

**TOWN OF PRESCOTT VALLEY
REGULAR COUNCIL MEETING
MINUTES
January 23, 2014**

Library Auditorium
7401 E. Civic Circle
Prescott Valley, Arizona 86314

1. CALL TO ORDER

Mayor Skoog called the meeting to order at 5:30 p.m.

2. INVOCATION - Rev. Pamela Schmaling, Anglican Church of the Holy Spirit

Reverend Schmaling gave the invocation.

3. POSTING OF COLORS, PVPD

Prescott Valley Police Department Color Guard posted the colors.

4. PLEDGE OF ALLEGIANCE

Prescott Valley Police Department Color Guard led in the recitation of the Pledge of Allegiance.

5. ROLL CALL

Present: Mayor Skoog, Vice Mayor Nye, Council Member Anderson, Council Member Whiting,
Council Member Mallory, Council Member Marshall, and Council Member Grossman.

6. OATH OF OFFICE - PRESCOTT VALLEY PD CHIEF BRYAN JARRELL

Judge Keith Carson swore in Bryan Jarrell with the Oath of Office as the new Chief of Police for the Town of Prescott Valley. In the absence of Chief Jarrell's wife Tina Jarrell, Vice Mayor Nye pinned the Police Chief badge on the new Town of Prescott Valley Chief.

Chief Jarrell recognized his wife as the pillar of his career and a huge supporter of his. He also thanked Cmdr. James Edelstein for taking charge of the department and doing a "magnificent job" as the interim police chief. Chief Jarrell presented Mrs. Sarah Edelstein with a dozen roses for the support she showed James during the period James was Interim Chief. He commented that it is apparent to him that the men and women at the PVPD are "some of the finest police officers" he has seen. Chief Jarrell committed to holding his, and the officer's, conduct to the highest standards, working closely with all stakeholders, with a goal of making a difference and a new commitment to customer service.

Prescott Chief Jerald Monahan stood and was recognized by Chief Jarrell who said the two departments work very well together.

7. RECOGNITION OF CMDR. JAMES EDELSTEIN

Cmdr. James Edelstein was presented with a Plaque of Appreciation by Mayor Skoog for a job well done as the Interim Police Chief from March 2013 through December, 2013 when Chief Bryan Jarrell arrived.

Members of the Police Foundation thanked Edelstein for his extraordinary service as Acting Police Chief. His professionalism and commitment to the police department, support and guidance of the Police Foundation is appreciated. Many safety items were purchased for the officers during his tenure as Acting Chief ensuring the protection of the officers. Edelstein was presented with a plaque from the Foundation as he is highly respected by the Police Foundation.

Vice Mayor Nye said council received many comments about the seamless transition and quality maintained during this period. They have pride in our Police Department. Council member Anderson commented that James has been a shining example of the department and they are proud of everything he has accomplished this year. Council member Whiting added that he did a remarkable job after taking on the department at its toughest point in history without any exercise of his values and police officer training. Council member Grossman said his commitment and dedication and support of his family is paramount to him doing the job he has done. The respect that he commands from his fellow officers is proof of his leadership skills. He has a great future in law enforcement. Council member Mallory said she appreciates him with all her heart. Council member Marshall said he is an example of what a professional is. Town Manager Tarkowski congratulated him and said how glad we are he is here. "The cream always rises to the top." It takes hard work to get there. It is a joy to see James' professional development and the maturity that goes along with that. He experienced some challenges, but with a great department behind him, he made some very difficult decisions. He took the leadership role and caused some things to happen. Mayor Skoog expressed his appreciation to James and his family.

Mrs. Sarah Edelstein thanked everyone for acknowledging James and said how much they look forward to serving the citizens of Prescott Valley. Cmdr. Edelstein thanked his wife Sarah and family.

Cmdr. Edelstein echoed Tarkowski about the 'cream rises to the top' saying every man and woman serving at the department who serve this community are part of that cream. The work and sacrifices they make each day and that their families make, makes days like this possible when we have a transition from an Interim Chief to a Chief and celebrate success. James expressed his thanks to his wife Sarah and the family for their support of him in law enforcement and said he wouldn't be the man he is today without all of them.

Matt Zurcher, PV Police Foundation, said it has been a pleasure working with James on the Foundation and how he looks forward to working with Chief Jarrell whom he thanked and congratulated. Members of the Foundation expressed their pride in Edelstein and the officers.

Edelstein said that learning the roll that the Foundation and Chamber of Commerce play, and partnerships and friendships he was able to make in this community and surrounding law enforcement offices, really taught him a lot about how it takes a community to be effective in improvement of the community.

8. RECESS

Mayor Skoog called for a recess at 5:52 p.m. for refreshments

9. RECONVENE

Mayor Skoog reconvened the meeting at 6:06 p.m.

10. SCHEDULED ANNOUNCEMENTS & PRESENTATIONS

a. Spotlight Report - Library Board of Trustees

Prescott Valley Public Library Board of Trustees President Larry Martin presented an overview of the Library Spotlight highlighting the highly successful programs the Library holds, especially for the children and teens. With the addition of Casey Van Haren to the staff, the library has moved forward with additional technology. Increased security and additional staff have been added to the library too. Kohl's was acknowledged as a great provider of funds and support of activities at the library. The library is becoming a conduit for teen and community interaction. E-books and the use of kindle inquiries are growing too. Adult literacy volunteerism is growing, making it an educational process of the community. The staff is open to working with the volunteers making the library a vital institution in this community.

Council member Mallory stated the Board of Transportation commented how impressed they were with the library facilities and noted that technology is the draw for young people. It is an increasingly growing asset to this community.

The Board of Trustee members present were introduced: Carol Colozze, Donna Morgan, and Kathy Derry. Library Director Stuart Mattson introduced Yolanda Feliciano, the new Teen Librarian. Feliciano said she enjoys working with the teens and thanked everyone for the much needed support that area receives.

Council member Whiting said the Parks and Recreation and Library are the face of our Town. They see more of those facilities than anything else. It is great that we have such a high tech modern facility and the staff to support it.

b. Student of the Month

Council member Whiting introduced William Waidelich who was nominated as January Student of the Month by the Rotary and Bradshaw Mountain High School and Town of Prescott Valley. William excels in what he does at school and what he does in our town. He will be graduating with honors and has earned a Gold Diploma which means he has completed four advanced classes in the last year and a half. He has taken dual enrollment classes and has a 3.95 GPA. William is an officer and active member of the Health Occupation Students of America (HOSA) and completed a competition related to medicine and placed second in the national competitions. He plays on the varsity tennis team and ranked as a top 10 player in his freshman year. He is an Eagle Scout and has completed a self-guiding self-leading community project making whispering phones for two local elementary schools. He plans to attend Grand Canyon University and study biology with an emphasis on pre-med with plans to become a surgeon in the future. Whiting presented William with a Certificate and a paper weight as recognition of this event.

Vice Principal Jeremy Hendricks related a story about William saying he is an amazing student and will be amazing at anything he chooses to do.

William introduced his family in attendance. William described his Eagle Scout project as an acoustic device consisting of 3 pieces of PVC pipe so that students can hear what kind of mistakes they are making when they speak if they have a speech impediment or reading disability. His father, Mr. Larry Waidelich said William has done it all himself and they are very proud of him.

11. CERTIFICATES

a. Certificate of Appreciation to John Riley for 15 years of service

Town Clerk Diane Russell read the accolades submitted about John Riley, Prescott Valley Police Department Senior Evidence Technician. Riley celebrates his 15th anniversary with the Town after a long career with the Phoenix Police Department. Council members commented that John has become a fixture at the PD and expressed their appreciation for his commitment and loyalty; he is a credit to the department.

Sgt. Robert Brown stated he has worked with John 15 years now and is amazed at his knowledge and efficiency. John is normally two steps ahead of him and many times has completed whatever needs done prior to be asked for which he thanked him.

Vice Mayor Nye commented that the accolades stated earlier about the police department officers also applies to him and the other support staff too.

Mayor Skoog presented Riley with a Certificate of Appreciation, a 15-year pin and a check.

John said there was a 9-year separation between leaving the City of Phoenix and coming to work in Prescott Valley to start a second career. Riley commented how much the department has progressed since the days of the old tackle box with fingerprint powder and brush and an old style Polaroid camera and many other changes. Since then they have a state of the art evidence collection, vehicles and equipment for which he thanked everyone.

12. COMMENTS/COMMUNICATIONS

No comments were forthcoming.

13. CONSENT AGENDA

- a. *Approving the January 2 Work Study, January 9, 2014 Executive Session & Council meeting minutes*
- b. *Approving an Acquisition of Control for Series 4 Wholesaler Liquor License for Fred Nackard Wholesale Beverage Company, James Elliott Bushnell, Agent*
- c. *Department Reports*
- d. *Monthly Financial Report*
- e. *Council Investment Report*
- f. *Approving Accounts Payable for 12/30/13 thru 01/13/14*

Council Member Mallory made the MOTION, seconded by Council Member Marshall, to approve all items listed on the Consent Agenda, by electronic vote. MOTION carried with 7 ayes and 0 nays.

14. OLD BUSINESS (FOR ACTION)

- a. *Consideration of approving the second reading and passage of Ordinance No. 784 amending town code Chapter 8 - Business*

Town Clerk Diane Russell read the ordinance by title only, for the second reading. Mayor Skoog asked "Shall the ordinance pass?" Ordinance No. 784 passed by electronic vote with 7 ayes and 0 nays.

- b. *Consideration of approving the second reading and passage of Ordinance No. 785 amending Chapter 9 - Health and Sanitation and Chapter 13 - Zoning*

Town Clerk Diane Russell read the ordinance by title only, for the second reading. Mayor Skoog asked "Shall the ordinance pass?" Ordinance No. 785 passed by electronic vote with 7 ayes and 0 nays.

c. Consideration of approving the second reading and passage of Ordinance No. 786 amending Town Code Article 10-04 - Weapons (Discharge)

Town Clerk Diane Russell read the ordinance by title only, for the second reading. Mayor Skoog asked "Shall the ordinance pass?" Ordinance No. 786 passed by electronic vote with 7 ayes and 0 nays.

15. NEW BUSINESS (FOR REVIEW, COMMENT, AND/OR POSSIBLE ACTION)

a. Public Hearing Open Public Hearing Development Impact Fees - Land Use Assumptions (LUA) & Infrastructure Improvements Plan (IIP) Close Public Hearing

Mayor Skoog opened the public hearing.

Deputy Town Manager Ryan Judy pointed out that Rick Giardina and John Wright are present. Tonight is just an open hearing on the Infrastructure Improvements Plan and Land Use Assumptions. This process began eight months ago with staff working with consultants.

Rick Giardina said they were last here in November and tonight they are here to receive input from the public. Per the Town's adoption timeline, these documents were posted to the Town's website on November 22, 2013 and available for review. Development Impact Fees (DIF) is a one-time charge paid when building permits are issued to fund the infrastructure required to serve new development. It could also be assessed to existing development that increases its demand for service. These fees are not paid by existing residents; they are paid for by new development as they come into the community. The fees are a reflection of a community's philosophy of having growth pay for costs for services associated with growth. It is one funding source available to us. Absent the imposition of a Development Impact Fee, there are other General Fund Revenues that may fund the facilities as well as Debt Service payments paid from other sources. It is however the primary source for funding new facilities.

Timeline:

1. February 27 - adopt land use assumptions
2. Between November 22 and February 27th is the public comment period for Land Use Assumptions and Infrastructure Improvements Plan
3. February 27 - Development Impact Fees will be brought forward subject to change by the influencing plans above
4. April 3 - Public hearing for Development Impact Fees study
5. May 8 - Adopt Development Impact Fees
6. August 1 – New fees become effective; absent that, the current fees will be invalid until this process is completed.

The current Development Impact Fees are under evaluation today. Parks and Libraries do not have fees today for non-residential development. The fees for Public Safety for non-residential development were set at \$0.03 per square foot, substantially lower than the calculated fees were at the time. They will be bringing forth a calculated fee for Council's review and consideration in another month.

Land Use Assumptions are the first step in the process and foundation that we build upon. They tell us the expected growth in the Town, how many new residents are anticipated, the square footage of developed property expected over ten years. This is then translated into the demand for services. The second part of the plan is planning for the Infrastructure Improvement for any needed enhancements and expansion of services to meet that demand.

Under the new legislation, the Library is allowed to keep the fee in place to pay off the debt that has been issued to construct and finance this library until the debt is retired.

Giardina responded to Council member Marshall that the fees being paid currently are the same as shown on the slide.

Town Manager Larry Tarkowski added that there are other fees such as a building permit, water capacity and wastewater fees that must be paid but are not considered Development Impact Fees per the definition that the Town of Prescott Valley is using. He pointed out that Rick Giardina is the person we rely on to guide us through this process. Legislation was passed two or three years ago by the Contractors Association because they wanted to see Development Impact Fees eliminated statewide. After a two-year process we ended up with legislation that we are now responding to. As a result there are a number of communities that chose not to have Development Impact Fees and they chose other routes to raise similar ways to raise revenue for those communities which are not available to Prescott Valley. Mayor and Council chose to put a moratorium on the collection of non-residential (commercial) development fees several years ago as did the City of Prescott. We were sued for that stance. While we won the suit in court, we lost in the state legislature and must now begin collecting non-residential development fees also. However the legislature has language to require certain fees be collected.

Vice Mayor Nye said she has read and reread the report and finds no logic in it which she faults the legislature for. Giardina and Tarkowski responded to Council member Mallory that commercial development must also be assessed DIF fees including for Parks, as a quality of life benefit, as a part of the legislation. Council member Whiting stated that pay as you go is a good concept instead of relying on those who are here already to pay for new infrastructure. He also likes that we are not locked into including things we cannot foresee in the future. These fees must be reviewed at least every five years, or as frequently as we wish, according to Giardina.

Public Comment:

Steve Rutherford representing PVEDF asked several questions answered by Town Manager Tarkowski.

1. Is there leeway as to how commercial fees must relate to residential fees? Yes
2. There must be some assessment fee for Parks, if the Town chooses to charge anybody for Parks, is that correct? Yes

3. Is deferment permitted until a Certificate of Occupancy is issued? No, they have to be collected at the time.

Mayor Skoog closed the public hearing as no additional comments were forthcoming.

b. Consideration of reappointing Arda Rutherford to the Board of Adjustments

Vice Mayor Nye stated that Arda Rutherford was first appointed on the Building Board of Adjustments in March 2013 to fill a partial term. This reappointment will be Arda Rutherford's 1st re-appointment and 2nd consecutive term.

Vice Mayor Nye and Council Members Anderson and Mallory are recommending the reappointment of Arda Rutherford to a term with a renewal date of January 31, 2017. Vice Mayor Nye said Arda really wants to volunteer and serve on this Board again. Arda commented that she is happy to serve and will apply to the P & Z Commission eventually.

Council Member Anderson made the MOTION, seconded by Council Member Mallory to reappoint Arda Rutherford to the Board of Adjustment to a term with a renewal date of January 31, 2017, by electronic vote. MOTION carried with 7 ayes and 0 nays.

c. Consideration of appointing Linda Shimmin to the Board of Adjustments

Vice Mayor Nye Linda (Bear) Shimmin was first appointed on the Building Board of Adjustments in July 2006 to fill a partial term. This reappointment will be Linda Shimmin's 3rd re-appointment and 4th consecutive term.

Council members thanked her for her service to the Board and said they can rely on her to bring continuity in service on the Board.

Town Clerk Diane Russell read the proclamation written by Mayor Skoog for Linda "Bear" Shimmin in celebration of her birthday.

Bear Shimmin said she has been in Prescott Valley 10 years and thanked the Council for all they do to make Prescott Valley a fantastic place to live. The municipality is as responsive to citizen's needs and demands as any place she has ever lived. It is her honor to serve the community.

Council Member Mallory made the MOTION, seconded by Council Member Anderson, to reappoint Linda Shimmin to the Board of Adjustment to a term with a renewal date of January 31, 2017, by electronic vote. MOTION carried with 7 ayes and 0 nays.

d. Consideration of approving Contract # ST-WSG-12-2366-11Y3 with the Governor's Office of Children, Youth and Families to accept a grant award in the amount of \$145,165 requiring nonfederal matching funds in the amount of \$48,389

Cmdr. Art Askew and Officer James Tobin came forward representing the Family Violence Unit at the Police Department. Officer Tobin stated that they have taken a very active role in

addressing family violence, violent crimes against women, including domestic violence, sexual assault, stalking and dating violence, through service expansion and continuation of the department's Family Violence Unit (FVU). Unit members include a Detective Sergeant, Patrol Corporal, Detective and Community Service Officer.

In October 2013, PVPD submitted a renewal application to continue receiving funds which was approved in December. The grant cycles are every three years, renewable each year. The grant under discussion tonight requires a 75/25 percent match. The total cost for continuation and enhancement of this program is \$193,554. The GOCYF will provide funding in the amount of \$145,165; pursuant to federal statute which mandates the STOP Formula Grant Program may not cover more than 75% of the total costs of the project funded. In accordance, a 25% non-federal match of \$48,389 will be required by the Town. The approved STOP Grant funding is a one (1) year contract that may be renewable for two (2) additional one (1) year periods, contingent upon the availability of funds. Consideration for renewal is also based on the results of program and fiscal monitoring. The contract renewal period is effective January 1, 2014 through December 31, 2014. Cmdr. Askew thanked Council for supporting the unit.

Council agreed that the cooperative efforts of the unit and these issues need to have a light shined on them. Council member Anderson added that he thinks this is some of the best money the Town could possibly spend for our matching funds. Council members agreed and expressed appreciation for the unit's work.

Vice Mayor Nye made the MOTION, seconded by Council Member Mallory, approve Contract # ST-WSG-12-2366-11Y3 with the Governor's Office of Children, Youth and Families to accept the grant award, by electronic vote. MOTION carried with 7 ayes and 0 nays.

e. Consideration of awarding a construction contract to the lowest responsive bidder, Timberline Concrete of Prescott Valley, in an amount up to \$21,651.25 for both Bid Schedule A and B for the Old Town Park New Sidewalk Installation Project (CIP # P304-2014)

Parks and Recreation Director Brian Witty said this project was wrapped up into this current budget. Three responses were received at the request for bids for this project. Staff recommends going with Timberline Concrete as the lowest bidder.

Vice Mayor Nye stated that with the Early Head Start close by the sidewalks are really needed.

The work will begin in March 2014. This is revitalizing some the commitments of the Old Town Committee too. Council member Whiting added that former Council member Patty Lasker would be happy about this as she devoted a lot of her time over there.

Council Member Grossman made the MOTION, seconded by Council Member Whiting, to approve the award of a construction contract to the lowest responsive bidder, Timberline Concrete of Prescott Valley, in an amount up to \$21,651.25 for both Bid Schedule A and B for the Old Town Park New Sidewalk Installation Project, CIP # P304-2014, by electronic vote. MOTION carried with 7 ayes and 0 nays.

16. COMMENTS FROM THE PUBLIC

Janine Tolley was notified a couple of months ago that she will be recognized as the “Citizen of the Year for 2013”. She invited Council members to attend the celebration on January 30th.

Everything that she has tried to do for the tri-city area pertaining to mobile command has been with Council support for which she expressed her appreciation. She asks Prescott Valley PD for direction if she needs to know where additional *Call 911* signs or *Report Drunk Driving* signs need to be placed. Tonight she is asking two additional signs be placed on Lakeshore and Navajo sometime in the future. She is willing to contribute to the cost of those signs. The signs encourage the public to call in to get drunk drivers off the road before they hurt or kill somebody. Council member Mallory said she “loves Jeanine’s passion for keeping the community safe and her heart felt attitude toward everything.” Vice Mayor Nye dittoed.

17. ADJOURNMENT

Council Member Anderson made the MOTION, seconded by Vice Mayor Nye, to adjourn the meeting by electronic vote. MOTION carried with 5 ayes and 2 nays. Council Member Mallory and Council Member Marshall voted nay. Mayor Skoog adjourned the meeting at 7:21 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, Diane Russell, 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, January 23, 2014.

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

Dated this January 27, 2014

Diane Russell, Town Clerk