

**TOWN OF PRESCOTT VALLEY
REGULAR COUNCIL MEETING
MINUTES
October 9, 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. The invocation was given by Chaplain Keith Davis of Yavapai Regional Medical Centers East and West, after which the Pledge of Allegiance was said in unison as led by Chaplain Davis. The following Council members were present for roll call:

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

5. *ANNOUNCEMENTS & PRESENTATIONS*

- *Chamber of Commerce introduction of new members - Marnie Uhl*

Executive Director, Marnie Uhl, introduced new member Rick Luna of Luna Plumbing, a backflow-certified plumbing company serving the quad city area and Cottonwood. Their phone number is 632-5678.

Executive Director Uhl also introduced Past Chairman of the Board of the Chamber of Commerce, John Amos.

- *Joint Technological Education District - Howard Moody, John Amos, Dr. Henry Schmitt, Tim Carter*

Mayor Skoog introduced Howard Moody (member of the HUSD Governing Board), John Amos, Tim Barnett (YRMC) and Dr. Henry Schmitt (HUSD). Tim Carter could not be present. Mr. Moody explained JTED and the campaign. He thanked the support of the Mayor and Council as well as the community as a whole. He also thanked the PV Chamber of Commerce and the PV Economic Development Foundation for their support.

Tim Barnett spoke of the benefits for the hospital of the program by supplying personnel to help staff the hospital.

Dr. Schmitt added information on future Department of Labor statistics and possible shortages of skilled employees. He also mentioned that the high school dropout rate is very high and the current high school students do not have the skills to fill many technical positions without the aid of this program.

Council member Flannery commended the committee for all of their efforts. He also stated that traditional school systems are not going to reach everybody. There are many people who are searching for vocational training and this will fill the void.

Council member Edwards said that once these young people are trained and certified they will stay in this community rather than attend colleges in other areas and moving to other communities.

Council member Wise stated that this has a direct economical impact on our community. If we have individuals who are educated in the newest technology and skills we will have an educated workforce for the future.

Council member Nye made a plea to the citizens to vote for JTED to help the youngsters who drop out of school or do not go onto a higher education.

Council member Baker echoed her support for this program. She asked if the charter schools will be able to take these courses. The response was they will but they will need to pay tuition per State statutes. The type of vocational training in our area will be chosen by the governing board based on the needs of our community. It is hopeful that classes will start in August of 2009. Funding for JTED will not begin until July 1 of 2009.

Vice-Mayor Schumacher asked if home-schooled children can be included in this program. She feels this is a great opportunity for the area. This is part of our economic stability in the region to create more skilled labor and fill jobs.

6. *CERTIFICATES*

a. Certificate of appreciation to Kell Palguta for 10 years of service

A plaque and pin was presented by Mayor Skoog to Kell Palguta for 10 years of service.

b. Certificate of appreciation to Brenda Holley for 5 years of service

A certificate of appreciation and pin was presented by Mayor Skoog to Brenda Holley for 5 years of service.

7. *PROCLAMATIONS*

a. American Diabetes Association's Step Out: Walk to Fight Diabetes

Town Clerk, Diane Russell, read the American Diabetes Association's Step Out: Walk to Fight Diabetes proclamation. Mayor Skoog presented this proclamation to Nancy Wall.

b. *United Way of Yavapai County Month*

Town Clerk, Diane Russell, read the United Way of Yavapai County Month proclamation. Mayor Skoog presented this proclamation to Michael Whiting.

8. *MAYOR RECOGNITION*

Veterans of Foreign Wars (VFW) and American Legion

Town Clerk, Diane Russell, read the Veterans of Foreign Wars (VFW) and the American Legion Mayor Recognition. Mayor Skoog presented awards to several members of both organizations.

9. *COMMENTS/COMMUNICATIONS*

- Council member Nye reminded everyone that this Saturday, October 11, is Gold Fever Daze at Fain Park. Parking is available just off of 2nd Street.
- Ryan Judy, Deputy Town Manager, stated that tonight's council meeting is not being televised because a piece of equipment, called a toaster, is not working. This equipment allows for live internet streaming. One of the consent items going before council tonight is the replacement of this part. The meeting is, however, being taped tonight and will be available for viewing tomorrow morning.

10. *CONSENT AGENDA*

a. *Approval of Minutes – September 18, 2008*

b. *Liquor Licenses & Permits*

- (i) *Approving a new Series 12 (restaurant) liquor license for Roundup Pizza, located at 150 S. Highway 69 Ste. 3 & 4; Tina D. Knoy, applicant*
- (ii) *Approving a new Series 12 (restaurant) liquor license for Leff-T's Steakhouse & Grill located at 150 S. Highway 69 Ste. 12; Daryl M. Davis, applicant*
- (iii) *Approving a new Series 12 (restaurant) liquor license for Pauly's Pizza and Pasta located at 7840 E. Highway 69, Paul L. Valente, applicant*

c. *Approving the Amended Services Agreement with Greenberg Traurig for Mitch Menlove to provide lobbying and public relations services for the Town of Prescott Valley and City of Prescott with regard to the Big Chino Sub-basin Project (including services provided under a Sub Agreement with Policy Development Group) in accordance with the December 7, 2004 IGA between the communities*

d. *Approving the Amendment to the Amended & Restated Lease Agreement between the Town of Prescott Valley and Prevent Child Abuse Arizona (PCAA) for the former Town Hall complex*

e. *Approving the APS easement and authorizing the Mayor (or in his absence the Vice-Mayor) to sign a conveyance document for the new Public Library/College Classroom Building (CIP F207)*

- f. *Approving right-of-way and public utility easements for the Bison Lane Shared Use Path from Yavapai College*
- g. *Approving a budget transfer of \$9,814.00 in the Town Council and Channel 15 budgets from Operating to Capital to replace the New/Tek VT(4) Video Toaster*
- h. *Approving Accounts Payable for September 23 through October 2, 2008*

Council member Nye made the MOTION, seconded by Vice-Mayor Schumacher, to approve all items on the Consent Agenda as stated, by electronic vote. MOTION carried with 7 ayes and 0 nays.

11. NEW BUSINESS

- a. *Consideration of appointing Suzanne Duskey to the Arts and Culture Commission to fill an existing term with a renewal date of June 30, 2010 AND appointing Kristi Gullickson to the Arts and Culture Commission to fill an existing term with a renewal date of June 30, 2009*

Council member Flannery reported that two positions on the Arts and Culture Commission are vacant due to the resignations of José Magallan and Kathrynne Howell. José Magallan was first appointed to the Arts and Culture Commission in June 2003 and was reappointed for a second term in 2006 to a term renewal date of June 30, 2009. José submitted his resignation in December 2007. Kathrynne Howell was appointed to the Arts and Culture Commission in June 2007 to a term renewal date of June 30, 2010 and submitted her resignation in May 2008.

The vacancies were advertised and three applications were received. After interviewing the applicants, Vice-Mayor Fran Schumacher, Council members Flannery and Nye are recommending the appointments of Suzanne Duskey and Kristi Gullickson to the Arts and Culture Commission to fill existing terms with renewal dates of June 30, 2010 and June 30, 2009 respectively.

Council member Flannery made the MOTION, seconded by Vice-Mayor Schumacher, to appoint Suzanne Duskey to the Arts and Culture Commission to fill an existing term with a renewal date of June 30, 2010 and appoint Kristi Gullickson to the Arts and Culture Commission to fill an existing term with a renewal date of June 30, 2009, by electronic vote. MOTION carried with 7 ayes and 0 nays.

~~b. Public Hearing~~

~~Open Public Hearing~~

~~Proposed annexation of 14.65 acres lying in T.14 N., R. 1 E., Sec. 28 G&SRM; generally located between Manzanita Trail and State Route 69, northwest of Prescott Country Club Boulevard (ANX08-003)~~

~~Close Public Hearing~~

c. Public Hearing

Open Public Hearing

Zoning Map Change (ZMC08-002) changing the zoning of five park properties from various residential and commercial zoning designations to PL (Public Lands)

Close Public Hearing

Mayor Skoog declared the public hearing open.

Planner, Ruth Mayday, stated that this is a public hearing to take comments on a request by the Community Development Department on behalf of the Parks and Recreation Department of The Town of Prescott Valley and the Central Yavapai Fire District. The purpose of this action is to change the Zoning Map in order to reclassify certain parcels of land to PL (Public Lands) from their various residential and commercial zoning districts.

It has long been the policy of the Town of Prescott Valley to give a zoning classification of PL (Public Lands) for lands set aside for public and quasi-public use. From time to time, situations arise where zoning districts allow for land uses that are public or quasi-public in nature; however, they also include land uses that may not necessarily reflect the mission of the public or quasi-public entity that owns the land. Town policy has been consistent in taking similar actions in the past where intent of the grantor of the land or the acquiring entity has been to dedicate the subject parcel to public use. By amending the zoning map to recognize the proposed lands as Public Lands, the land so classified will be able to accommodate future uses in keeping with those found in the Public Lands zoning district.

Council is now being asked to hold the requisite Public Hearing to take comment on the proposed zoning map change.

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

- d. Consideration of authorizing the first reading of Ordinance No. 719 approving Zoning Map Change (ZMC08-002) from various residential and commercial zoning designations to PL (Public Lands), AND authorizing the signing of any agreement under Proposition 207*

Planner, Ruth Mayday, stated that in compliance with Article 13-30-012 of Town Code, staff from the Community Development Department held a Neighborhood Meeting on July 9, 2008 at 5:30 pm in Council Chambers. One resident from the Viewpoint area expressed her concern regarding the construction of a wireless communication tower in the Viewpoint Park. Staff stated that to date, no application from any wireless provider had been submitted to the Town. At that time, staff had not spoken with representatives from any wireless providers regarding location of a wireless communication facility in any location within the corporate limits of the Town.

A Public Hearing was held on August 11, 2008 during the Planning and Zoning Commission meeting. Just prior to that meeting, Staff was made aware of tentative plans for a wireless telecommunications tower in the Viewpoint Park. A representative from the site consultant was available during the meeting to discuss the potential telecommunications tower with residents of the Viewpoint area. To date, no application for construction of a telecommunications tower has been filed with the Town of Prescott Valley. The Planning and Zoning Commission unanimously recommended approval and forwarded ZMC08-002 to Town Council for the same.

Council is now being asked to approve Zoning Map Change ZMC08-002 to change the zoning for the above referenced parcels from various residential and commercial designations to Public Lands. As this action is supported by previous actions by Town Council, and is in compliance with the Town's policy of zoning lands set aside for public and quasi-public use as Public Lands, staff recommends adoption of Ordinance No. 719.

Council member Wise made the MOTION, seconded by Council member Nye, to read Ordinance No. 719 by title only on two separate occasions, and then place the same on final passage, AND to sign any agreement under Proposition 207, by electronic vote. MOTION carried with 7 ayes and 0 nays.

Town Clerk, Diane Russell, read Ordinance No. 719 by title only for the first reading.

e. Public Hearing

Open Public Hearing

Proposed zoning map change of four school sites on behalf of the Humboldt Unified School District (ZMC08-003) from RIL (Residential; Single-Family Limited) to PL (Public Lands)

Close Public Hearing

Mayor Skoog declared the public hearing open.

Planner, Ruth Mayday, stated that a public hearing to take comment on a request by the Community Development Department on behalf of the Humboldt Unified School District. The purpose of this action is to change the Zoning Map in order to reclassify certain parcels of land to PL (Public Lands) from their various residential use designations.

It has long been the policy of the Town of Prescott Valley to give a zoning classification of PL (Public Lands) for lands set aside for public and quasi-public use. From time to time, situations arise where zoning districts allow for land uses that are public or quasi-public in nature; however, they also include land uses that may not necessarily reflect the mission of the public or quasi-public entity that owns the land. Town policy has been consistent in taking similar actions in the past where intent of the grantor of the land or the acquiring entity has been to dedicate the subject parcel to public use. By amending the zoning map to recognize the proposed lands as Public Lands, the land so classified will be able to accommodate future uses in keeping with those found in the Public Lands zoning district.

In compliance with Article 13-30-012 of Town Code, staff from the Community Development Department held a Neighborhood Meeting on July 29, 2008 at 5:30 pm in Council Chambers. In addition to Town staff, three members of the general public attended the meeting. Ken Johnson of HUSD was also present to answer questions regarding the proposed changes. Questions were general in nature and no objections were heard.

A Public Hearing was held on September 8, 2008 during the Planning and Zoning Commission meeting. Again, no objections were brought forward to the Commission. Upon closing the public hearing, the Planning and Zoning Commission unanimously recommended approval and forwarded ZMC08-003 to Town Council for the same.

Council is now being asked to hold the requisite Public Hearing to take comment on the proposed zoning map change.

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

- f. Consideration of authorizing the first reading of Ordinance No. 718 approving a Zoning Map Change on four school sites On behalf of the Humboldt Unified School District (ZMC08-003) from R1L (Residential: Single-Family Limited) to PL (Public Lands), AND authorizing the signing of any agreement under Proposition 207*

No further comments were made as all was discussed previously during the public hearing.

Town Attorney, Ivan Legler, briefly discussed Proposition 207 at the request of Mayor Skoog. He stated that this proposition will be seen from now on. This proposition requires municipalities and governments throughout the State of Arizona to compensate people where it has been argued that their property values have been diminished by a land use action. However, in that provision there is the opportunity to enter into an agreement with landowners to waive that. So, in certain circumstances, the Town includes this as part of the application for any of these situations where the legislative body has the discretion to grant it or not. We encourage granting this on the basis that an agreement has been reached with a waiver being signed.

Council member Flannery asked about when the school property is converted to PL and they lease out the property for radio antennae are they held to the same standards. The response was affirmative. There is a public hearing process and most of those facilities with a lease would have to be negotiated with the school district.

Council member Baker made the MOTION, seconded by Council member Nye, to read Ordinance No. 718 by title only on two separate occasions, and then place the same on final passage, AND to sign any agreement under Proposition 207, by electronic vote. MOTION carried with 7 ayes and 0 nays.**

- g. Consideration of authorizing Ordinance No. 717 once by title only as an emergency measure, approving the annexation of three separate parcels totaling 233.44 acres lying in T. 14. N., R. 1. E., Sections 16, 17, 20 and 21, G & SRM; generally located on the north and south side of Valley Road between the Town Treatment Plant and Big Sky Business Park (ANX08-001), AND authorizing the signing of any agreement under Proposition 207*

Planner, Joe Scott, reported that this proposed annexation (ANX08-001) comprises three separate parcels totaling approximately two hundred and thirty-three acres lying in Sections 16, 17, 20 & 21, Township 14 North, Range 1 East, of the Gila & Salt River Meridian, Yavapai County, Arizona. The proposed annexation is at the request of the Fain Signature Group, L.L.C., and Fain Land and Cattle Company. The subject property is generally located on the north and south side of Valley Road, between the Town Treatment Plant and the Big Sky Business Park. The zoning designation of the subject property is currently RCU-2A under Yavapai County jurisdiction. Should the property be annexed, similar zoning of RCU-70 would be adopted by the Town of Prescott Valley.

A blank petition for annexation ANX08-001 was filed with the Yavapai County Recorder's Office on August 1, 2008, starting the necessary thirty day waiting period prescribed in ARS §9-471. A public hearing was held on August 28, 2008, after statutory notice and public comment was received. Said notice included advertisement in the *Daily Courier*, postings in at least three locations, a site posting, and mailings to listed property owners and to the Yavapai County Board of Supervisors.

Once the thirty day waiting period elapsed, signed annexation petitions were obtained from the owners of property that would be subject to taxation by the Town and representing more than one-half of the owners of the real and personal property in the annexation territory, and one-half or more in value of the real and personal property in the annexation territory. Those signed petitions were filed with the Yavapai County Recorder's Office on September 26, 2008. This ordinance is now prepared for Council action in accordance with ARS §9-471.

Council member Nye and Planner Joe Scott reminded the citizens that the emergency measure passage will not eliminate the 30 day period where the public could make an appeal regarding this annexation.

Council member Flannery made the MOTION, seconded by Vice-Mayor Schumacher, to read Ordinance No. 717 once by title only as an emergency measure AND to sign any agreement under Proposition 207 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. 717 by title only as an emergency measure. Mayor Skoog asked "Shall the Ordinance pass?" Ordinance No. 707 passed with 7 ayes and 0 nays.

*****It was brought to the attention of Mayor and Council that Ordinance No. 718 was not read after the motion was made for Item 11g above. Town Clerk, Diane Russell, read Ordinance No. 719 by title only for the first reading.***

h. Consideration of reading Ordinance No. 720 once by title only as an emergency measure, approving the annexation of 1.9 acres in T.14.N., R.1.E., Section 21; generally located north of Sarah Jane Lane between Santa Fe Loop Road and Fain Road, AND authorizing the signing of any agreement under Proposition 207 (ANX08-002)

Planner, Joe Scott, reported that this proposed annexation (ANX08-002) comprises one and nine-tenths acres lying in Sections 21, Township 14 North, Range 1 East, of the Gila & Salt River Meridian. The proposed annexation is at the request of the Central Yavapai Fire District. The subject property is generally located north of Sarah Jane Lane, between Santa Fe Loop Rd. and Fain Rd. The zoning designation of the subject property is currently RCU-2A under Yavapai County jurisdiction. Should the property be annexed, similar zoning of RCU-70 would be adopted by the Town of Prescott Valley.

A blank petition for annexation ANX08-002 was filed with the Yavapai County Recorder's Office on August 1, 2008, starting the necessary thirty day waiting period prescribed in ARS §9-471. A public hearing was held on August 28, 2008, after statutory notice and public comment was received. Said notice included advertisement in the *Daily Courier*, postings in at

least three locations, a site posting, and mailings to listed property owners and to the Yavapai County Board of Supervisors.

Once the thirty day waiting period elapsed, signed annexation petitions were obtained from the owners of property that would be subject to taxation by the Town and representing more than one-half of the owners of the real and personal property in the annexation territory, and one-half or more in value of the real and personal property in the annexation territory. Those signed petitions were filed with the Yavapai County Recorder's Office on September 26, 2008. This ordinance is now prepared for Council action in accordance with ARS §9-471.

Council member Wise made the MOTION, seconded by Council member Nye, to read Ordinance No. 720 once by title only as an emergency measure AND to sign any agreement under Proposition 207 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. 720 by title only as an emergency measure. Mayor Skoog asked "Shall the Ordinance pass?" Ordinance No. 720 passed with 7 ayes and 0 nays.

- i. Consideration of authorizing the Mayor to sign Resolution No. 1611 approving a Final Development Plan for CVS Pharmacy on 1.8 acres, AND authorizing the signing of any agreement under Proposition 207 (FDP08-015)*

Planner, Ruth Mayday, reported that this is a request by Jason Macklin of Armstrong Development Properties, acting as Agent for Jacobs Carter Burgess and CVS Pharmacy, for approval of a Final Development Plan for a proposed CVS retail pharmacy store.

This project encompasses four parcels of land located north of State Route 69, east of Windsong Drive, south of Florentine, and west of East Yavapai Road, encompassing approximately two acres (1.8) or seventy-eight thousand, four hundred and twenty-three square feet of land. The proposed use is for development of a CVS Pharmacy retail store of approximately thirteen thousand, two hundred and twenty-five square feet.

This parcel is currently zoned C2-PAD (Commercial; General Sales and Service, Planned Area Development) and designated as Town Center – Mixed Use Low Intensity in the *General Plan 2020*. Recommended uses in the Town Center - Mixed Use Low Intensity General Plan designation include larger retail businesses, office, and residential uses. Thus, the proposed use is allowed by right in the zoning classification and meets the parameters for the land use designation.

Craig McMurray, civil engineer and representative of the project, stated that CVS is excited about being part of the Town. He also introduced Jason Macklin and Robin Colburn, Armstrong Development Properties and Kathy Walt, Jacobs Architectural.

Vice-Mayor Schumacher asked when will this project be started and when will it be completed. The response was they are planning on beginning construction in January, with completion in the second or third week of June, 2009.

Council member Nye asked if there are any plans landscaping and “softening” the exterior as the building will be so visible from the highway. The response was that the site is fairly far away from the highway. There will be extensive landscaping, along with the existing landscaping, which will provide a good screening for the building and parking lot. This store will blend in with the stores in the area.

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. 1611 approving FDP 08-015, AND to sign any agreement under Proposition 207, by electronic vote. MOTION carried with 7 ayes and 0 nays.

- j. Consideration of authorizing the Mayor to sign Resolution No. 1612 approving a Final Development Plan for the Yavapai Regional Medical Center Women’s Health Pavilion and Family Birthing Center, AND authorizing the signing of any agreement under Proposition 207 (FDP08-019)*

Planner, Ruth Mayday, said that this is a request by the Yavapai Regional Medical Center (YRMC) to amend a previously submitted Final Development Plan (FDP) for the Yavapai Regional Medical Center East Campus, and approve the Final Development Plan for the Women’s Health Pavilion and Family Birthing Center.

Town Council previously approved Phase I of the Medical Center upon its adoption of Resolution No. 1254 on March 11, 2004. This project encompasses approximately six (5.95) acres of the original twenty-seven acre site approved as Phase I, and involves the construction of a forty-four thousand, five hundred and seventy-six square foot single-story addition to the hospital on the east side of the existing three-story structure. This expansion will provide twenty-four labor/delivery/recovery rooms as well as ancillary support facilities for staff and families.

This parcel is currently zoned PL (Public Land) and is designated for Medical/Office uses in the Town Center portion of the General Plan; the proposed use is allowed by right in the zoning classification and meets the parameters for the land use designation.

Tim Barnett, President/CEO of Yavapai Regional Medical Center introduced the following staff: Jill Howry, Planning Department of YRMC, John Amos, Chief Operating/East Campus, Larry Burns, Chief Operating/West Campus, Douglas Pauls, Design Architect, Jason Lew, Architect, Karl Rockwell and James Warren, Claycomb Rockwell Architects.

Vice-Mayor Schumacher asked if there will still be a birthing area at the west campus. The response was that all births will now be centralized at the east campus. This will provide great opportunities to expand services, bringing in level two nursery, the number of LDRP beds and recruiting one concentrated staff with all the specialists available.

Vice-Mayor Schumacher also asked when will this addition be started and completed. The response was that they hope to start at the end of 2008 and completion is predicted for the first quarter of 2010.

Council member Nye asked how many employees will be in the birthing center. The response was there will be additional physicians that will have a greater presence at the east campus. As

far as the medical staff support increase on the east campus, there will be approximately 14 OB/GYN physicians, 16 pediatricians, 13 anesthesiologists and the OB staff will consist of 58 employees.

Additionally, Council member Nye asked if there will be a unique way of celebrating the first birth at this new facility. The response was that there will be a big celebration just as there was when the east campus had their first ER patient, first surgical patient and first patient admission to the hospital in 2006.

Council member Flannery stated that the addition of Tim Barnett Yavapai Regional Medical Center has been a great asset and has brought the hospitals recognition and awards.

The LDRP (Labor-Delivery-Recovery-Postpartum) concept was discussed. All of the activities are in the same room. Currently, at the west campus all of the birthing process takes place in separate rooms. The consensus of mothers was that they disliked moving during all the stages of the birthing process. The architects designed large rooms in the new center which will allow room for all the caregivers, doctors and family. There will also be family rooms along with courtyards and garden areas.

Council member Edwards whose wife works as a volunteer in the surgical area is often asked when there will be a birthing center.

Council member Nye asked if part of the purpose of having the birthing event occur in one room was to decrease the chance of a secondary infection. The response was that was a consideration, however the compelling reason to have this type of room was the wishes of women of who said they would rather have the event occur in one room.

Vice-Mayor Schumacher made the MOTION, seconded by Council member Wise, to authorize the Mayor (or in his absence, the Vice Mayor) to sign Resolution No. 1612 approving FDP 08-019, AND to sign any agreement under Proposition 207, by electronic vote. MOTION carried with 7 ayes and 0 nays.

- k. Consideration of authorizing the Mayor to sign Resolution No. 1610 approving a Final Development Plan for the Prudential Overall Supply distribution facility, AND authorizing the signing of any agreement under Proposition 207 (FDP08-020)*

Planner, Ruth Mayday, stated that this is a request by Scott Agee of Agee Engineering on behalf of Prudential Overall Supply to approve a Final Development Plan for a parcel of land in the Big Sky Industrial Park.

The proposed project calls for the construction of a fourteen thousand, nine hundred ninety-one square foot building on an approximate two (1.97) acre lot, which will house a transfer and distribution facility for Prudential Overall Supply. This facility will be the drop-off point for uniforms, which will then be shipped to Phoenix via truck for cleaning and eventual return and redistribution.

This project is sited within the Big Sky Business Park, which was annexed to the Town upon adoption of Ordinance 235 on August 23, 1990. At the time of annexation, the land was given the zoning classification of RCU-175; it was subsequently rezoned to M1-PAD (Industrial; General

Limited - Planned Area Development) upon adoption of Ordinance 488. This use is supported by existing zoning and its Business Park designation in the *General Plan 2020*.

Council member Nye made the MOTION, seconded by Vice-Mayor Schumacher, to authorize the Mayor (or in his absence, the Vice Mayor) to sign Resolution No. 1610 approving FDP 08-020, AND to sign any agreement under Proposition 207, by electronic vote. MOTION carried with 7 ayes and 0 nays.

l. (i) Consideration of authorizing the Mayor to sign Resolution No. 1608 approving renewal of the current Enterprise Zone and its related Intergovernmental Agreement

Gary Marks, Prescott Valley Economic Development Foundation, showed the map of the current Enterprise Zone. There is now a desire to renew the current Enterprise Zone.

Vice-Mayor Schumacher asked Gary Marks to explain the Enterprise Zone for the benefit of the citizens. Mr. Marks stated that the Enterprise Zones are a Federal program that was moved down to the State level. This is set in place as a job generator to assist companies and businesses located within Arizona. These businesses can receive up to a \$3,000 tax credit per full-time equivalent job, provided the job pays above the County median wage (\$9.96/hr.) and pays at least 50% of the employee's health insurance and hires at least 35% of those people who live within the Enterprise Zone will receive tax credits of \$500 the first year, \$1000 the second year and \$1500 in the third year.

The benefit as well for a manufacturer value added service, minority-owned or woman-owned business and small business (less than 100 employees) may also file for a property tax reclassification that will reduce the percentage from 23% to 5% for a period of 5 years. That benefit should help stimulate job growth and help assist the poverty rate in the area.

Since some of that Zone now involves the new community of Dewey-Humboldt, it is necessary that the intergovernmental agreement be revised to include its mayor on the Commission and to get the approval of its council. Also, there is a desire to propose to the Department of Commerce designation of an expanded Enterprise Zone to include a new area north of Chino Valley and continues up to Drake. There is also a small area that is south of Hwy 69, which was part of a business park and was not incorporated five years ago.

Council member Baker stated that yesterday Mario Lopez, Director of the Department of Commerce spoke. He basically talked about how we need more incentives. One of those incentives was an Enterprise Zone. He would work with the Town of Prescott Valley to see that something will go through as this is one of our major incentives that would bring us back to one of the ten in the country. Mr. Lopez is looking forward to meeting with Mr. Marks. Mr. Marks said he is ready for their meeting on October 23.

Council member Flannery made the MOTION, seconded by Council member Nye, to authorize the Mayor (or, in his absence, the Vice-Mayor) to sign Resolution No. 1608, approving renewal of the current Enterprise Zone and its related Intergovernmental Agreement, by electronic vote. MOTION carried with 7 ayes and 0 nays.

(ii) Consideration of authorizing the Mayor to sign Resolution No. 1609 approving adoption of an expanded Enterprise Zone and its related Intergovernmental Agreement

Council member Flannery made the MOTION, seconded by Council member Nye, to authorize the Mayor (or, in his absence, the Vice Mayor) to sign Resolution No. 1609, approving adoption of an expanded Enterprise Zone and its related intergovernmental agreement, by electronic vote. MOTION carried with 7 ayes and 0 nays.

12. COMMENTS FROM THE PUBLIC

No comments were forthcoming.

*13. MOTION TO CONVENE INTO EXECUTIVE SESSION (PER A.R.S. 38-431.03(A)(1) in order to discuss or consult with the attorneys or other designated representatives of the public body regarding, or to otherwise discuss or consider, the following:
Town Attorney Annual Review*

Council member Nye made the MOTION, seconded by Council member Baker to convene into Executive Session, by electronic vote. MOTION carried with 7 ayes and 0 nays.

14. Recessed into Executive Session at 7:41 P.M.

15. Reconvened into Regular Session at 8:35 P.M.

16. ACTION (IF ANY) RELATED TO EXECUTIVE SESSION ITEMS

Council member Flannery made the MOTION, seconded by Council member Edwards, to approve the appraisal rating as excellent and honor the Town Attorney's request to forego a monetary merit raise due to today's economic environment. Council will recognize the Town Attorney, through a letter, for the contributions he has made to the Town for this rating period and submit it to his employee file and as a press release to the media.

17. ADJOURNMENT

Council member Baker made the MOTION, seconded by Council member Edwards, to adjourn the meeting. MOTION carried with 7 ayes and 0 nays. Mayor Skoog adjourned the Regular Session at approximately 8:40 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, October 9, 2008.

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

Dated this 22nd day of October, 2008

Candice McElhaney, Deputy Town Clerk