE LOT LINES AND THE FOUNDATION OF A PRINCIPAL BUILDING OR ANY PROJECTION THEREOF, that consists of ~~gravel~~ CONCRETE, ASPHALT, OR PAVERS and is weed and grass free.
3. "Back yard" means a driveway or pad that is maintained for parking BETWEEN THE REAR LOT LINE AND THE FOUNDATION OF A PRINCIPAL BUILDING OR ANY PROJECTIONS THEREOF, that is dustproof and weed and grass free.

* * *

The Code of Youngtown, Arizona, Title 8 Health and Safety, Chapter 8.20 Abandoned Vehicles on Private Property, Section 8.20.030 Removal of Dismantled, Partially Dismantled,

Inoperative or Abandoned Motor Vehicles or Parts from Private Property is hereby amended to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

Section 8.20.030 - Removal of dismantled, partially dismantled, inoperative or abandoned motor vehicles or parts from private property.

A. The ~~police department~~ TOWN is authorized and empowered to notify the owner or agent of such owner of any property within the corporate limits of the town to properly dispose of dismantled, partially dismantled, inoperative, or abandoned motor vehicle or parts located upon such owner's property which are subject to this chapter and are dangerous to the public health, safety, or public welfare. Such notice shall be certified or registered mail with return receipt requested and addressed to the owner at his or her last known address.

B. Upon failure of any owner to properly dispose of dismantled, partially dismantled, inoperative or abandoned motor vehicles or parts within fifteen (15) days after receipt of written notice provided for in subsection A of this section or within fifteen (15) days after the date of such notice in the event the same is returned to the ~~police department~~ TOWN because of inability to make delivery thereof; provided, that the same was properly addressed to the last known address of such owner or agent, the ~~police department~~ TOWN is authorized and empowered to dispose of such dismantled, partially dismantled, inoperative or abandoned motor vehicles or parts or to order their disposal by the town.

The Code of Youngtown, Arizona, Title 8 Health and Safety, Chapter 8.24 Recreational Vehicle Parking and Storage, Section 8.24.010 Definitions is hereby amended to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

Section 8.24.010 - Definitions.

As used in this chapter:

* * *

"Factory built building" means a structure as described by the state of Arizona. A.R.S. Section ~~41-2142(14)~~ 41-4001(17).

"Manufactured housing" OR "MANUFACTURED HOME" means a structure as described by the state of Arizona. A.R.S. Section 35-701(5) and A.R.S. Section ~~41-2142(24)~~ 41-4001(25).

"Mobile home" means a structure as described by the state of Arizona. A.R.S. Section ~~2142(26)~~ 41-4001(27).

* * *

The Code of Youngtown, Arizona, Title 8 Health and Safety, Chapter 8.24 Recreational Vehicle Parking and Storage, Section 8.24.020 Parking Limitations is hereby amended to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

Section 8.24.020 - Parking limitations.

A. It is unlawful to park more than one recreational vehicle, one boat and/or boat trailer, and one utility trailer on a single-family residential lot. Such recreational vehicles shall be parked in side or back yards and shall be parked on an improved surface only. Said recreational vehicle shall not be used for storage or sleeping accommodations except as otherwise allowed in this code. Utility trailers may only be parked in the rear yard.

B. An improved parking surface shall be defined as follows:

1. Front yard: A driveway or pad that is maintained for parking BETWEEN THE STREET LINE AND FRONT LINE OF THE PRINCIPAL BUILDING ON THE LOT AND that is concrete, ~~or~~ asphalt, OR PAVERS AND IS WEED AND GRASS FREE.

2. Side yard: A driveway or pad that is maintained for parking EXTENDING FROM THE FRONT YARD TO THE BACK YARD AND MEASURED BETWEEN THE SIDE LOT LINES AND THE FOUNDATION OF A PRINCIPAL BUILDING OR ANY PROJECTION THEREOF, that ~~consists of gravel~~ IS CONCRETE, ASPHALT, OR PAVERS and is weed and grass free.

3. Back yard: A driveway or pad that is maintained for parking BETWEEN THE REAR LOT LINE AND THE FOUNDATION OF A PRINCIPAL BUILDING OR ANY PROJECTIONS THEREOF, and is dust proof, weed and grass free.

~~C. Front yard shall be defined as set forth in Section 17.04.030 except that for purposes of recreational vehicles, boats, boat trailer parking, the front yard shall begin at the front edge of the foundation rather than at the edge of any projection of the building.~~

Section II. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section III. Providing for Severability.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or any part of the Code adopted herein by reference is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section IV. Providing for Penalties.

Any person found responsible of violating any provisions of this Ordinance, except as otherwise provided in this Ordinance, shall be responsible for a civil infraction pursuant to Section 1.12.010 of the Town Code, punishable by a fine not less than fifty dollars ($50.00) nor more than five hundred dollars ($500.00) for each violation. Each day that a violation

continues shall be a separate offense punishable as hereinabove described. Habitual offenders may be charged with a class 1 misdemeanor offense punishable by a fine of not less than five hundred dollars ($500.00) nor more than two thousand five hundred dollars ($2,500.00), exclusive of penalty assessments prescribed by law or by imprisonment for a period not to exceed six months, or by both such fine and imprisonment.

PASSED AND ADOPTED by the Common Council of the Town of Youngtown, Arizona, this _____day of_____, 2021, by the following vote:

AYES: _____

NAYES: ____ ABSENT: _____

EXCUSED: __ ABSTAINED: _____

APPROVED this ____ day of _____, 2021.

_____
Michael E. LeVault, Mayor

ATTEST:

_____
Nicole Smart, Town Clerk

APPROVED AS TO FORM:

_____
Trish Stuhan, Town Attorney

I, NICOLE SMART, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. _____ ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF YOUNGTOWN ON THE ____ DAY OF _____, 2021, WAS POSTED IN THREE PLACES ON THE _____ DAY OF _____, 2021.

_____
Nicole Smart, Town Clerk

Amendment 2

to

AGREEMENT FOR LAW ENFORCEMENT SERVICES

BETWEEN THE TOWN OF

YOUNGTOWN

AND

MARICOPA COUNTY

on behalf of the Sheriff's Office

C-50-18-073-3-00
C-50-18-073-3-01
C-50-18-073-3-02

Term: July 1, 2018 through June 30, 2021
with up to three (3) Successive One-Year Automatic Renewals

Amendment 2 Effective December 15, 2021 through June 30, 2022

Amendment 2 to Agreement for Law Enforcement Service
between the Town of Youngtown
and Maricopa County on behalf of the Sheriff's Office
C-50-18-073-3-02

This Amendment to the Agreement between the Town of Youngtown ("Town") and Maricopa County ("County") on behalf of the Sheriff's Office (MCSO) shall be effective on December 15, 2021, and upon approval of the Maricopa County Board of Supervisors and the Town of Youngtown.

Recitals

The County acting on behalf of the Sheriff's Office and the Town entered into an Agreement for Law Enforcement Services (the "Initial Agreement"), executed June 7, 2018, (C-50-18-073-3-00).

Amendment #1 amended Section III, Reimbursement Costs and Charges, to coincide with changes to Worksheet Exhibit A to be effective with FY 2020, executed July 8, 2019, (C-50-18-073-3-01).

The Town requests supplemental directed patrol from MCSO to end the increase in calls for service for property crimes in certain areas. Supplemental law enforcement service exceeds the current contracted level of service.

Amendment #2 provides terms and conditions for a supplemental community policing program for directed patrol to combat property and other crimes.

Agreement

The terms of this amendment will be in effect through June 30, 2022.

Parties agree to the following terms:

1) MCSO will deploy supplemental directed patrols for the Town. Specific deployments will be scheduled according to crime statistics, MCSO investigative information, "Tips," and community-based information.

2) Deployment of supplemental directed patrols will be intermittent, as needed, and as MCSO staffing levels and priorities permit.

3) Supplemental directed patrols will be conducted on foot, on bicycles, on quads and in marked and unmarked MCSO vehicles and will be worked as overtime for MCSO personnel on assignment.

4) MCSO will charge fixed hourly rates for supplemental directed patrols as outlined in the attached Schedule A. MCSO employee hours worked for supplemental details will be trackable and identifiable. An hourly allocation for supervision will also be charged using the deputy to sergeant ratio of 8 deputies to one sergeant.

5) MCSO will ensure that supplemental directed patrol overtime expenditures incurred by District III and reimbursed by the Town in FY 2022 will be excluded in the annual overtime cost calculations for the FY 2024 Law Enforcement Cost annual worksheet.

6) This amendment can be canceled by either party for any reason with a two-week written notice.

7) MCSO and the Town Manager will meet as often as necessary to review the need for and results of supplemental directed patrol deployments.

8) This amendment does not affect the terms and conditions of the Initial Agreement and Amendment #1.

9) This amendment may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute the same instrument. Faxed, copied, electronic and scanned signatures are acceptable as original signatures.

Authorization and Signatures

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement as of the date of the last signature set forth below.

TOWN OF YOUNGTOWN
an Arizona municipal corporation

By: _____
Michael LeVault
Mayor, Town of Youngtown

Date: _____

Attest:

_____
Town Clerk

MARICOPA COUNTY
a political subdivision of the State of Arizona

By: _____

Chairman, Board of Supervisors

Date: _____

Attest:

_____
Juanita Garza, Clerk of the Board

MARICOPA COUNTY SHERIFF'S OFFICE

_____
Paul Penzone, Sheriff Date

In accordance with the requirements of A.R.S. § 11-952(D), the undersigned attorneys acknowledge that (i) they have reviewed the above Agreement on behalf of their respective clients and (ii) as to their respective clients only, each attorney has determined that this Agreement is in proper form and that execution hereof is within the powers and authority granted under the laws of the State of Arizona.

_____
Town Attorney Date

_____
Deputy County Attorney Date

C-50-18-073-3-02
Amendment 2

Schedule A.

Charges
Supplemental Directed Patrol Service
and Invoicing

1) The Deputy hourly charge is the average hourly overtime rate for an MCSO deputy $49.42 plus $38.45 for variable benefits (77.81%). Plus, a charge for supervision per hour worked.

Deputy/Sworn Officer charge per hour	$ 87.87
Supervisor Allocation per Deputy Hour Worked	14.27

Note: The supervisor allocation is the sergeant charge per hour divided by 8, the staffing ratio used in the law enforcement contracts for service.

2) When a sergeant is assigned to participate in the detail, the average hourly overtime rate is $64.19 plus $49.95 for variable benefits (77.81%).

Sergeant charge per hour	$114.14

3) A vehicle charge of $10 per hour will be added when marked and unmarked automobiles are used for this duty.

4) A 3% administrative processing charge will be added to the total of each invoice.

5) Invoices will include the following information per supplemental directed patrol undertaken:

- Date and time of Service
- Number of staff assigned by market range title
- Number of hours worked by market range title
- # of applicable vehicle hours
- Total amount due

6) Hours worked will be rounded to the nearest quarter-of-an-hour.