

**TOWN OF PRESCOTT VALLEY  
REGULAR COUNCIL MEETING  
MINUTES  
August 28, 2014**

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

1. CALL TO ORDER

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

2. INVOCATION

Rabbi Dr. Adele Plotkin gave the invocation.

3. PLEDGE OF ALLEGIANCE

Council member Marshall led in the recitation of the Pledge of Allegiance.

4. ROLL CALL

Present: Vice Mayor Nye, Council member Grossman, Council member Anderson, Council member Mallory, Council member Whiting, Council member Marshall

Absent: Mayor Skoog

5. SCHEDULED ANNOUNCEMENTS & PRESENTATIONS

a. *Susanne Applegate - Parks & Rec Commission*

Parks & Recreation Director Brian Witty accepted the plaque for Susanne Applegate who was unable to attend this evening.

6. CERTIFICATES

a. *Certificate of Appreciation to Robin Petrovsky for 25 years of service*

Lt John Woods commended Robin Petrovsky for her 25 years of service to the town as an animal control officer and supervisor. Vice Mayor Nye and Council member Anderson presented Robin with a plaque, a 25 year service pin and a gift certificate. All the council members thanked Robin for her many years of service and dedication to the town. Robin thanked everyone for the recognition.

7. COMMENTS/COMMUNICATIONS

Council member Mallory reminded everyone of Healing Fields display of 3000 flags that will be starting on September 5<sup>th</sup>.

Council member Grossman showed a sombrero that he brought back for winning a game from the Arizona League of Cities and Towns. He added that it was a very good event for all the council members.

8. CONSENT AGENDA

- a. *Approving the August 14, 2014 Council meeting minutes*
- b. *Approving a Special Event Liquor License for October 25, 2014 for the Emmanuel Lutheran Church Oktoberfest located at 7763 E. Long Look Dr.; Marcy Pfitzer applicant*
- c. *Approving the Town Clerk's routine Destruction of Records per the state approved retention schedules*
- d. *Accepting the Law Enforcement Canine Fund Grant award in the amount of \$7,724.00; Contract # 20144236 from Yavapai County Community Foundation (YCCF), an affiliate of the Arizona Community Foundation*
- e. *Council Investment Report*
- f. *Quarterly TPT Report*
- g. *Approving Accounts Payable*

Council Member Mallory made the MOTION, seconded by Council Member Mallory, to approve Motion to approve all items listed on the consent agenda, by electronic vote. MOTION carried with 6 ayes and 0 nays.

9. OLD BUSINESS (FOR ACTION)

- A. *Consideration of approving the second reading and passage of Ordinance No. 795 adopting amendments to Town Code Article 10-04 Weapons Discharge*

Town Attorney Ivan Legler commented that this change in code is to conform with state law and was mandated by the state legislature to make it possible to discharge a weapon closer to a residence during hunting season.

Vice Mayor asked the Town Clerk to read Ordinance No. 795 by title only for the second reading. Deputy Town Clerk June Catanzarite read Ordinance No. 795 by title only.

Vice Mayor asked “Shall the Ordinance Pass?” Council voted by electronic vote to pass Ordinance No.795 with 6 ayes and 0 nays.

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

a. *Consideration of appointing Elaine Fahlman to the Parks and Recreation Commission to a term with a renewal date of June 30, 2017*

Council member Anderson stated that one position became available on the Parks & Recreation Commission when David Manship resigned. Council members Mallory and Anderson and Vice Mayor Nye interviewed applicant Elaine Fahlman and they recommend her appointment to fill the vacant position.

Elaine Fahlman stated that she is very pleased to be coming onboard and serving the town.

Council Member Mallory made the MOTION, seconded by Council Member Anderson, to approve Motion to appoint Elaine Fahlman to the Parks and Recreation Commission to a term with a renewal date of June 30, 2017, by electronic vote. MOTION carried with 6 ayes and 0 nays.

b. *Public Hearing - General Plan Amendment - Granville Units 7F & 7G (GPA14-002)*

Vice Mayor Nye opened the public hearing.

Town Planner Joe Scott introduced the General Plan Amendment to change the designation from Community Commercial to Low Density Residential on approximately five and one-half (5.5) acres located on the west and east side of Granville Fairway, south of Santa Fe Loop Road.

A General Plan Amendment and Zoning Map Change are necessary to approve a Preliminary Development Plan to create 14 more lots as Granville Unit 7F & 7G. A Neighborhood Meeting was held July 15, 2014 with all property owners within Granville having been invited. It was reported that 40 people were in attendance, representing 31 Granville households. No opposition to the stated changes in land use and zoning and development of 14 residential lots was expressed.

The proposed General Plan Amendment is consistent with the surrounding residential land uses and doesn't alter the intent or change the terms or conditions of approval of the Granville Development. The Planning and Zoning Commission held a public hearing on this item during its regular meeting on August 11, 2014. Staff supports the zoning map change.

Council member Mallory added that she was at the meeting since she lives in Granville and was pleased with the turn out and positive comments.

No further comments were forthcoming.

Vice Mayor Nye closed the public hearing.

c. *Consideration of approving Resolution No. 1886 adopting a Minor Amendment to the Prescott Valley General Plan 2025 for Granville Units 7F & 7G (GPA14-002)*

Council Member Marshall made the MOTION, seconded by Council Member Grossman, to approve Motion to authorize the Mayor (or, in his absence, the Vice Mayor) to sign Resolution No. 1886 adopting a Minor Amendment to the Prescott Valley General Plan 2025 (GPA14-002), by electronic vote. MOTION carried with 6 ayes and 0 nays.

*d. Public Hearing - Zoning Map Change - Granville Units 7F & 7G (ZMC14-002)*

Vice Mayor Nye opened the public hearing.

Town Planner Joe Scott stated that this is a request by Universal Homes for a Zoning Map Change from C1-PAD (Commercial; Neighborhood Sales and Services - Planned Area Development) to R1L-PAD (Residential; Single-Family Limited - Planned Area Development) on apx.5.5 acres located on the west and east side of future Granville Fairway, south of Santa Fe Loop Road. This change was discussed at the same Granville Neighborhood meeting on July 15<sup>th</sup> and was met with no opposition. The Planning and Zoning Commission held a public hearing on this item during its regular meeting on August 11, 2014.

Staff supports the zoning map change.

No further comments were forthcoming.

Vice Mayor Nye closed the public hearing.

*e. Consideration of approving the reading of Ordinance No. 796 by title only on two separate occasions, then place the same on final passage approving ZMC14-002 Granville Units 7F & 7G*

Council Member Marshall made the MOTION, seconded by Council Member Grossman, to approve Motion to read Ordinance No. 796 by title only on two separate occasions, then place the same on final passage, by electronic vote. MOTION carried with 6 ayes and 0 nays.

Vice Mayor Nye asked the Town Clerk to read Ordinance No. 796 by title only for the first reading. Deputy Town Clerk June Catanzarite read Ordinance No. 796 by title only.

*f. Public Hearing - General Plan Amendment - General Plan Amendment (GPA14-003) - A.D.O.T.*

Vice Mayor Nye opened the public hearing.

Town Planner Joe Scott introduced General Plan Amendment 14-003 with the Arizona Department of Transportation. This Public Hearing is to take comment on a request by the Prescott Valley Community Development Department, for a General Plan Amendment (GPA14-003) from Regional Commercial and Industrial to Public/Quasi-Public on approximately fifteen (15) acres located at the southwest intersection of Glassford Hill Road and 2nd Street. The proposed Public/Quasi-Public (P/Q-P) land use designation provides areas for a wide variety of services for the public. Zoning districts compatible with the P/Q-P designation include PL (Public Lands). The Public Lands zoning district allows among other things; governmental office buildings and grounds, governmental service and maintenance facilities, commercial uses incidental and accessory to permitted uses, and towers, antennae and wireless

telecommunications facilities that comply with the requirements of the Town Code. Public Lands are the only zoning district in which wireless communication towers and antennae are allowed by right, with standards for their placement. Staff supports this proposed amendment to the *General Plan 2025* in that the Public / Quasi-Public designation is best suited for this land use and will allow for rezoning to the PL (Public Lands) zoning district.

Vice Mayor Nye commented that this is basically a housekeeping item. Council member Grossman asked if the communications towers were for wireless or broadband. Scott replied that it was the Verizon Wireless.

No further comments were forthcoming.  
Vice Mayor Nye closed the public hearing.

*g. Consideration of approving Resolution No. 1887 adopting a Minor Amendment to the Prescott Valley General Plan 2025 for A.D.O.T. (GPA14-003)*

Council Member Grossman made the MOTION, seconded by Council Member Marshall, to approve Motion to authorize the Mayor (or, in his absence, the Vice Mayor) to sign Resolution No. 1887 adopting a Minor Amendment to the Prescott Valley General Plan 2025 (GPA14-003), by electronic vote. MOTION carried with 6 ayes and 0 nays.

*h. Public Hearing - Zoning Map Change - A.D.O.T.*

Vice Mayor Nye opened the public hearing.

Town Planner Joe Scott introduced the Public Hearing to take comment on a request by the Prescott Valley Community Development Department for a Zoning Map Change (ZMC14-003) from C3 (Commercial; Minor Industrial) and M1 (Industrial; General Limited) to PL (Public Lands) on approximately fifteen (15) acres located at the southwest intersection of Glassford Hill Road and 2nd Street. Staff supports this proposed amendment to the G.P. 2025 in that the Public / Quasi-Public designation is best suited for this land use and will allow for rezoning to the PL (Public Lands) zoning district. The Council previously approved a General Plan Amendment (GPA14-003) to change the designation from Regional Commercial and Industrial to Public/Quasi-Public the subject fifteen (15) acres which will be effective at the time of the second reading of this ordinance.

No further comments were forthcoming.  
Vice Mayor Nye closed the public hearing.

*i. Consideration of approving the reading of read Ordinance No. 797 by title only on two separate occasions, then place the same on final passage approving ZMC 14-003 for A.D.O.T*

Council Member Marshall made the MOTION, seconded by Council Member Anderson, to approve Motion to read Ordinance No. 797 by title only on two separate occasions, then place the same on final passage, by electronic vote. MOTION carried with 6 ayes and 0 nays.

Vice Mayor Nye asked the Town Clerk to read Ordinance No. 797 by title only for the first reading. Deputy Town Clerk June Catanzarite read Ordinance No. 797 by title only.

*j. Consideration of authorizing the Mayor to sign Resolution No. 1884 approving FDP14-007 - Granville Unit 7A1, 7B1 and 7C1 model complex*

Town Planner Carmen Ogden introduced Final Development Plan for a model home complex in Granville. Joe Contadino from Universal Homes was not available this evening.

Vice Mayor Nye met with local councils and Council member Whiting met with the CYFD board. Both commented that we are all excited to see the expansion in Granville.

Council Member Marshall made the MOTION, seconded by Council Member Anderson, to approve Motion to authorize the Mayor (or, in his absence, the Vice Mayor) to sign Resolution No. 1884 approving FDP14-007 and to sign any agreement under Proposition 207, by electronic vote. MOTION carried with 6 ayes and 0 nays.

*k. Consideration of authorizing the Mayor to sign Resolution No. 1885 approving FDP14-008 - Dorn Homes Villas at Quailwood model homes*

Vice Mayor Nye asked Town Planner Carmen Ogden to explain Proposition 207 Waivers. Ogden deferred to Town Attorney Ivan Legler who explained that in certain circumstances when local governments took actions that they might be adversely impacting the properties involved. The property owners could come back and sue those governments for damages for those actions. Voters in Arizona adopted Proposition 207 to waive the right to receive those damages. In excess of caution the waivers are signed anytime a zoning change is made to protect all parties under Proposition 207.

There was no further discussion and Vice Mayor Nye called for a motion.

Council Member Whiting made the MOTION, seconded by Council Member Marshall, to approve Motion to authorize the Mayor (or, in his absence, the Vice Mayor) to sign Resolution No. 1885 approving FDP14-008, AND to sign any agreement under Proposition 207, by electronic vote. MOTION carried with 6 ayes and 0 nays.

*11. COMMENTS FROM THE PUBLIC*

1. Robert Lockman a broker from Universal Homes came forward on behalf of Joe Contadino to thank council for their approvals this evening for the Granville subdivision.
2. David James expressed his concerns about a drainage problem on his property due to the run off from the neighbor next door. He has had to hire an attorney to resolve the issue because according to Woody Lewis (building official) there are no codes to help his situation. He has photos and videos of the water draining onto his yard and the damage it has caused. He has no

recourse with the lady next door. He wants the codes to change to keep this from happening to anyone else.

Town manager Larry Tarkowski asked Mr. James to see him after the meeting.

3. Carole Thurman spoke as a realtor and friend of David James to support his claims. She has seen the water running onto his property from the neighbor and has never seen anything like it.

4. Karen Hunt stated that the same thing happened to her property several years ago and it was resolved but she continues to watch the run off when it rains. The town needs to make changes to avoid a lawsuit.

## 12. ADJOURNMENT

Council Member Marshall made the MOTION, seconded by Council Member Anderson, to adjourn the meeting by electronic vote. MOTION carried with 6 ayes and 0 nays.

Vice Mayor Nye adjourned the meeting at 6:29p.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, June Catanzarite, 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, August 28, 2014.

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

Dated this 4<sup>th</sup> day of September 2014

---

June Catanzarite, Deputy Town Clerk