

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

**Tuesday, March 7, 2023 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 Armington X, Council Member Binney X,
Council Member Dueker X, Council Member Highstreet X, Council Member McDaniel
X, Mayor Davis 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. There were no 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 and the Work-Study Meeting held on February 21, 2023.

B. Approval of Accounts Payable from February 16, 2023 through February 28, 2023 for the General Fund and for the Water Department.

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

A roll call vote was taken:

Vice Mayor McKinney X, Council Member Armington X, Council Member Binney X, Council Member Dueker X, Council Member Highstreet X, Council Member McDaniel X, Mayor Davis X.

The motion was voted on and passed 7 - 0.

- **DISCUSSION ITEMS:**

1. **First Reading and Public Hearing concerning Ordinance No. O 23-02 captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF STAR VALLEY, ARIZONA, AMENDING STAR VALLEY TOWN CODE BY ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT ENTITLED “AMENDMENTS TO STAR VALLEY TOWN CODE, TITLE 4, CHAPTER 3 RELATING TO INCREASING CODE VIOLATION FINES”; REPEALING ANY CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PENALTIES.**

Town Manager Grier explained that this is the first reading of the ordinance to amend the code compliance penalty chapter in the Town Code. We have code violations from time to time and we do everything that we can to have the offending party cure the code violation. A thirty (30) day notification letter is sent and a conversation with the code violator begins. If the code violation is not cured, a civil lawsuit is filed against the offending party. There are usually one (1) to three (3) hearings in court before code violation compliance is achieved. The penalty chapter in our existing code, pointed out Mr. Grier, is inefficient when it comes to prosecuting code violations. It limits the discretion of the judge to not more than a three hundred dollar (\$300.00) fine. This ordinance, explained Mr. Grier, would amend the penalty chapter to where the judge would have discretion. The goal of the Town, clarified Mr. Grier, is for code violations to be cured. The problem with our penalty chapter is that the judge does not have the discretion, if the code violation isn't cured, to assess a daily fine. This ordinance amends the Town Code so that the judge has the discretion to assess an additional fine, not less than seventy five dollars (\$75.00) per day, if the code violation is not cured.

The ordinance also has provisions in it that if the same property owner has a second or third code violation within a twelve (12) or twenty four (24) month period, explained Town Manager Grier, the fines are increased. This has been the case in Star Valley as we have one property owner that has numerous rental properties with continuous code violations. At some point, added Mr. Grier, he would like to put code compliance on a Work-Study so that the council can see what staff does. Tonight, clarified Mr. Grier, we are trying to make it more efficient. Mr. Grier stated that he does not think prosecution of code violations is sustainable with the current penalty chapter in our code. That is why it is in front of the council to be amended. Mayor Davis stated code enforcement is time consuming for the staff. We are lucky to have a Town Manager, who is also an attorney, that can file these charges. Other places would have to hire somebody to do that. This is the first reading, pointed out Mayor Davis, and no action is required today. Mayor Davis opened the item up for discussion. Council Member Armington stated it is going to help staff in the long run. It will give it some bite, added Mayor Davis. Council Member Highstreet commented he thinks it is necessary. The Mayor opened the meeting for public comment. There were no public comments.

2. **Discussion and possible action for council to consider public attendance at pre-agenda meetings so the public can assess what is being proposed. Requested by Donna Fox.**

Mayor Davis stated that this request was made by Ms. Donna Fox. His personal opinion is to leave it the way it is. Ms. Fox came in to attend the last pre-agenda meeting, explained Mayor Davis, and she was told she could not attend because it was not an open meeting. Mayor Davis stated he thinks privacy is needed so items can be discussed. His other concern, concluded Mayor Davis, is that rumors

may be started. The Town of Payson, informed Council Member Dueker, does not allow people to attend the pre-agenda meetings. It is just something that is not done by the government. What is done, is if a member of the community has an issue, they can bring it to a council member. The council member can then bring it to the pre-agenda meeting to possibly get it on the agenda. Council Member Dueker stated he thinks allowing the public to attend pre-agenda meetings would complicate things. Mayor Davis stated there is adequate time to come in at a regular meeting and talk to the council. He also agrees that if someone has a problem they can come to a council member to request it be put on the agenda. Council Member Highstreet asked if there is anything in the code that spells out how the meetings are done. Open meeting law always drives how we do meetings, responded Town Manager Grier. There is not anything in the code that specifically outlines pre-agenda meetings.

Towns do it in a lot of different ways, stated Town Manager Grier, and he doesn't think there is any set way. Our pre-agenda meetings consist of the Mayor, the Vice Mayor and an alphabetically rotating council member. Our policy has been, for the most part, any agenda item that is proposed by a council member usually reaches the agenda. Council Member Binney responded that things do get canned at pre-agenda meetings. He believes that anything a council member wants on, as time dictates, should come on. That gives the public a better feel of how a council member is representing them, concluded Council Member Binney. If you are going to do it that way, responded Mr. Grier, then there would be no need for pre-agenda meetings. He is not against that, answered Council Member Binney. The reason that we have done it the way we have, stated Mr. Grier, is that time sometimes dictates. If we were to adopt Council Member Binney's policy we could have a council member who would beat us to death with an item and there would be no way to stop that.

Council Member Armington asked if there is something that can be done to set this in stone so that the pre-agenda meetings will be closed meetings. The pre-agenda meetings have always been closed meetings, responded Town Manager Grier. The public, by statute, is allowed to attend council meetings or any open meetings. The public does not have the right to attend meetings at Town Hall. When they attend council meetings their only right, by statute, is to listen to the deliberation of council. A good point was made by Town Clerk Chapin, added Mr. Grier, that there couldn't be any criticism of non-transparency if this item was put on the agenda. Mayor Davis advocated that it should be left the way it is. All council members were in agreement and there was no further discussion.

3. Discussion and possible action to allow the Town Manager to consider the purchase of Caselle Upgrade Modules with an approximate expenditure of \$19,560.00 to be used for business licenses, accounts payable electronic reporting, animal licenses, water department service orders, payroll direct deposit, utility payment import and document management.

At a recent pre-agenda meeting, reported Town Manager Grier, Council Member Highstreet was concerned about the keeping of our public records – whether or not Town Hall was vulnerable if there was a fire and whether or not those public records would be destroyed. At a staff meeting the next day, we discussed public record keeping and if something could be done to improve it. Finance Administrator Woody took the reins on this and researched Caselle software to see if it would be more efficient and satisfy the concerns about the safety of those records. After extensive research, stated Mr. Grier, staff came to him with a convincing argument. Record keeping is something that has been a challenge with a small staff. He believes employees need the tools to be efficient and he thinks this gives them the tools to be efficient and improve the Town's record keeping.

Finance Administrator Woody pointed to the list provided to council of the modules that are being requested and their costs. The total, reported Ms. Woody, comes up to almost twenty thousand dollars

(\$20,000.00). It doesn't mean we have to spend that money tomorrow. Ms. Woody explained that she would like to put it in the budget and have the budget authority to eventually start adding some of the modules. The modules will give the Town document control and efficiency to run the Town properly. We are a skeleton crew, pointed out Ms. Woody, and there is really only two of us who do all of the administration for all of the services that we provide for our citizens. Council Member Highstreet asked if it takes the existing documents and puts them in electronic form or is this just moving forward with documents that are put into the system. Staff could pull everything from boxes and scan them, answered Ms. Woody, but that was not her intention. Her intention, stated Ms. Woody, is to move forward as we go.

Finance Administrator Woody pointed out she made a list of her "must haves" versus "would be nice to have" modules. Along with the *Business Licenses module*, stated Ms. Woody, the other must have is the *1099 Electronic Reporting module*. At the end of each year, explained Ms. Woody, she has to report 1099's to any vendors who were paid more than \$600.00. This is presently being done by paper filing. The IRS, reported Ms. Woody, is no longer accepting paper filing and is requiring electronic filing. The *Business Licenses* and *Animal Licenses* modules will allow us to have that information in the system and at our fingertips. These modules would give us mass mail capabilities when sending out letters. Another module staff would like, stated Ms. Woody, is *Water Service Orders* for the Water Department. There is a lot of work involved with the Water Department (example: shut-offs and turn-ons). Right now, explained Ms. Woody, the staff's only option is to do a snapshot of the screen, print it out, then write notes on the print out. There is nothing done electronically so there is no history or record within the system. The *Water Service Orders* module will provide us, within the system, a history. The *Document Management* module, explained Ms. Woody, is for the entire Town. It is basically electronic filing cabinets – everything will get scanned in as we move along and everything will have its own filing cabinet. Another plus, added Ms. Woody, it is kept offline so if there were a fire at Town Hall we would still have access to our documents online.

Two other modules staff would like to have, stated Finance Administrator Woody, is the *Payroll Direct Deposit* module and the *Utility Payment Import* module. There is actually a lot of work involved just to pay a few people and to process water customers set up on automatic payment. Ms. Woody explained the lengthy process of both the *Payroll Direct Deposit* and *Utility Payment Import*. Queried Council Member Dueker – Is this a one-time payment for the software? Is there a yearly fee to maintain it? The prices she provided to the council, answered Ms. Woody, are the one-time payment for the actual software. The Town already pays a monthly fee to Caselle for technical support. With each one of these modules, Ms. Woody added, we would have a small monthly fee added to that. Queried Council Member Dueker – Do you know what the monthly fee is? Ms. Woody replied it is listed on each one of the module quotes provided to council. Council Member Dueker stated he thinks this is needed in the Town. He knows paperwork and keeping books is a nightmare for any organization, especially a town. Council Member Dueker stated he is very much in favor of this because it will help staff do their job better.

Council Member McDaniel stated she agrees and is in favor of the whole thing. We need to make it all streamlined and digital, concluded Council Member McDaniel. Mayor Davis stated he agrees and is in favor of doing the whole thing. The Town runs such a marginal crew, stated Council Member Binney. If it saves staff time and if it saves hiring an employee, that's nothing. Council Member Armington asked for the total monthly fee for all the modules. Finance Administrator Woody replied she believes it is going to come in around \$1,200.00 a month. Mayor Davis asked if it is backed up on the cloud. "Yes," answered Ms. Woody. The fact that you have already been using some of their product and their technical help for you is excellent, stated Council Member Dueker, speaks volumes. Caselle technical support has been a god send for her, responded Ms. Woody. Town Manager Grier stated he understands

there may be some concern that existing documents are not going to be a part of that system. Staff may be able to start scanning some of those. The Town has a retention schedule, explained Mr. Grier, which means that when a document gets to a certain age it gets booted out. Eventually, between scanning new documents and following the retention schedule, the Town would get to a point where everything is electronically filed.

A motion to allow the Town Manager to approve the approximate expenditure of \$19,560.00 for Caselle Upgrade Modules for business licenses, accounts payable electronic reporting, animal licenses, water department service orders, payroll direct deposit, utility payment import, and document management was made by Council Member Highstreet and was seconded by Vice Mayor McKinney.

A roll call vote was taken:

Vice Mayor McKinney Yes, Council Member Armington Yes, Council Member Binney Yes, Council Member Dueker Yes, Council Member Highstreet Yes, Council Member McDaniel Yes, Mayor Davis Yes.

The motion was voted on and passed 7 - 0.

4. Discussion and possible action to adjourn into a work-study meeting to continue to develop a three year plan for the Town.

There was no discussion.

A motion to adjourn into a work-study meeting was made by Council Member Armington and was seconded by Council Member Highstreet.

All council members were in favor of adjourning into the Work-Study Meeting.

• ADJOURNMENT INTO WORK-STUDY MEETING

APPROVED:

Bobby Davis, Mayor

Date: _____

ATTEST:

Eddie 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 7th day of March 2023. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 9th day of March 2023.

Eddie Chapin, Town Clerk