

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

**Tuesday, January 18, 2022 at 5:15 pm
3675 East Highway 260, Star Valley, AZ
(Star Valley Town Hall)**

The Agenda for the meeting is as follows:

- PRAYER was offered by Pastor Dave Barber of Rim View Community Church.
- PLEDGE OF ALLEGIANCE
- CALL TO ORDER
- ROLL CALL:
Vice Mayor McKinney X, Council Member Davis X, Council Member Armington X,
Council Member Binney X, Council Member Rappaport X, Council Member McDaniel X,
Mayor Coon X.

- **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 up this portion of the meeting for public comment.

Bob O'Connor of Star Valley stated he is going to read what he wants to say and he will leave right after his comments as he does not want to be a part of the upcoming discussion. Mr. O'Connor stated he is here to address council about the recent events involving Council Members Gary Coon and Ray Armington. He is disappointed in Mayor Coon's behavior that resulted in an arrest on December the 18th, 2021. He does not know all the facts in the case and he also understands that Mayor Coon is innocent until the matter is settled and results otherwise. However, added Mr. O'Connor, something did happen on that day that has landed Mayor Coon in a position that is not only embarrassing for him but for the Town as well. While law enforcement encounters these kinds of situations on a regular basis and domestic assault and public disturbances are not rare incidents at all, but for the fact that he is Mayor of Star Valley, this situation would not have become public to the point that his picture and story were highlighted in the local newspaper. Innocent or guilty, stated Mr. O'Connor, Mayor Coon's mugshot will be imprinted on the memories of many people and will be ongoing blight on the Town of Star Valley. Many will have lost respect for the mayor and wonder if he is fit to serve. Because of Mayor Coon's involvement with someone that Council Member Armington considers a fraud, someone that he has allowed to live with him for some months, makes Mr. O'Connor wonder if the mayor's decision making skills are where they need to be to serve as Mayor. As a friend, stated Mr. O'Connor, he hopes that Mayor Coon would

consider humbly resigning from his position so that he has time to handle the legal challenges that are in front of him, perhaps reevaluate his life goals and let the Town move away from any more drama from this situation.

Mr. O'Connor stated he is disappointed in the fact that as a member of council, Council Member Armington called the victim in this situation a fraud. Mr. O'Connor disclosed he does not know the victim at all, but that seems like an insult on top of injury. Mr. O'Connor added that Council Member Armington also violated Open Meeting Laws by emailing all council members, seemingly in an attempt to circle the wagons in an effort to protect Mayor Coon. The mayor may have been better served by Council Member Armington remaining silent. Calling the victim a fraud while representing the Town of Star Valley and violating the Open Meeting Laws could create some issues for the Town of Star Valley. Both actions, stated Mr. O'Connor, make him wonder if Council Member Armington can behave appropriately in stressful situations that involve the community. He hopes Council Member Armington will take some time to consider his conduct and at the very least offer a public apology to the victim for the name calling. He would also like Council Member Armington to consider if this position on the council is a place for him. How they both treat people in their private lives speaks boldly about who they are and the level of integrity that they bring in service to the Town, concluded Mr. O'Connor.

Pat Evans of Star Valley stated she lives behind the Freegard property. She knows there has been talk about a gas station going in and she doesn't know if it's a rumor or a fact. Queried Ms. Evans – Do we know if there's a gas station going in next to this building? Town Manager Grier responded and explained that the council can't engage in public comments. Ms. Evans stated she would like council to rethink the street lights being added. She doesn't know why more lights are needed when we live in an area where we are supposed to be able to enjoy the dark and the stars.

There were no further comments and the Mayor closed the public comment portion.

- **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 December 21, 2021.

B. Approval of Claims Payable from January 1, 2022 through January 15, 2022 for the General Fund and for the Water Department.

A motion to approve consent agenda items A and B was made by Council Member Davis and was seconded by Council Member McDaniel.

A roll call vote was taken:

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

The motion was voted on and passed 7 - 0.

- **DISCUSSION ITEMS:**

1. **Report on Veterans Outreach Program by Art Schaier. Requested by Vice Mayor McKinney.**

Art Schaier introduced himself as the Veterans Services Chairman for the Elks Lodge and most recently the Moose Lodge. Mr. Schaier reported there are over six thousand vets in Gila County and forty percent live in our area. He is committed to helping vets and works with many different organizations that also work with vets. Mr. Schaier then provided information on various upcoming events concluding that he would like the Town to get behind the veterans.

2. **Discussion and possible action regarding council letting the mayor know if he has the support of the council after his actions on December 18, 2021 so he can, for the good of the Town, resign and save the Town from further shame. Requested by Council Member Binney.**

Mayor Coon stated he can't comment except to say that the presumption of innocence is one of the most sacred principals of the American criminal justice system. The concept of innocent until proven guilty means a person accused of a crime is presumed innocent until proven guilty in a court of law. Due process assures us no one should be assumed to be guilty just because they were accused of a crime. Due process is a constitutional guarantee that prevents governments from treating citizens in an unfair, abusive manner. In this case, stated Mayor Coon, it appears this council has reversed the law and presumes a person is guilty until proven innocent. This is a dangerous position to take. With this position, any government official that makes a decision that someone doesn't agree with could be forced to resign. This would severely limit an official's ability to govern freely. With the threat of losing his government position an official could be influenced or forced to make an improper decision. The guilty until proven innocent concept would seriously impede the ability of council to govern and it would set a precedent that would not be approved by this Town. Mayor Coon concluded he would not want guilty until proven innocent as his platform for election to council. Mayor Coon then opened the meeting to council discussion.

Council Member McDaniel stated the whole situation is very unfortunate. She feels it has brought embarrassment to Star Valley and she knows it's embarrassing for the mayor on a personal level. Council is not here to decide or discuss Mayor Coon's innocence or guilt but what is best for Star Valley. That should always be the guiding factor in any situation for any item being discussed. Council Member McDaniel stated she doesn't want to be unfair to Mayor Coon but her priority is the well-being of Star Valley. This situation, disclosed Council Member McDaniel, has shaken her confidence in Mayor Coon as a leader. Council Member McDaniel concluded she would like to know from Mayor Coon if his continued leadership is in the best interest of the Town. Mayor Coon responded a person is innocent until proven guilty. Mayor Coon stated he doesn't think that seems to be the concept in this situation and that it seems to be the reverse. Anyone that has been accused has their right for due process, concluded Mayor Coon, and until that happens he thinks things should be kept neutral.

Council Member Rappaport stated she is really concerned about this mainly because she has gone through domestic violence. She also thinks that the things leading up to this incident show a real lack of judgment. Council Member Rappaport concluded she has lost her faith in Mayor Coon and she can't give him a vote of confidence. Council Member Davis stated he agrees with Council Members McDaniel and Rappaport. Mayor Coon has been a very loyal and dedicated public servant to this community for many years. The incident on December 18th, 2021 has brought embarrassment and shame to the office of mayor of Star Valley. As a council member for the Town of Star Valley, concluded Council Member Davis, he

requests Mayor Coon's resignation as mayor of the Town of Star Valley immediately. Council Member Binney stated Mayor Coon is equating it to innocence or guilt. It has nothing to do with innocence or guilt but what's good for Star Valley. It is time for Mayor Coon to resign, acknowledged Council Member Binney. Mayor Coon can always re-run and let the public decide. Queried Council Member Binney to Mayor Coon – If they decide to prosecute, are you going to resign? If you're found guilty, are you going to resign? At what point is it bad enough for you? Council Member Binney concluded he does wish Mayor Coon would resign. Mayor Coon responded if he was convicted and guilty, of course he would resign. Until that point he is innocent.

Council Member Binney asked Mayor Coon to think about what he is going to cost the Town. If Mayor Coon resigns now he can be replaced and it doesn't cost the Town anything. It's only a temporary position because the next election comes up and it's got to be filled through a vote. If Mayor Coon waits to resign until after the next election in August, Council Member Binney stated his guess would be it would cost the Town somewhere between \$5,000 to \$10,000. Vice Mayor McKinney stated he was elected to represent the people of Star Valley. He has had people approach him over the last couple of weeks and not a single one of them has suggested the mayor should be retained in his current office. Vice Mayor McKinney stated he agrees with them. He is sorry and sad to say this but Mayor Coon's continuing to sit in that chair does not serve the people of Star Valley in any kind of a good way. Mayor Coon responded that is his opinion and he could probably find just as many people that support him. There was no further discussion.

A motion to vote yes if you support Gary as Mayor or no if you don't was made by Council Member Binney.

Mayor Coon asked if that motion was understood. Vice Mayor McKinney responded he doesn't think so. Queried Council Member Armington – What purpose does that motion serve? It lets the public know what everyone here thinks, answered Council Member Binney. Council Member Rappaport responded council has a responsibility to their constituents. The mayor then asked if there was a second to the motion.

The motion was seconded by Council Member Bobby Davis.

A roll call vote was taken:

Vice Mayor McKinney No, Council Member Davis No, Council Member Armington Yes, Council Member Binney No, Council Member Rappaport No, Council Member McDaniel No, Mayor Coon Yes.

The motion was voted on and passed 5 - 2.

- **ADJOURNMENT**

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

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 regular meeting of the Town Council of the Town of Star Valley held on the 18th day of January 2022. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 19th day of January 2022.

Edie Chapin, Town Clerk