

**TOWN OF PRESCOTT VALLEY
REGULAR COUNCIL MEETING
MINUTES
JUNE 12, 2008**

Magistrate Court/Council Chambers
Civic Center
7501 E. Civic Circle
Prescott Valley, Arizona 86314

1. *CALL TO ORDER*
2. *INVOCATION*
3. *PLEDGE OF ALLEGIANCE*
4. *ROLL CALL*

The meeting was called to order by Mayor Skoog at 5:30 p.m. in the Magistrate Courtroom/Council Chambers. Pastor Don Tjiema, Mountain Valley Church of God, gave the Invocation. A certificate of appreciation was given to Paster Don Tjiema by Vice-Mayor Wise for giving the Invocation. The Pledge of Allegiance was said in unison as led by Ben Harper. The following council members were present for roll call:

Harvey Skoog	Mayor
Harold Wise	Vice-Mayor
Fran Schumacher	Council member
Bob Edwards	Council member
Mike Flannery	Council member
Mary Baker	Council member
Lora Lee Nye	Council member

5. *ANNOUNCEMENTS & PRESENTATIONS [Items 5-7 presented after Items 8 & 9]*
 - a. *Chamber of Commerce introduction of new businesses*

The following businesses were introduced: Welcome Neighbor - Jenny Kern; and the Jackass Bar and Grill – Denny and Lisa Graue

- b. *Introduction of United Way Director, Mike Whiting*

United Way Executive Director of Yavapai County, Mike Whiting, was introduced by Tammy Linn. Both gave an update of the program.

- c. *AWPCA Water System of the Year Award to OMI*

John Bowman, OMI, announced that the Arizona Water Pollution Control Association held their annual conference in Mesa. At that conference Prescott Valley Water System was awarded the Water System of the Year award in the “under 50,000 population” category. That marks two years in a row that the Town of Prescott Valley has received this honor. Mayor and Council received the plaque for this award.

Utility Operations Coordinator, Mark Kieren, gave recognition to OMI for their recharge project.

d. Citizens Academy Graduation

Deputy Town Manager, Ryan Judy, announced that this was the seventh graduation of the Citizens' Academy. 165 residents have graduated from this program to date. Recruitment for the next class has begun and it is two-thirds full. This upcoming class will be on Wednesday nights starting in September. Certificates were distributed to the graduates.

6. *RECESS*

Mayor Skoog recessed the meeting at 6:06 p.m. for refreshments with the graduates.

7. *RECONVENE*

Mayor Skoog reconvened the meeting at 6:20 p.m.

8. *CERTIFICATES [Items 8 & 9 were held before 5-7]*

- a. *Certificate of appreciation to Lesli Wayman for her service on the P & Z Commission*

Lesli Wayman was not available for presentation of this certificate of appreciation.

- b. *Certificate of appreciation to Scott Richards for his service on the P & Z Commission*

Scott Richards was not available for presentation of this certificate of appreciation.

9. *MAYOR RECOGNITION AWARD*

- a. *Prescott Valley Barbershop, Debby Waugh*

The Mayor Recognition Award was read after which Mayor Skoog presented the award to Debby Waugh.

10. *COMMENTS/COMMUNICATIONS*

Mayor Skoog pointed out that there were Boy Scouts in attendance for the purpose of earning merit badges.

Kisha Spellman-White, owner of the Arizona Rhinos, introduced members of the team and asked for support from the community.

11. *CONSENT AGENDA.*

- a. *Approval of Minutes – May 22, 2008*

- b. *Liquor Licenses & Permits*

Temporary Extension of Premises/Patio Permit for July 4, 5 and 6, 2008 for On the Snap Billiards, L.L.C., located at 6719 E. 2nd Street; Larry E. McCoy applicant

- c. *Approving the proposed regularly scheduled Town Council meetings for Fiscal Year 2008-2009*
- d. *Approving an Intergovernmental Agreement with the City of Prescott for regionalized dispatching services*
- e. *Approving an Adopt-a-Park Letter of Understanding for Sunflower Park with APS Forestry*
- f. *Approving Change Orders for renewal of contracts for janitorial services, swath mowing, striping, street sweeping, landscape maintenance and weed control for FY 2008-2009*
- g. *Awarding annual contracts for public works maintenance, service and supply programs*
- h. *Approving the Assignment and Assumption Agreement, which assigns the Granville Development Agreement from Universal Homes, Inc. to Granville Development Company, Inc.*
- i. *Approving Accounts Payable for May 16 thru June 5, 2008*

Council member Schumacher made the MOTION, seconded by Vice-Mayor Wise, to accept the consent agenda as read, by electronic vote. MOTION carried with 7 ayes and 0 nays.

12. NEW BUSINESS

- a. *Consideration of appointing David Manship and reappointing Dana Diller to the Parks and Recreation Commission with term renewal dates of June 30, 2011*

Council member Flannery reported that there is one position on the Parks & Recreation Commission which became open when Ernie Ortega turned in his resignation in November 2007 to serve on the Building Board of Appeals. That vacant position has a term renewal date of June 30, 2008 and another position will also come up for renewal on June 30, 2008.

Ernie Ortega was first appointed to the Parks & Recreation Commission on June 30, 2005 with a term renewal date of June 30, 2008. Dana Diller is currently on the Parks & Recreation Commission and was first appointed on January 27, 2005 to fill an existing term and this re-appointment will be for his 2nd full term.

David Manship submitted an application and Council Members Mike Flannery, Fran Schumacher and Lora Lee Nye interviewed the applicant and are recommending the appointment of David Manship to fill the vacant position and are recommending the re-appointment of Dana Diller to the Parks & Recreation Commission with term renewal dates of June 30, 2011.

Council member Flannery made the MOTION, seconded by Council member Nye, to appoint David Manship and reappoint Dana Diller to the Parks and Recreation Commission for term renewal dates of June 30, 2011, by electronic vote. MOTION carried with 7 ayes and 0 nays.

- b. *Consideration of appointing Richard "Rick" Duskey to the Planning and Zoning Commission to fill an existing term with a renewal date of October 31, 2010*

Council member Flannery reported that two positions on the Planning & Zoning Commission came open when Scott Richards and Lesli Wayman turned in their resignations in March 2008.

Mr. Richards was first appointed to the Planning & Zoning Commission on October 27, 2005 and re-appointed on October 25, 2007. Ms. Wayman was appointed to the Planning & Zoning Commission on November 8, 2007.

The vacancies were advertised and 3 applications were received. Council Members Mike Flannery, Fran Schumacher and Lora Lee Nye interviewed the applicants and appointed Gary Bruce on May 22nd and are recommending the appointment of Richard “Rick” Duskey to fill an existing term with a renewal date of October 31, 2010.

Council member Flannery made the MOTION, seconded by Council member Schumacher, to appoint Rick Duskey to the Planning and Zoning Commission to fill the existing term with a renewal date of October 31, 2010, by electronic vote. MOTION carried with 7 ayes and 0 nays.

c. Consideration of appointing Evelyn Larriba to the Personnel Board as a citizen alternate member with a term renewal date of April 25, 2010

Council member Flannery reported that on April 25, 2008, four terms came up for renewal on the Personnel Board. On April 24, 2008, Judy Stanley and Jan Bear were re-appointed as employee members and Louise Teague-Curtis was re-appointed as a citizen member. Lucy Kemper chose not to be considered for re-appointment, which left a vacancy for the citizen alternate position.

The citizen alternate vacancy was advertised and Evelyn Larriba submitted an application for the volunteer position. Council Members Flannery, Schumacher and Nye are recommending the appointment of Evelyn Larriba to the Personnel Board as a citizen alternate with a term renewal date of April 25, 2010.

Council member Flannery made the MOTION, seconded by Council member Schumacher, to appoint Evelyn Larriba to the Personnel Board as a citizen alternate with a term renewal date of April 25, 2010, by electronic vote. MOTION carried with 7 ayes and 0 nays.

d. Public Hearing

Open Public Hearing

Zoning Map Change for Prescott Valley Medical Plaza located in Navajo Commons as requested by Tom Shoemaker (ZMC08-001)

Close Public Hearing

Mayor Skoog declared the public hearing open.

Planner, Joe Scott, stated that staff is asking Council for consideration of a request by Tom Shoemaker, Agent, for a Zoning Map Change (ZMC08-001) for Prescott Valley Lot 247A from C1-PAD (with conditions) to C1-PAD (with amended conditions).

The subject property was previously rezoned from various district designations to C1-PAD with the intent to remove all existing structures and develop a two (2) story medical office building in the center of the site with uses limited to business and professional offices. On June 8, 2006, the Town Council also approved a Final Development Plan (FDP06-015). Since then, however,

the anticipated project has not moved forward. The owners now wish to use the existing buildings and site configuration on an interim basis for various office and retail sales and services allowed in the underlying C1 Zoning District. To do so, a new zoning Ordinance is required to allow for Retail Sales and Service uses.

A new Preliminary Development Plan identifies the areas (west half of parcel) where C1 Retail Sales and Service uses are allowed, subject to certain on-site improvements for parking and access based on the increase of intensity of the uses. The Preliminary Development Plan is included as an Exhibit to the conditions of approval. The applicant conducted a Neighborhood Meeting in conjunction with this request on April 7th, 2008, explaining that they were seeking the rezoning to allow for retail uses on the west side of the property. There were no reported objections. This rezoning and new Preliminary Development Plan will replace the prior plan approved with ZMC05-008. Should the owner wish to consider a redevelopment of the property as a single office building, approval of an amended Preliminary Development Plan would be required. The Planning and Zoning Commission considered this request in a public hearing at its May 12, 2008 meeting, and voted unanimously to recommend approval of the rezoning by the Town Council. The Council is now asked to consider this request.

Council member Schumacher said that it looks like there has been extra parking added. There was extra parking designated off of Tani but there was only one little section. Joe Scott responded that this is correct. The way this is laid out, and stated in the preliminary development plan, is to reuse the existing dental office as a coffee shop. This way the existing parking lot can be used but additional parking would need to be added in order to serve that. They would also need to provide development of additional access points onto Robert Road to handle the traffic and that would then require a traffic study to expand beyond that. Any new additional structures that are added would also require these traffic studies to determine the appropriate driveway locations and circulation. The parking lot will be paved.

Council member Schumacher asked if there is a time limit because the zoning is being changed. Joe Scott responded that there is no particular time frame with this particular layout as long as the owner adds any buildings or expands uses and provides additional parking. If the owner wants to tear down the medical office, he would have to come back to the Planning and Zoning Commission and complete a new preliminary development plan.

There being no further comments, Mayor Skoog closed the public hearing.

- e. Consideration of authorizing the first reading of Ordinance No. 716 approving and adopting a Zoning Map Change for the Prescott Valley Medical Plaza (ZMC08-001)*

There was no further discussion as all was discussed during the public hearing.

Council member Schumacher made the MOTION, seconded by Council member Baker, to authorize the first reading of Ordinance No. 716 by title only, adopting Zoning Map Change ZMC08-001, by electronic vote. MOTION carried with 7 ayes and 0 nays.

Town Clerk, Diane Russell, read Ordinance No. 716 by title only for the first reading.

- f. Consideration of authorizing the reading of Ordinance No. 715, as an emergency measure, acknowledging the de-annexation by Dewey Humboldt and annexing of 2.6 acres (Parcels 402-02-518 and 402-02-519) into the Town of Prescott Valley*

Planner, Joe Scott, reported that Prescott Valley staff along with Dewey-Humboldt Community Organization representatives previously worked on the boundary description for the new community. A 200-foot strip was left unincorporated on the east side of State Route 69 (between Dewey-Humboldt and Prescott Valley) in order not to create a County island (which would be prohibited by statute). Unfortunately, this resulted in certain parcels with the same owners being in different jurisdictions. Subsequent annexations by Prescott Valley have included portions of the 200-foot strip, which has continued the result of certain parcels under the same ownership being in different jurisdictions. One of those owners (Michael and Francis Siavelis) subsequently approached both Dewey-Humboldt and Prescott Valley about pursuing a “de-annexation” process that would result in their parcel of land being located entirely in Prescott Valley. In October of 2007, the Dewey-Humboldt Town Council adopted a Resolution approving such a de-annexation process if Prescott Valley annexed the necessary adjacent County parcels. That was accomplished on January 1, 2008 and February 14, 2008. Since then, nearby property owner Cheryl Lewis has asked to be included in the de-annexation process with regard to a small sliver of her property.

State Statute provides that the governing body of a city or town which intends to de-annex property shall, by ordinance, set forth a legal description of the property and declare the de-annexation. These ordinances will be filed with the County Board of Supervisors, which will then set a hearing date not less than thirty nor more than sixty days from the filing of the ordinances. After the hearing, the Board of Supervisors may issue an order of de-annexation and file a certified copy in the County Recorder's Office.

Vice-Mayor Wise made the MOTION, seconded by Council member Nye to read Ordinance No. 715 once by title only as an emergency measure, then place the same on final passage, by electronic vote. MOTION carried with 7 ayes and 0 nays.

Town Clerk, Diane Russell, read Ordinance No. 715 once by title only as an emergency measure. Mayor Skoog asked “Shall the Ordinance pass?” Ordinance No. 715 passed with 7 ayes and 0 nays.

- g. Consideration of authorizing the Mayor to sign Resolution No. 1580 adopting a Development Agreement with Fain Family Limited Partnership for development of storm drainage facilities in Section 14 to accommodate drainage from the new Library facility*

Public Works Director, Norm Davis, stated that on December 13, 2007, the Town Council approved construction of the new Library/Yavapai College facility west of the current Civic Center. During design of this new facility, it was determined that estimated storm drainage attributable to the facility may not be adequately handled by current storm drainage facilities at the Civic Center. Therefore, new storm drainage facilities will be needed.

The current Downtown Plan anticipates that Viewpoint Drive will eventually be extended down from Long Look Drive to Civic Circle. This new public right-of-way has been identified as a natural location for new storm drainage facilities to convey storm drainage from the Library facility to the drainage basin constructed in 2007 across from the current intersection of Long Look Drive and Viewpoint Drive. However, this extension of Viewpoint Drive is unlikely to occur until the property immediately north of the Civic Center begins to develop. Therefore, an agreement is needed with the Fain Family Limited Partnership (owner of the property) to allow the Town to use a temporary easement to convey the storm drainage until that new road is built.

This proposed Development Agreement provides that the Fain Family Limited Partnership will designate an initial alignment for the Viewpoint Extension and grant the Town a drainage easement therein (at no cost) on which the Town will construct an above-ground storm drainage ditch sufficient to carry the storm drainage for the Library to the new drainage basin. In return, the Town will commit to ultimately replacing the ditch at its cost with a 24-inch underground storm drain within a year after a Final Development Plan is approved to begin development of the area. The Town will also abandon the ditch and the related easement. In addition, the Town will upsize the new storm drain as requested by the Fain Family Limited Partnership at their cost, in order to provide storm drainage for development of adjacent property or other Fain property that has the ability to put storm drainage into the new basin.

Vice-Mayor Wise said this is a continuation of our flood control plan that we continue to work on as we grow and as things change in our community. This is an on-going process that will continue to happen in our community. He appreciates staff working with property owners to get this lined up and tied in to handle this.

Council member Edwards asked if, with the monsoons coming soon, will we be able to handle the water flow at this point for the construction. Norm Davis responded that the digging will begin on Monday. The exciting part is that part of the underground work for the library has been completed so that a lot of the utility work and the on-site storm drain pipe for the library is already in place. So we can begin to take off from the fence line and complete this ditch to accommodate the water. We anticipate that this ditch will be completely constructed within two weeks.

Vice-Mayor Wise made the MOTION, seconded by Council member Baker, to sign Resolution No. 1580 adopting a Development Agreement with the Fain Family Limited Partnership for development of storm drainage facilities in Section 14 to accommodate drainage from the new library facility, by electronic vote. MOTION carried with 7 ayes and 0 nays.

- h. Consideration of authorizing the Mayor to sign Resolution No. 1586 adopting a Final Development Plan for the Russel Dalton Dental Office to be located within Navajo Commons (FDP08-008) at the intersection of Navajo and Florentine Roads*

Planner, Ruth Mayday, stated that this is a request by Russel E. Dalton DMD, P.L.L.C., for Council to approve Final Development Plan (FDP08-008) for parcel 3D within Navajo Commons, located at the northeast corner of the intersection of Navajo and Florentine Roads. This area was part of the original plat of the Town, and was subsequently rezoned as part of a larger Zoning Map Change, changing the zoning from RCU-18 to C2-PAD upon the adoption

of Ordinance No. 66 on April 29, 1982. A Final Development Plan for the larger 26 acre parcel was approved by Town Council on December 7, 2006.

The proposed Final Development Plan calls for the construction of a two thousand, four hundred fifty square foot dental office on approximately one-half (.43) acre parcel of land currently zoned C2-PAD.

On December 7, 2006, The Town of Prescott Valley entered into a Development Agreement with Slade Investments, L.L.C. Among other things, the Development Agreement stipulated that the Developer complete specific interim and deferred off-site and on-site improvements, which have been completed. The Development Agreement also stipulated that certain on-site improvements for the installation of sidewalks and approval of on-site detention must be completed as a condition of approval of the Final Development Plan and issuance of building permits. These requirements appear to have been met; the approval of FDP08-008 has stipulated accordingly.

Council member Nye made the MOTION, seconded by Council member Flannery, to authorize the Mayor (or, in his absence, the Vice Mayor) to sign Resolution No. 1586, adopting Final Development Plan 08-008, by electronic vote. MOTION carried with 7 ayes and 0 nays.

- i. Consideration of authorizing the Mayor to sign Resolution No. 1587 approving Joint Project Agreements with the Arizona Department of Transportation (ADOT) for the maintenance of the StoneRidge Drive and Sundog Ranch Road traffic signals on Highway 69*

Public Works Director, Norm Davis, stated that the standard procedure, upon installation of traffic signals on State highways, is ADOT maintains the signals and the local jurisdiction is responsible for payment of the electrical bill. This is formalized through the completion of a Joint Project Agreement (JPA). The Town has entered into many JPA's over the years for signals that were installed on Highway 69. As a result of the Crossroads Development, JPA's are required for operation and maintenance of the signals on Highway 69 at StoneRidge Drive and Sundog Ranch Road.

Council member Baker made the MOTION, seconded by Vice-Mayor Wise, to authorize the Mayor (or in his absence the Vice Mayor) to sign Resolution No. 1587 approving the Joint Project Agreements with ADOT for the maintenance of the traffic signals on Highway 69 at Stoneridge Dr. and Sundog Ranch Road, by electronic vote. MOTION carried with 7 ayes and 0 nays.

- j. Consideration of awarding a construction contract to Asphalt Paving & Supply, Inc. in an amount up to \$222,173.20 for the Antelope Meadows Drive Extension (CIP#S294) AND approving an Amendment to the Town Engineer Agreement with Dava and Associates, Inc. for design, bidding and construction period services for an amount of \$36,640.00 AND approving the associated budget transfers*

Public Works Director, Norm Davis, reported that currently Viewpoint Drive is the roadway access to the Pronghorn Ranch Subdivision. Per the Development Agreement, an additional roadway access is to be constructed when a certain number of residential units have been built. Originally, this additional roadway access was anticipated to be an extension of Antelope

Meadows to the east and then south to connect with the existing Highway 89A/Robert Road intersection. The right-of-way for this original alignment was acquired from the Arizona State Land Department in 2001 to secure this route.

Staff worked with the developer to come up with the ability to actually perfect the secondary access and take it to another road rather than just bring it back to 89A. What has been done in the past is to work with the developer and come up with an agreement to extend the road all the way to Coyote Springs Road. So the developer is only responsible for 3,100 feet (when it originally curved into Robert Road). It was worked out with the developer that the Town would pay for the construction of residual of that length in order to take it to Coyote Springs Road. Staff has been in touch with ADOT and Yavapai County; Yavapai County came back with comments that they would like to see a dedicated left turn lane on Coyote Springs Road. That is part of the Town's scope of work to complete this secondary roadway connection.

The lowest responsive bidder is confirmed to be Asphalt Paving & Supply, Inc. in the total bid amount of \$222,173.20, for both Bid Schedule A (Antelope Meadows Extension), and Bid Schedule B (Coyote Springs Road).

This action is for consideration of award of a construction contract to the lowest responsive bidder, Asphalt Paving & Supply, Inc., for both bid schedules, in the amount of \$222,173.20, and for approval of an Amendment to the Town Engineer Agreement with Dava & Associates, Inc., in the amount of \$36,640.00, for design, bidding, and professional services for the construction period.

An existing power pole in the new Antelope Meadows Drive Extension needs to be relocated outside the roadway right-of-way. Cost for this relocation is \$43,440 with payment to be made directly to Arizona Public Service.

This connection will add the capability, in the event of an accident, to allow traffic movement between the roadways in that area. Construction on this project will begin on Monday, if approved by council.

Mayor Skoog asked, other than the Pronghorn Ranch Parkway, is there any connection between Viewpoint and Pronghorn farther north. Norm Davis responded that there is a connection in the plans. The next phase of Viewpoint Drive is to complete the connection of Parkview Drive.

Vice-Mayor Wise asked what kind of road this will be and what is the width. Norm Davis said that the road will be two-lane with the capability of widening in the future if development requires. We did acquire 100 feet of right-of-way from the State Land Department. The surface will be full engineered pavement with chip seal.

Council member Edwards asked about the development right above the 89A sign on the north side by Pronghorn Ranch Parkway. If a development goes in, has it been planned for improvement of the excess flow of the traffic in that particular area? Norm Davis said that that has been part of the traffic impact analysis and has been submitted to the Town for review and approval. They would have to pay for the capacity impact. Right now no more than two lanes are needed for the current Viewpoint CFD as planned. Ultimately, depending on the use of the land and traffic generation, there is the capability to widen this road in the future. Most notable

is that the Viewpoint Drive traffic interchange is hopefully going to be constructed through ADOT in the coming years. In addition, the Robert Road traffic interchange will be constructed. We incrementally build and we always accommodate the future as quickly as it comes.

Town Manager, Larry Tarkowski, complimented the engineers in Public Works, Norm Davis and Dava and Associates. This intersection shows a great deal of foresight for the long-term. We are looking at a traffic interchange ultimately. We are looking at a short-term solution to a health and safety issue. And also, taking the long-term view, the Town is going to be reimbursed for the effort by going forward with the formation of the Viewpoint CFD.

Council member Baker made the MOTION, seconded by Vice-Mayor Wise to approve award of a construction contract to the lowest responsive bidder, Asphalt Paving & Supply, Inc. in an amount up to \$222,173.20 for all bid schedules for this project, and approve an Amendment to the Town Engineer Agreement with Dava & Associates, Inc. for design, bidding, and construction period services for an amount of \$36,640.00, and approving the associated budget transfer, by electronic vote. MOTION carried with 7 ayes and 0 nays.

13. COMMENTS FROM THE PUBLIC

Mayor Skoog welcomed Colter McDowell, Austin Turner and Jason Derer from Boy Scout Troop 7 who came forward and introduced themselves stating that they are attending tonight’s meeting as a part of earning their Eagle Scout badge.

14. ADJOURNMENT

Council member Schumacher made the MOTION, seconded by Council member Baker to adjourn the meeting, by electronic vote. MOTION carried with 7 ayes and 0 nays. Mayor Skoog adjourned the meeting at 7:30 p.m.

ATTEST:

APPROVED:

Diane Russell, Town Clerk

Harvey Skoog, Mayor

STATE OF ARIZONA)
COUNTY OF YAVAPAI) ss:
TOWN OF PRESCOTT VALLEY)

CERTIFICATE OF COUNCIL MINUTES

I, Candice McElhaney, Deputy Town Clerk of the Town of Prescott Valley, Arizona, 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 Prescott Valley, held on Thursday, June 12, 2008.

I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 19th day of June, 2008

Candice McElhaney, Deputy Town Clerk