

**MINUTES OF THE
SPECIAL MEETING OF THE COMMON
COUNCIL OF THE TOWN OF STAR VALLEY
Tuesday, March 24, 2020 @ 5:00 p.m.
3675 East Highway 260, Star Valley, AZ
(Star Valley Town Hall)**

The Agenda for the meeting is as follows:

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL:

Vice Mayor McKinney X, Council Member Davis X, Council Member Armington X, Council Member Binney X, Council Member Rappaport (telephonically) X, Council Member McDaniel X, Mayor Coon X.

- **DISCUSSION AND POSSIBLE ACTION ITEMS:**

1. **Discussion and possible action to adopt the Proclamation declaring an emergency and to adopt Resolution No. R 20-02 – A Resolution of the Mayor and Common Council of the Town of Star Valley, Arizona, authorizing a public meeting action plan.**

Mayor Coon reported Town Manager Grier and staff have been working very hard doing what's necessary preparing the Town for the COVID-19 emergency. Town Manager Grier explained council has in front of them the Proclamation and the decision whether or not to declare a State of Emergency for the Town of Star Valley. It is something most all towns and cities in the state have already done and he supposes a bit redundant in that Governor Ducey has declared a State of Emergency for the state. Mr. Grier reported Governor Ducey's State of Emergency mandates closures of different types of businesses, specifically bars, restaurants, hairdressers and gyms in counties that have a reported positive case of COVID-19. Gila County currently does not, and thus, as far as state mandated closures, closures are not in place. Mr. Grier stated he thinks council will be very reluctant tonight to close businesses without a single case of the coronavirus in the county. Action wouldn't be necessary, stated Mr. Grier, because the Town will be trumped by Governor Ducey's order if there is a case of COVID-19 in the county.

Queried Town Manager Grier – So what advantages would there be in the declaration of emergency? The advantage, answered Mr. Grier, is it gives a little bit of flexibility in how meetings are conducted or not conducted. Foremost, it may position the Town for federal or state funding if available. He sees it as something that is more pro-business, that if there are funds that are available, the Town would not want to miss out on those funds for businesses or citizens. Mr. Grier disclosed he does not know if that will be the scenario, but he does not see a real downside in it. He would caution against a Proclamation to close businesses. From a legal perspective, explained Mr. Grier, Governor Ducey's order will do that if there is a single case of coronavirus in the county. Also, something like this gives the Town a little more flexibility in Town Hall to address some issues that are coming and difficult issues to decide. For example, queried Mr. Grier – Does the Town suspend shut offs with water customers that are not able to pay their bill? That is going to have to be addressed, acknowledged Mr. Grier. It's going to be a

difficult decision on what the Town does with that. Queried Mr. Grier – Waive shut offs and water bills? Perhaps the Declaration of Emergency allows a little bit more flexibility for the Town Manager to make that decision instead of bringing it in front of council. One, so that council does not have to make a difficult political decision that they don't want to make. And two, the Town may have trouble having council meetings. Things have been changing so fast we are not really sure what tomorrow brings. We need to take care of business as we can and then possibly suspend meetings for non-essential items. Mr. Grier stated he has tried to position the Town as best he can, following suit with other towns and cities.

Council Member McDaniel stated she does not think the Town should shut off people's water – it would be like kicking people while they are already down. If the Town can afford to keep a customer's water connected, maybe the customer could somehow slowly pay it back at a later time. Denying that access when everyone is going through such a rough time seems a little unfair, concluded Council Member McDaniel. Town Manager Grier clarified that while this is not an agenda item it is still appropriate to talk about. Staff discussed this today, reported Mr. Grier, and at this point we are going to suspend shut offs this month. That will buy the Town some time (this month and the next month) to see just where we are at. The Town is going to have people that may take advantage of that – the water department has its regulars that don't pay that get to the point of getting shut off. And if the word gets out that you don't have to pay your water bill, maybe nobody pays their water bill. Then, as a council, we're going to have to do a different economic analysis about a significant loss of revenue in running the water department without revenue coming in. Also, if you say you don't have to pay your water bill and you have to make it up, then you have a bigger water bill in two or three months. Queried Mr. Grier – Is that person going to be able to pay their water bill? Will the Town be prioritized if we say we are not going to have people pay their water bill? APS and the Town of Payson are suspending shut offs at this point, reported Mr. Grier. The best staff has come up with, as far as discussion, is to suspend shut offs for this month. Council may very well want to have a council meeting where they tell staff what they want staff to do, concluded Mr. Grier.

Mayor Coon commented the relief bill may answer some people's financial problems. Council Member Binney asked if the Town has a deposit from all the customers. Mr. Grier answered the Town has a deposit from most of the customers, but not all of them. Council Member Binney stated he doesn't see how it could be gifting if you do it for everybody, especially when you can take it out of the deposit. He doesn't think gifting is an issue at all and it is absolutely the right thing to do. Council Member Rappaport stated it is pretty clear on what the Town needs to do until there is an active case, then everything is going to change. She thinks the water department can handle water bills one at a time. If they can't pay it all, maybe they can pay some, just to show good will, concluded Council Member Rappaport. Mayor Coon commented the Town will have to work that out on an individual basis.

Council Member Davis asked if the Town has to pass this to be able to receive federal funding. Town Manager Grier answered he does not know. Mayor Coon responded the first thing the states do when they have a disaster is issue a State of Emergency, which puts them in line for federal funding. Using that thinking, it's smart to do this, concluded Mayor Coon. Mr. Grier added FEMA money is what his concern would be, and he doesn't think there is FEMA money available without an emergency declaration. Council Member Armington stated by declaring the Proclamation it takes council out of the scenario so the Mayor and Town Manager can make important decisions. Mayor Coon responded it doesn't give him any more authority in his mind. Mainly, it gives the Town Manager some flexibility.

Council Member Rappaport commented that Ducey's Executive Order says the bars have to serve drinks in closed containers. Queried Council Member Rappaport – Do the bars in Town know that? Mayor Coon responded if the Town gets to the point where Ducey shuts down our restaurants, if they serve food then they can serve liquor with it. Council Member Armington added he thinks it refers to not

making a cocktail to go. What is being said in Ducey's Executive Order is that alcohol sales will be permitted for delivery or to go but need to be sealed, concluded Council Member Armington. Mayor Coon commented if we don't have a case in this county, we are not going to shut anything down anyway. If we do get a case, then Governor Ducey will shut it down. Mayor Coon reported that Senator Kyrsten Sinema made a comment that town council does have a right to make any necessary decisions, including shutting down businesses (which would include bars and restaurants), without Ducey's order to do it. Mr. Grier answered he thinks it is true that council has the authority to do so. Queried Mr. Grier – Why would you want to do that when there is not a single case of coronavirus in the county? If there is, then the Town doesn't have to do that. So, the Town does not have to be concerned about legal consequences because it is on the state, concluded Mr. Grier.

A motion to adopt the Proclamation declaring an emergency and to adopt Resolution No. R 20-02 – A Resolution of the Mayor and Common Council of the Town of Star Valley, Arizona, authorizing a public meeting action plan was made by Council Member Davis and was seconded by Council Member McDaniel.

A roll call vote was taken:

Vice Mayor McKinney Yes, Council Member Davis Yes, Council Member Armington Yes, Council Member Binney Yes, Council Member Rappaport (telephonically) Yes, Council Member McDaniel Yes, Mayor Coon Yes.

The motion was voted on and passed 7 –0.

- **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.

The Mayor opened this portion of the meeting up for public comments.

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

- **ADJOURNMENT**

A motion to adjourn the meeting was made by Council Member Davis and was seconded by Council Member Armington.

The motion was voted on and passed 7 – 0.

APPROVED:

Gary Coon, Mayor

Date: _____

ATTEST:

Edie Chapin, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the Town Council of the Town of Star Valley held on the 24th day of March 2020. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 27th day of March 2020.

Edie Chapin, Town Clerk