

**MINUTES OF THE
REGULAR MEETING OF THE COMMON
COUNCIL OF THE TOWN OF STAR VALLEY**

**Tuesday, October 6, 2015 @ 6:00 pm
3675 East Highway 260, Star Valley, AZ
(Star Valley Town Hall)**

The Agenda for the meeting is as follows:

- CALL TO ORDER
- PRAYER was offered by Pastor Carl Peterson of Payson United Methodist Church
- PLEDGE OF ALLEGIANCE
- ROLL CALL:

Mayor McDaniel X , Vice-Mayor Binney X , Council Member Hartwell X , Council Member Henderson X , Council Member Coon X , Council Member McKinney X , Council Member O'Connor X .

- **CONSENT AGENDA ITEMS:**

All items listed under the Consent Agenda will be voted on with one motion. If discussion is desired regarding any Consent Agenda item, that item will be removed from the Consent Agenda and voted on separately.

A. Approval of the minutes from the Regular Council Meeting held on September 1, 2015 and the Special Council Meeting held on September 23, 2015.

B. Approval of Claims Payable from September 1, 2015 through September 30, 2015, for the General Fund and for the Water Department.

A motion to approve consent agenda items A and B was made by Council Member Coon, and was seconded by Council Member Hartwell.

A roll call was taken:

Mayor McDaniel X , Vice-Mayor Binney X , Council Member Hartwell X , Council Member Henderson X , Council Member Coon X , Council Member McKinney X , Council Member O'Connor X .

The motion was voted on and passed 7 - 0.

- **DISCUSSION ITEMS:**

1. Discussion and possible action concerning proceeding with Moonlight Crossing project.

Town Manager Grier provided an updated cost estimate from Sunrise Engineering for the Council Members. Mr. Grier pointed out the estimated cost of the project is now \$\$88,963. Mr. Grier reminded the Council that this is a low water crossing, and that some of the engineering work has already been done.

Council Member O'Connor stated he personally wants to see the project move forward as it impacts the use of his property, and that it will only get more expensive as time goes by. Council Member Hartwell and Mayor McDaniel also agreed that it is time to move forward.

A motion that the Council accept the conceptual design produced by Sunrise Engineering for the Moonlight Crossing Project, and authorize the Town Manager to proceed with the project was made by Council Member Hartwell, and was seconded by Council Member Coon.

The motion was voted on and passed 7 – 0.

2. Discussion and possible action regarding appointing members to the Star Valley Planning & Zoning Commission.

Town Clerk Lois Johnson pointed out to the Council that the Planning & Zoning Commission had not had a reason to meet for several years, but several months a Conditional Use Permit Application was submitted to the Town which required being addressed by the Commission. A quorum was obtained for that meeting. Since that time, it appears several additional Conditional Use Permit Applications may be submitted and the Commission needed to be fully filled, plus several extra members if possible.

Ms. Johnson stated an ad had been placed in the paper soliciting members of the Planning & Zoning Commission and letters of interest were received from Bobby Davis, Larry Stephenson, and Jeff Provencher. In addition, Mark Salem, a member of the mediation committee, had expressed interest in serving on this Commission. Ms. Johnson stated she has spoken with the current members of the Commission, Gary Plunkett, Ray Lyons and Scott Popke, and they had all expressed their interest in remaining on the Commission.

A motion that the Council appoint Bobby Davis, Larry Stephenson, Jeff Provencher and Mark Salem as members of the Planning & Zoning Commission for a term of two years, in addition to the existing members of Gary Plunkett, Ray Lyons and Scott Popke, was made by Council Member Henderson, and was seconded by Council Member Hartwell.

The motion was voted on and passed 7 – 0.

3. Discussion and possible action concerning awarding bonuses to Town Staff.

Council Member Henderson stated a monetary bonus is usually much more appreciated by staff rather than gifts or a dinner. Council Member Henderson suggested a bonus to each staff member in the amount of \$500.00 net, to be paid as soon as possible.

Town Manager Grier stated it is “not hard to brag up staff.” Mr. Grier stated each staff member does work hard and wears many different hats, in addition they each display true dedication to the Town which goes far beyond just being an employee. Mr. Grier stated that staff is very appreciative that Council thinks of staff, which means more than a monetary reward. Mayor McDaniel added that from his perspective each member of staff goes far beyond the duties of their job, and do a lot for the Town and the members of the community.

A motion that in recognition of the diligence and hard work of town staff, the Council award bonuses to each member of Town staff in the amount of \$500.00 net, to be done as soon as possible was made by Council Member Henderson, and was seconded by Council Member Coon.

The motion was voted on and passed 7 – 0.

4. Discussion and possible action concerning Resolution No. R 15-23 captioned as follows: A Resolution of the Mayor and Common Council of the Town of Star Valley, Arizona, authorizing the Mayor to execute Intergovernmental Agreement No.

041015-1 by and between Gila County and Town of Star Valley for law enforcement services.

Town Manager Grier stated Gila County Sheriff's Office has been providing law enforcement services to the Town for several years and their performance has been very satisfactory. The contract is up for renewal and a one year contract at the same monetary amount has been received from Gila County. Mr. Grier stated it was his recommendation that the Council renew this contract with the Gila County Sheriff's Office.

A motion that the Council adopt Resolution No. R 15-23 – A Resolution of the Mayor and Common Council of the Town of Star Valley, Arizona, authorizing the Mayor to execute Intergovernmental Agreement No. 041015-1 by and between Gila County and Town of Star Valley for law enforcement services was made by Council Member Hartwell, and was seconded by Council Member Henderson.

The motion was voted on and passed 7 – 0.

- 5. Discussion and possible action concerning Resolution No. R 15-24 captioned as follows: A Resolution of the Mayor and Council of the Town of Star Valley adopting a residential antidisplacement and relocation assistance plan for FY 2015/2016, as required under Section 104(d) of the Housing and Community Development Act of 1974 as amended.**

Town Clerk Johnson stated this resolution was received from Central Arizona Governments and it is required to be provided by any town that requests a federal grant. If the Town chooses not to provide this plan, then the Town is not eligible for any federal grants.

A motion that the Council adopt Resolution No. R 15-24 – A Resolution of the Mayor and Council of the Town of Star Valley adopting a residential antidisplacement and relocation assistance plan for FY 2015/2016, as required under Section 104(d) of the Housing and Community Development Act of 1974 as amended was made by Council Member Hartwell, and was seconded by Council Member Henderson.

The motion was voted on and the tally was 6 – 1.

A roll call vote was then taken:

Mayor McDaniel Yes, Vice-Mayor Binney No, Council Member Hartwell Yes, Council Member Henderson Yes, Council Member Coon Yes, Council Member McKinney Yes, Council Member O'Connor Yes.

The motion passed 6 – 1.

- 6. Discussion and possible action regarding selection of a contractor for the B. Diane McDaniel Community Park bathroom project, and the new bid and construction changes for the park bathrooms.**

Town Manager stated at the last meeting at which park bathrooms were discussed, a bid was submitted by J. D. Builders, and the Council instructed the Town Manager to meet with the contractor in an attempt to reduce the price. A meeting was held between Mr. Grier and Mr. Barber, and this resulted in a price reduction in the amount of \$79,830. Mr. Grier stated he believes the Town can afford to do this project for this amount. Mayor McDaniel expressed his appreciation to J. D. Builders for working with the Town to bring the price down.

Discussion was had relating to the advisability of reducing the warranty on the paint, the use of asphalt shingles, deleting concrete on three sides of the building, and the need for termite pre-treat. John Barber presented his reasons for deleting these items, and the Council agreed with his reasoning.

Town Manager Grier stated if Vice-Mayor Binney is still considering being a subcontractor on this project, then he would need to recuse himself from discussion and vote.

A motion that the Council approve J. D. Builders as the contractor for the B. Diane McDaniel Community Park Bathroom Project; and authorize the Town Manager to enter into a contract in the amount of \$79,830.00 with said contractor was made by Council Member Henderson, and was seconded by Council Member O'Connor.

The motion was voted on and passed 6 – 0, with Vice-Mayor Binney abstaining.

7. Discussion and possible action concerning authorizing the use of inflatables in the B. Diane McDaniel Community Park.

Council Member Henderson stated this discussion item is a result of her concern after her discussion with Southwest Risk at the League conference. Southwest Risk had indicated to her that if there were an incident at the park involving inflatables, the Town's premiums would go up permanently. Council Member Hartwell also expressed her concern with the safety of inflatables. Council Member Henderson defined inflatable as "anything that you would blow up, including bounce house or pool."

Discussion followed including liability on the part of the Town; use of inflatables by other towns and cities; safe tie down of bounce houses; exposure of Town to potential lawsuit in case of injury; and stand by insurance company not to insure bounce houses. Vice-Mayor Binney indicated he would abstain from voting on this discussion item as he had a personal interest in the issue.

Mayor McDaniel asked Town Manager Grier to clarify if he had in fact spoken with Southwest Risk concerning inflatables, and that Southwest Risk stated it would not insure inflatables. Town Manager Grier stated he had spoken with Southwest Risk concerning use of the water slide at the park and a bounce house. Mr. Grier stated his understanding from that conversation is that bounce houses are absolutely not insured by Southwest Risk. Mr. Grier stated Southwest Risk did insure the water slide, but with great concerns and the stand that if a claim was made it would raise the Town's insurance premium substantially and permanently. Mr. Grier stated his attorney opinion is the Town would be exposed to liability concerning inflatables at the park, and this could result in a cost of millions of dollars to the Town. Mr. Grier further stated that he believes in the future insurance companies are going to back off of insuring inflatables.

A motion was made that due to the liability concern expressed by Southwest Risk and their non-insuring of inflatables, that the Council not allow inflatables in the B. Diane McDaniel Community Park was made by Council Member Henderson, and was seconded by Council Member Hartwell. The motion was voted on and passed 6 – 0, with Vice-Mayor Binney abstaining from the vote.

• COMMENTS FROM THE PUBLIC

During this portion of the meeting, members of the public may address the Town Council on items that are not on the printed agenda. Any remarks shall be addressed to the Council as a whole and not to any individual member. Speakers are limited to three (3) minutes per person unless additional time is granted by the Mayor. The Council may not discuss or act upon matters raised during public comments.

Bobby Davis, 90 S. Hill Side Drive, Star Valley, expressed his appreciation for being appointed to the Planning & Zoning Commission, and that he is looking forward to working with the other members and to assist in serving the Town.

Larry Stephenson, 840 S. Moonlight Drive, Star Valley, also expressed his appreciation for being appointed to the Planning & Zoning Commission, and that the Commission would give its best recommendations to the Council.

James Kline, 1101 N. Moonlight, Star Valley, asked if the Council has considered a legal waiver for anyone holding an event at the park.

There were no further public comments, and the Mayor closed this portion of the meeting.

• **ADJOURNMENT**

A motion to adjourn the meeting was made by Council Member Henderson, and was seconded by Council Member Hartwell.

The motion was voted on and passed 7 - 0.

APPROVED:

Ronnie O. McDaniel, Mayor

Date: _____

ATTEST:

Lois V. Johnson, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Town Council of the Town of Star Valley held on the 6th day of October, 2015. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 13th day of October, 2015.

Lois V. Johnson, Town Clerk