

**TOWN OF PRESCOTT VALLEY  
REGULAR COUNCIL MEETING  
MINUTES  
November 6, 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

Father Dan Vollmer of St. Germaine Catholic Church gave the invocation.

3. PLEDGE OF ALLEGIANCE

Father Dan Vollmer led in the Pledge of Allegiance recited in unison.

4. ROLL CALL

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

5. SCHEDULED ANNOUNCEMENTS & PRESENTATIONS

a. Chamber of Commerce

Not available.

b. VFW Flag Shared Expenses, Cmdr. Fred Nelson

Not available.

c. NJCAA Men's Soccer National Championship Tournament

Yavapai College Athletic Director Brad Clifford announced that the NJCAA Men's Soccer National Tournament is just two weeks away. A welcoming banquet will be held on November 17<sup>th</sup>. Starting on November 18<sup>th</sup> and through the 20<sup>th</sup>, a full field of teams will be playing at 9:30 a.m. and noon at Mountain Valley Park leading up to the semi-finals Saturday at noon and 3:00. The finals will be held on Sunday in Prescott. Clifford stated that Prescott Valley has the best

field the teams will be playing on anywhere. Clifford said, unfortunately Yavapai College will not be one of the teams playing.

7. CERTIFICATES

a. Certificate of Appreciation to Lee Allbritton for 15 years of service

Town Clerk Diane Russell read the accolades submitted for Lee Allbritton. Council member Whiting thanked Lee for her service all these years. Employees with this longevity show that the Town is a great place to work, and their hard work makes the Council look good which they appreciate. Council members thanked her for the time she has spent working for the town making Council look good and expressed their appreciation for all the work she does. Mayor Skoog presented Lee with a plaque, pin and check for her years of service. Burt Allbritton, Lee's husband, said he is pushing for Lee to work at least another ten years.

Lee thanked everybody saying it has been a real pleasure working at the Town. The past 15 years have flown by and that because she loves her job she does not find it boring. "Bill Kauppi [Management Services Director] has been great to work for." He has given her the latitude to be creative and to find things out on her own.

Kauppi came forward stating that if you want to get anything done in Management Services, Lee is the person to see. He considers himself fortunate to have had Lee working with him these past twelve and a half years. He appreciates everything she has done.

b. Certificate of Appreciation to Tim Collins for 15 years of service

Town Clerk Diane Russell read the accolades submitted for Tim Collins. Council member Anderson thanked Tim for his service. Bruce Handley [Public Works Team] gave Tim the traditional Public Works kiss on the cheek for the team. Alex Romero said Tim is the one who started that 'kiss on the cheek' tradition almost 15 years ago and the tradition continues on. Mayor Skoog and Vice Mayor Nye presented Tim with a plaque of service, pin and a check. Tim thanked Mayor and Council for all their help and support over the years and "thanks to all the guys in the back for all their help". Tim recommended a ball cap be given to Town Manager Larry Tarkowski as he blinds them with the spot on the top of his head when they are hanging Christmas lights every year. Vice Mayor Nye thanked the "Light Commander" (Tim Collins) for the Domestic Violence and Breast Cancer lighting and banner on the Civic Center on behalf of those organizations.

c. Certificate of Appreciation to John Darling for 10 years of service

Town Clerk Diane Russell read the accolades submitted about John Darling. Mayor Skoog and Vice Mayor Nye presented John with his ten year service pin and a certificate. Vice Mayor Nye thanked him for his hard work and his ever present smile. John said he is looking forward to another 10 years of growth with the Town.

d. Certificate of Appreciation to Carol Cornell for 5 years of service

Town Clerk Diane Russell read the accolades submitted about Carol Cornell. As the first paralegal in the legal department more than ten years ago, Carol has been responsible for most of the research on legal issues. Vice Mayor Nye said she has read every word about the Big Chino and thanked Carol for her diligence and dedication. Council member Anderson said he feels as though he knows her as Ivan speaks of her every opportunity he has. Council is assured that she does wonderful work every time Ivan speaks. Council member Grossman commented that we have a great, quality staff and recognize all of them for their many years of service. Staff is a credit to this great Town.

Ivan Legler said a lot of things we talk about in these meetings have been by other people in the legal department, not him. Carol has done a lot of the research in getting the Town where we need to go. Cindy Corcoran, Steven Zraick and many others are back their toiling while he attends the meetings and gets credit for it. Tonight Carol gets the credit for all the work she has done.

Mayor Skoog and Vice Mayor Nye presented Carol with a certificate of appreciation and five year pin.

Carol said when she began her career she did not envision working in the public sector but that is how it evolved. She is grateful to the Mayor and Council for giving her the opportunity to work for the best department she has ever worked with, and this great organization. She has learned a lot in this position and looks forward to learning more.

Mayor Skoog added that she has done a great job. Mayor Skoog said we ask the staff to do a job, then we better get out of the way because they come running to do their job. Super staff all the way through!

8. CITIZENS ACADEMY GRADUATION - RECESS

Deputy Town Manager Ryan Judy introduced the 29 graduates of the 17th Citizens Academy class. Each graduate came forward to receive their certificate as their name was called and be congratulated by the Council members. Ryan said over 435 people have graduated from the Academy. This class stated their top three priorities for the community as: 1. An indoor aquatic center, 2. Recruiting high tech and manufacturing jobs and, 3. Increased commercial development near the Pronghorn Ranch and Viewpoint Subdivisions.

Mayor Skoog called for a 10 minute recess. Mayor Skoog recessed the meeting for refreshments at 6:04 p.m.

RECONVENE

Mayor Skoog reconvened the meeting at 6:17 p.m.

6. PROCLAMATIONS

a. American Diabetes Month - Kristy Snyder

Town Clerk Diane Russell read the proclamation after which it was presented to the American Diabetes representative Dicenta by Mayor Skoog and Vice Mayor Nye. Council members expressed appreciation for this proclamation as helping to make people aware of this problem, to take action to prevent it and, how better to manage the disease.

Dicenta said she was just recently diagnosed with diabetes at which time she became involved with the American Diabetes Association. She thanked Mayor Skoog for making people aware of the disease and commented that they raised \$70,000 at their “Step Out Walk” in Prescott. Living with diabetes is a hard thing. She encouraged everyone to check their blood sugar even if your health is good, just in case. A lot of children, elderly and even people who are thin get it, not just the overweight.

9. COMMENTS/COMMUNICATIONS

Vice Mayor Nye said she, Larry Tarkowski and Heidi Dahms Foster passed out candy at the Prescott Valley Event Center for Halloween and commented about the children's good manners and appreciation that was expressed to them on behalf of the children and families. She thanked the parents who are raising children with manners and appreciation. It was a joy. Town Manager Larry Tarkowski thanked the Early Birds Lions Club which sponsored this event along with the Arizona Business League. Approximately 2,800 kids, parents and family people showed up at that afternoon/evening event. They anticipate that the event will set a new attendance record next year since Halloween will fall on a Saturday.

10. CONSENT AGENDA

- a. *Approving the October 16 Work Study, Special Council and October 23, 2014 Council and Executive Session meeting minutes*
- b. *Authorizing the Mayor to sign Resolution No. 1893 adopting the updated Arizona State Library, Archives and Public Records Retention Schedules*
- c. *Approving Accounts Payable*

Town Clerk Diane Russell drew Council’s attention to item 10.b, adoption of the updated Records Retention Schedules. Russell stated that the Management Records retention schedule, which is on the list of retention schedules to be adopted, has not been finalized by the State as anticipated. She will be withdrawing that particular retention schedule for consideration by the Council at this time. The other eight retention schedules will go forward for their consideration.

Council Member Anderson made the MOTION, seconded by Vice Mayor Nye, to approve all items listed on the consent agenda with the exception of the Management Records retention schedule, by electronic vote. MOTION carried with 7 ayes and 0 nays.

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

*a. Consideration of reappointing Don Packard to the Municipal Property Corporation Commission to a term with a renewal date of November 18, 2017*

Vice Mayor Nye stated that on November 18, 2014, Don Packard's term on the Municipal Property Corporation Commission will come due for renewal. He submitted the renewal application letter choosing to be reappointed. Don Packard was first appointed to a partial term on this commission on October 27, 2011 and this re-appointment will be his 2<sup>nd</sup> consecutive term.

Vice Mayor Lora Nye and Council Members Mary Mallory and Rick Anderson are recommending the re-appointment of Don Packard for a term with a renewal date of November 18, 2017.

Council Member Mallory made the MOTION, seconded by Council Member Anderson, to reappointment Don Packard to the Municipal Property Corporation Commission to a term with a renewal date of November 18, 2017, by electronic vote. MOTION carried with 7 ayes and 0 nays.

*b. Consideration of authorizing the Mayor to sign the Greater Prescott Regional Economic Partnership contract.*

Economic Development Manager Greg Fister said it has seemed like forever since anyone has talked about regional development; not since Yuma, Phoenix or Tucson did. Earlier this year Council placed \$40,000 in the budget to help fund regional development in our area. Prescott approved the Agreement and Contract for \$40,000 Tuesday night.

GPREP President Steve Rutherford provided a progress report for Council and said they are working with 18 leads in the Prescott area and one locating a small gun manufacturer in this area. They have a business that could provide several hundred new jobs in the area coming up a week from Monday. GPREP just went live last week with a regional website GPREPAZ.com and are making adjustments to the site as they go along. Rutherford pointed out that GPREP has already met their goals for the first year.

Mayor Skoog said someone did a very good job putting the documents together.

Vice Mayor Nye said we have waited for this a very long time and it is rewarding to know they were right all along. They had success immediately and it is running down the road. "Congratulations and thank you because the entire area is benefitting."

Rutherford said he remembers talking to Larry Tarkowski for an hour a few years ago trying to pull this together. He thanked Council member Rick Anderson as the council liaison who is always there, steadfast and quiet, but when something needs to be said, he says it. Anderson said one of important things about GPREP is any business locating in the area benefits all the communities for what each has to offer. They bring the business into this neighborhood and it really doesn't matter where they set up shop, because everyone is going to benefit. We are off to a really good start. Mayor Skoog said we may have our concerns about social programs, but there is no better social program than jobs. Rutherford added that the Protocol Agreement is important to point out. The Economic Development practitioners (Prescott Valley, Prescott, PVEDF, Town Managers of Chino Valley, Dewey Humboldt and the Tribe together figured out how to handle leads. It had its first test on the cooperative locate in the City of Prescott. They contacted the City first, then came to GPREP. GPREP went to the Protocol Agreement, followed it every step of the way and it has worked beautifully.

Mayor Skoog stated that it is a big difference regionally – it is good for the region.

Council Member Anderson made the MOTION, seconded by Council Member Grossman, to approve the attached contract with the Greater Prescott Regional Economic Partnership (GPREP), by electronic vote. MOTION carried with 7 ayes and 0 nays.

*c. Public Hearing - General Plan Amendment (GPA14-005) - Desert Development*

Mayor Skoog opened the public hearing.

Richard Parker, Community Development Director, thanked Carol Cornell for all the wonderful things she has done for the Community Development Department. Her tenacity is outstanding if you think about working in the legal department for five years; “that must be equal to an eternity!” Working with Ivan and the brain crunch that goes on there! Parker said they have an office available for Carol if she so chooses.

Parker said items 11.c, d, e and f are interrelated. This 9,200 square foot property is currently zoned residential. The property is located on a bench above the lower portion of the property on which the owner intends to develop a single family residence. The 9,200 sf parcel is the proposed site of a 2,000 square foot detached garage which is a permitted use as a matter of right associated with the permitted residential use. However, the owner intends to use a portion of the detached garage for commercial purposes to allow eight of his friends to store their golf carts in the garage. The entrance to the garage facility will be from an elevation equal to the [Clubhouse] parking lot. They will actually drive into the garage from the Clubhouse parking lot. The bench area is not designated in the Town's General Plan as suitably developed for commercial uses. Council is being asked to consider a recommendation from the Planning and Zoning Commission to amend the Town's General Plan for the purpose of permitting having this designated for general commercial uses. The next item relates to the use of a garage facility, the garage facility is permitted as a matter of right, the only use that is in conflict with the residential district is the fact that the gentleman intends to lease out a portion of the garage to accommodate up to eight golf carts. Traffic and a variety of other things were discussed at the P&Z Commission meeting as a consequence of the golf carts on public streets and in the Country

Club. The Commission unanimously recommended approval of the General Plan Amendment as well as approval of the Commercial Zoning which is also supported by staff. After the public hearing Parker said he would go into detail for Council's consideration of a resolution if they choose to do so to amend the General Plan and subsequently describe in detail the aspects of the detached garage.

Council members had no questions.

Public Comments:

a. Ken Jeffrey – Prescott Country Club Community

“A month or so ago this process all started and they had a general meeting at the Golf Course on the property. At that time we were introduced to a Mr. Mike Matthews who was going to propose to ... to have a change in order to build a garage which I understand is his right to do that. But at the zoning development stage at that particular meeting, this gentleman was not available. He had an agent, which I also understand is okay, was there instead of Mike Matthews. I personally have not seen Mike Matthews since his proposal came about. So, needless to say we had a house complete standing room only of everybody that totally disagreed with this particular project. A lot of it comes about ... okay if it is commercial is there anything in place to prevent it from being anything other than what it is being asked for ... down the road can they quit storing golf carts and open up a 7-11 for instance? We don't know that. But there is a young lady here who has a lot more to do with the objections ... we feel this is kind of the tip of the iceberg and to use an old term, it seems like to a reasonable person looking at this from the outside in, it seems to be a lot of chicanery going on here that we are unaware of ... seeing how the agent for Mr. Matthews is a builder and he owned the lots that Mr. Matthews purchased for this reason. So, the people in our community of course [are] very skeptical of what may be going on. And with that having been said, I'll step back. I think Martha has lot of information for you. Thank You.”

b. Dennis Jennings – Prescott Country Club Community

“My wife owns a piece of property there. It is left of the R in R2-2 illustration. Ah, she happens to be the closet property holder to this particular area along that line. One of my real serious questions is how the notification of events failed completely. The only way we heard about this was through grapevine and through the neighbors. Somehow or another what should pass or appears to be a 300 foot notification zone has failed completely. In general we would not particularly object to a change, however, it must, absolutely must be limited to the stated changes and intent that has been presented to us. An open ended variation simply as a commercial zoning district is quite frankly we see it as a possible vehicle yard for further and somewhat incredibly distasteful developments within the golf course and Prescott Valley zoning. If it is the capability of the Council, to absolutely limit the development to the golf course, golf cart storage yard that is fine. But if there is any way that anybody can slither out from under that and go ahead with a greater and unintended development, we absolutely object. Thank You. My wife owns Unit 11 up there in the townhouses, most immediately affected by this rezone.”

c. Melony Bridges - Prescott Country Club Community

“My home is just about a two minute walk off of the parking lot. My question for you and it is a rather generic one, the parking lot was recently restriped last year and we lost some parking spaces then. With the location of this garage, we will lose approximately another six to eight parking spaces. Marked or unmarked and I say that because living where I do, I do observe that that entire line of the parking lot were that garage is going to go has parking on it. People park there. That is the only spaces that are sometimes available. So my question is this, is there a minimum number of parking spaces required to be furnished for a facility such as the Clubhouse that has the golf course and the restaurant and everything in it? The restaurant is now open seven days a week from 10:00 until 9:00, I believe.”

RESPONSE – Richard Parker

Arizona Administrators requested a site plan detailing the effect of the parking as it relates to the Country Club Clubhouse so as to make sure there is sufficient parking for both the restaurant as well as people who are playing rounds at the golf course. That is something that will be done not only administratively, but it will also come in front of Council as a Final Development Plan which is a recommended stipulation. To the previous speaker’s question, indeed, if you move forward with the recommendation of the P&Z Commission it does specifically limit the use of the facility for storage of golf carts associated with the Country Club golf course business. Any change of use would have to come back before the Town Council after having been reviewed by the P&Z Commission in a public hearing. Zoning approval is done administratively through his office. The Chief Zoning Inspector will be looking at the condition of parking and permits won’t be issued for the structure unless there is adequate parking maintained for the existing use. If there are parking spaces removed, then they will have to be replaced if they are necessary to support the existing use. It is not something we have studied, but it is something we will have to look at prior to issuing permits which is a standard protocol. It is a function of the staff to administer the zoning code. The parking relation is an administrative function of the staff. It does not take action by the Town Council.

Melony Bridges

“Pardon me for belaboring this a little bit. But I am a little bit confused also. What happens if there is a minimum number of parking spaces that have to be provided and the space is available by approval of this garage does not accommodate that minimum number?”

RESPONSE – Richard Parker

Then we don’t issue a building permit for the garage.

d. Martha Duncan - Prescott Country Club Community

“I appreciate being able to speak with you. I want to tell you when I look through the last couple of weeks the bio [biographies] of everybody on the Council and on the staff, I just want to tell you I was very impressed because I think our Town has done a wonderful job in the twenty years I have lived here. But each of you has a lot to contribute from your background and the thing is that you’re here. I think it is admirable that you are on the

Town Council and give your time to serve. I'll just be quick about some things, because we came to the Planning and Zoning meeting with probably 75 people after we went to the initial meeting that they held at the Prescott Country Club on September 15<sup>th</sup>. At that time Mr. Matthews said he was going to build a house, his house on that lot, but he needed a garage built first. So the second meeting we went to at the POA, it was a completely different story told about what was going to happen with that garage and with that facility. The third time we were at a meeting, it was now going to be, even though Mr. Matthews still claims to build a house and a garage, it is now going to be managed and owned by the Prescott Golf and Country Club and used for their garage storage. If you look at the plan to it, it opens onto the golf course, all three doors 15 foot elevation, the back of the building will probably be 30-35 feet because it is a 15 foot drop down there. So that is one thing we were in complete opposition of because we have been told three different stories at three different meetings. And the people just don't want to buy that. The second thing is Mr. Matthews owns a house on the 7<sup>th</sup> green probably valued at \$500,000. It is an incredible house, he owns a million and a half dollar house in Scottsdale and again we have a hard time believing he is going to build his house on a street that is entirely apartments, condos and a residential street. One of the other things mentioned in the notes/minutes was that there were no other residential properties nearby. It is 100 percent residential properties nearby. So that is a little bit misleading there. I know we have provided several letters from several people, not even all of them got into you today, but I hope you have the opportunity to read through them. What I did bring tonight are 516 petitions from residents in Prescott Country Club, property owners. There are 1,600 lots there. We are only counting one person's petition, not Mr. & Mrs. Otherwise we would be representing nearly a thousand people here now that are 100 percent against a C2 zoning and any further zoning that will come along and that is something we will discuss at another meeting. I brought those petitions, we furnished them to the Town; 190 at the first zoning hearing, two days before the hearing we brought another 90 signatures and within this 3-4 week period since this was, since people are beginning to find it out, that is the petitions we have collected. They are stamped, signed and I brought the envelope if anyone wants to look through them. So what I ask tonight before you go any further with this, the things we think would help if first if you will reconsider, if you take a look at that, if you will get definite confirmation of exactly what is going to be built there and who is going to build it and what it is going to be used for. Third give us an opportunity to look at the older CC&Rs because two years ago I had a man that bought a lot there in the Country Club and went to build his garage first and CC&Rs in the conditions said he couldn't build it first; he had to build his house and then he could build a garage. So, we are wondering now why the stipulations have changed. I understand that now it has supposedly been annexed into the Country Club because of the Tapadero Wastewater District. But I think there are far too many questions that haven't been answered. The people in the Country Club have been told too many stories by too many people. So I would ask that you either table this for further review, not give a recommendation. We have many more things, we have a couple attorneys looking into that so that you may really be presented the truth and we don't come down the road six months or a year from now and find out we have all been scammed. Again, those petitions are an objection to the C2 Zoning, the garage and any

further rezoning, condominiums, apartments or anything to come in the Country Club that have been proposed. Any questions?”

RESPONSE – Mayor Skoog

Mayor Skoog commented that CC&Rs are not usually enforced by a Town, but by the Homeowners Association and asked that Richard Parker explain that.

RESPONSE – Richard Parker

Parker stated the CC&Rs are a private covenant that you enter into with your neighbors when you buy property in an area. It is not something that is enforceable by the Town of Prescott Valley. We have to uniformly apply a standard. So in the case of StoneRidge they have CC&Rs that are representative of the community they are trying to grow. [It is the] same way with Pronghorn and other communities in Prescott Valley that have CC&Rs. They are all different; they regard different aspects of development. We in the Town have a uniform zoning code that we have to apply uniformly to the Town. CC&Rs are not something that the Town administers nor do we often take them into regard when we look at zoning. Our zoning conditions prevail. CC&Rs are a private agreement enforced through civil action, not enforced by the Town.

Ms. Duncan said “I appreciate the opportunity to speak with you today. Thank you. I think it is important that we have our voice and one really good reminder of that is in the last week Arizona doesn’t have day light savings time because the people got a referendum and when the government said you are going to get this, Arizona tried it one year and voted no we’re not going to do that. I think it is important that people are not afraid to make their positions known and to present them to the proper bodies. I think that is part of America and I appreciate you letting us have our say. Thank you.”

Mayor Skoog said they appreciate their comments.

No additional comments were forthcoming.

Mayor Skoog closed the public hearing.

*d. Consideration of authorizing the Mayor to sign Resolution No. 1894 adopting a Minor Amendment to the Prescott Valley General Plan 2025 (GPA14-005)*

Community Development Director Richard Parker said he has no further comments after the public hearing. The Planning and Zoning Commission held a public hearing similarly and is recommending that council change the Town’s General Plan to accommodate a 9,200 square foot addition to the adjoining commercial use district in the Country Club.

Council member Mallory said for her own clarification that the gentleman wants to build a garage that will store eight golf carts. Is that correct?

Parker responded that it will store eight golf cars as well as his private possessions that you could store in your private garage. He is using up to 800 square feet of the 2,000 square feet for storage of golf carts.

Council member Mallory continued that she gets the feeling that maybe they are not getting a clear picture. She is just trying to make sure she is getting the right information.

Parker said the stipulation that is offered to you in the ordinance for the zoning does regard specifically that it shall be used only for that intended use. The commercial use of that facility is very narrow. The comment about it being a 7-11 couldn't happen unless they came back to the P&Z Commission and back to the Town Council and said this needs to be a 7-11. The likelihood of that happening, in his experience, is extremely rare. The other is the use for private purposes he has the ability to do. If the CC&Rs do constrain his development of that garage prior to building his house, then that is business that they can tend to. We have the ability in the Town to issue a permit and have it be followed by a principal residence. We don't have that same stipulation. Again, if they do have that stipulation they could on their own initiative enforce that through their private deed restriction.

Vice Mayor Nye said she is confused by the parking space. She continued that she is very confident that the Town would never allow this if there wasn't adequate parking at the center [Clubhouse]. She is confused about as to whether this was private property parking that was being used when they went to the Country Club?

Parker responded it is attached to the adjoining property zoned multiple family. It may have been used as overflow parking but it is currently zoned residential. Could it have been developed for additional Country Club parking? No, not unless it was zoned for commercial.

Vice Mayor Nye commented that it was being used unofficially for parking.

Parker said that he initially thought it was part of the Country Club until it was determined by survey that it was the adjoining property. It was very clear that that adjoining property is zoned residentially. That is how we started down this path because the applicant was very clear as to his intent. There was some discussion by the applicant about why do we care if I store golf carts there. Parker responded to him that he is potentially charging for that purpose which makes it a commercial use. So we are being on the up and up from our standpoint. The other thing is that there is some concern about replacement of parking and how the parking would work. He offered a stipulation to the commission and they also forwarded it to Council and it is unusual that they would come back to the Town Council with a Final Development Plan illustrating the parking because we were concerned about addressing that issue. That is one of the stipulations that is offered in support of their recommendation on the zoning. Council will get an opportunity to take a look at that Final Development Plan which they often times do. That is a usual circumstance making sure that it takes place. Parker said he has every confidence in the staff he works with that they are going to figure it out. If they don't figure it out we will not issue any building permits and Council will never see a Final Development Plan.

#### Public Comment

Melody Bridges said "the blacktop right now goes over to about where the garage will be built because there is a level area there and then a drop off on the other side. That blacktop area is currently used and is a part of the Prescott Golf and Country Club as far as she knows used for the restaurant and golf course. With the garage being built where they are proposing it and the

garage doors facing that parking lot and the access to that garage being right off that parking lot, those spaces that would be right in front of the garage now would be eliminated.” She is not disputing that that property is private property. “I am disputing whether... I am just asking basically if taking away those parking spaces, because the garage will need to use that area for access... if taking away those parking spaces diminished the required number of parking spaces for the current facility.”

Mayor Skoog stated that each business is to provide its own parking spot and they are not allowed to park over on someone else’s property.

Ms. Bridges said she understands Mr. Parker’s response that P&Z would look at this before a building permit were issued.

Council member Anderson added that Council does appreciate the fact that they have input into this. He appreciates their willingness to take the time to provide the documents and be here and at the P&Z meeting. Council has no way of knowing what they are thinking or how they feel about the issues if they don’t present these. We need to know that. He appreciates knowing that. What happens from here, he can’t say. The Town will follow the rules that are set in place and nothing will happen that is underhanded or done back door. It will all be done above board. It will all be done right here and they are welcome to be here every step of the way to see what they are doing and how they are doing it. They are welcome to question anything they have to say.

Public Comment

Dennis Jennings

“A small aside on this, that one place or another a few months back, a great deal of this started by origination as about 100 feet of connector for the Tapadero Septic System. It is kinda like Topsy; it just grew. Pretty soon all of Tapadero Drive was involved and low and behold, bingo, we have the world’s greatest journeyman; Eldridge Gary would be proud of it, to have suddenly included the entirety of the golf course and commercial properties associated into Prescott Valley. The methodology here boggles the mind. I appreciate your effort.”

Public Comment

Martha Duncan

Martha Duncan said she wishes each of the Council members would “collectively drive out there and take a look at this project before saying yes or no. Once the doors are open onto that parking lot and that half of a section that they are asking to turn commercial, so he can park his friends golf carts there, and charge for them... the problem with that is the house... there are no doors on the back of that house in the lower part of that lot to that property. So if he is going to access it he is going to have to walk up the street, walk into the parking lot and enter the doors. That is the part that doesn’t fit for anybody. That is a residential street. Drive out there. Watch the kids get on and off the school bus, 10 to 12 of them every day. It is a residential area and they [PCC residents] have a real hard time swallowing that great big parking garage up there at the top of the street. Remember, he has a complete residential lot, he is only asking for half of the lot to be commercial so that he can put the garage up there and access it from the top of the lot, no access, no nothing from the back of the lot. Nothing from his house that he is going to build at some

point in time... only the big garage doors on the top. Please come and take a look. The problem, we'll talk at it another time, is nobody around the 135 acres of 165 residents that live along the golf course that got annexed, not one person got a letter, no one knew and that is where this problem started. We have been hearing for months and years that Tapadero Waste Water District, the Town is going to annex, fine. We know it needed to go. But when they took the 135 acres of the golf course that is what raised the issue like we were slapped in the side of the head, nobody knew and now they are going to rezone this for this garage. So please take a look at it. We are going to see you again. We will be here for each and every step that they do with this, and they are going to come back to you for putting another hundred apartments in the middle of the golf course. We'll be back. Please come take a look at what they have done to our area."

Vice Mayor Nye said it sounds to her that they are accusing "us" of unethical annexation.

Martha Duncan stated that "they [Council] didn't know that the residents didn't know. There was not one person in that golf course that knew that the 135 acres was going to get annexed. Not one person. There are 165 houses that face that. You guys didn't know that and here's why... 'cause we are here tonight I am going to tell you. There were 12 petitions attached to the Tapadero Waste Water District for the annexation. They were taken to the County Recorder ... has pictures of those; there were 20 signatures on them representing the twelve owners of the properties up and down Tapadero. Mr. Kozac the attorney, when they started this, got some of those omitted because some of those people would not agree to the annexation. Anything that was posted out there, anything that was done, was only Tapadero Waste Water District. Now, someone took those 12 petitions for the Tapadero Waste Water District and the second part of this, stapled those twelve petitions the Tapadero District [which] says "We are the owners of this property and we agree to be annexed." They took those twelve petitions, stapled them, filed them at the county, and said ""We are the owners of the 135 acres and we agree to be annexed." This is what is wrong. We haven't been able to bring that issue to you because the only thing that has been before you now is the zoning. That is where this started. And when the people got the notice of the zoning thing, and they went to the meeting September 25<sup>th</sup> or 15<sup>th</sup> at the Prescott Country Club; 300 people showed up, and when they said how can you do this, how can the Town of Prescott Valley issue building permits, we're in the county. And they said that got annexed last year, didn't you guys go, are you sleeping down there all the time. Got annexed. Nobody knew. You might as well know that tonight. That is where the problem has started. I took pictures in the county I have copies of all those petitions, same twelve got stapled to the 135 acres as got stapled to the Tapadero Waste Water District. You guys were brought and read an ordinance, whatever it was, I even asked the Town Clerk when did the Country Club get annexed a couple of months ago and she said I have no idea. It was so deliberately written when it came out in the paper, we checked back in November 10<sup>th</sup> in the Prescott Courier, it said the Prescott Valley is going to annex portions of Section 22, 23 and 24 Township 17N., Range 2E., consisting of 135 acres of the Gila and Salt River Base Meridian. There isn't one person out of 40,000 if they read that would have realized or looked it up. It is the most vague description of the property. It didn't say the Town of Prescott Valley is going to annex the Prescott Country Club, Dewey, a portion nothing. You go back and look at it; I'll provide you all a copy in the morning. That's what ... I don't know if the intent was deliberate to deceive, but nobody knew and nobody facing that got any notification."

Mayor Skoog thanked Ms. Duncan and said somehow or another we are getting a mixed message. He asked if Richard wanted to comment.

Richard Parker said “representation that the Town is doing something illegal really bothers me. The Town takes great pains to follow the letter of the law. There are public postings, photographs of public postings. Property owners have the right to request annexation. They can do so by petition. They bring those petitions amounting to the majority plus one percent of the affected properties. Those petitions were filed as was pointed out per state law, with the County. We went through a series of public hearings. I attended meetings of the Townhouse Association on a Saturday. I attended meetings elsewhere to advise people that we were annexing property. The Townhouse Association was interested because they thought since we annexed the golf course, the package treatment plan that resides on the golf course that the Town would take it over and operate it for them. He resents hearing the accusation that either he or someone he supervises would do something underhandedly. We followed by the letter of the law – the requirements for notice, process for annexation. That process has taken several months and has been done per standards of law. And I really resent people suggesting that anyone that I am associated with has done something underhanded. I think that is out of order Mr. Mayor.”

Mayor Skoog said somehow we have gotten a little off the track. We are talking about 9,200 square feet and somehow it is gone into something off the agenda item. Mayor Skoog closed the discussion on it.

Council Member Whiting commented that he has had experience through the StoneRidge HOA and residents there. They do have an impact in terms of what is going on in your community and neighborhood. Listening to the dialogue there has been a lack of communication perhaps between the owners and the residents. That would be his first consideration is to meet with the owners to make sure what is occurring. He agrees with Richard that he doesn't think that anything we have been doing has been under handed or not been in the public the way it should be. Perhaps these things have occurred over time that perhaps don't look like circumstance, but were planned. I don't think that was the case. When you do look at changes in uses of property then that brings interest to other people, so it may have been just the process of the annexation and the fact that it was publicized that did increase interest in terms of other people who may want to get involved with what is going on there. His feeling is that they definitely need to speak with the owners and get a better perspective as far as what is planned. He thinks the Town spelled out everything in terms of what we look to be accomplished as part of this rezoning effort which he doesn't think is connected to the other issues that they related to tonight. It is strictly a garage and as they heard it is going to be used as a garage or they will have to come back requesting that it be used for a different use. But the parking situation, if they are offset by eight or twelve different spaces they will be replaced somewhere else. That is part of the process. There is an opportunity for the community as well to look at the design phase of how that will look. We have a basic as far as the structure outside. They will have plenty of opportunity to provide input. Again, look at the fact that the owners have created an investment and they want to work that investment and that is something within the confines of zoning is their right to do. If it is conforming to the plan [General Plan 2025] that they recently approved then it is just hard to look at how it could not occur otherwise and not behind closed doors or under the table. He has sat on P&Z and thinks it is a great forum, that they were there and voiced their opinions. The

Commissioners took all that into consideration and they will with the other issues that are coming forth as part of that entire project. That is the venue they need to stay close to as well as communicating with the owners.

Vice Mayor Nye made the MOTION, seconded by Council Member Whiting, to authorize the Mayor (or, in his absence, the Vice Mayor) to sign Resolution No. 1894 adopting the attached Minor Amendment to the Prescott Valley General Plan 2025 (GPA14-005), by electronic vote. MOTION carried with 7 ayes and 0 nays.

*e. Public Hearing - Zoning Map Change (ZMC14-005) - Desert Development*

Mayor Skoog opened the public hearing.

Community Development Director Richard Parker said this is intertwined following the General Plan 2025 Amendment. This is the actual nuts of and bolts which would permit the rezoning of 9,200 square feet to move forward to a commercial district for parking. Council received the comments from the public during the prior two agenda items. He suspects that the current blacktop area that is being used for parking is currently zoned residentially. The 9,200 sf would be used to construct a 2,000 sf building in which a portion of it will be used to store golf carts and the owner would be compensated. That is the basis that commercial zoning becomes necessary to make it permitted. Stipulations that are offered by the P&Z Commission regard specifics which will come to Council in a commercial Final Development Plan stage which is somewhat unusual for a garage but given the concern about the way it would look and the impacts to parking they thought it was reasonable. A recommendation from the Commission is that this be limited very narrowly in its commercial use for only the storage of up to eight golf carts for people who golf at the Prescott Golf Club. The Commission unanimously recommended this action subject to these stipulations.

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

*f. Consideration of approving the reading of Ordinance No. 798 by title only on two separate occasions, then place the same on final passage approving Zoning Map Change ZMC14-005 - Desert Development*

Council member Whiting commented he has been there many times and knows the area and loves the facility. He knows the parking lot which is a very large parking lot, he feels comfortable with the proposed use of the property will be the use that is incorporated. This is another investment to the property that will increase the property value. The owner has the right to rent out if he feels like it. The impact of eight golf carts that may or may not be in that parking lot will be in other places in the neighborhood. He understands what they are looking at and he would be concerned too and would like to have all the information to base a qualified decision on. We have staff here who are willing to communicate with you. He suggested they meet with the HOA or concerned residents of the community with the owners of that property.

Council Member Marshall made the MOTION, seconded by Council Member Anderson, to read Ordinance No. 798 by title only on two separate occasions, and then place the same on final

passage approving Zoning Map Change ZMC14-005 - Desert Development, by electronic vote. MOTION carried with 7 ayes and 0 nays.

Town Clerk Diane Russell read the ordinance by title only for the first reading.

g. Public Hearing - Zoning map Change (ZMC14-007) - Garrett-Walker Homes

Mayor Skoog opened the public hearing.

Community Development Director Richard Parker said everyone is familiar with the original sales office facility for Pronghorn Ranch. That facility has been vacant for some time. Pronghorn Ranch is building houses quite robustly of late. Therefore, the newer developers in that project Garrett Walker Homes would like to have greater exposure to customers on the highway, Viewpoint Drive and Pronghorn Drive. They propose to use the facility now as a sales office facility. We used to accommodate sales offices by use permit, but having done so many through the Board of Adjustments, Town code was amended to permit that use in association with an approved plan. Because this satellite is outside the boundaries of Pronghorn Ranch, it takes an action by the P&Z Commission and Town Council. The applicant proposed to rezone the property from residential to RS (offices). Sales would be limited to the Pronghorn Ranch development. The Commission heard no objection to the proposal and forwarded this with a recommendation for approval from Council. The matter would be presented to the Board of Adjustments for a use permit approval of the facility in a RS district if Council approves the ordinance.

Vice Mayor Nye commented that in light of what just happened with the prior agenda item that it is important to note that a neighborhood meeting was held on this issue on September 15th at the Pronghorn Ranch Community Center and no one attended. Parker added that he has not received any comments either way on this issue.

No comments were received.

Mayor Skoog closed the public hearing.

h. Consideration of approving the reading of Ordinance No. 799 by title only on two separate occasions, then place the same on final passage approving Zoning Map Change ZMC14-007 - Garrett-Walker Homes

Council Member Grossman made the MOTION, seconded by Council Member Marshall, to read Ordinance No. 799 by title only on two separate occasions, and then place the same on final passage, by electronic vote. MOTION carried with 7 ayes and 0 nays.

Town Clerk Diane Russell read the ordinance by title only for the first reading.

12. COMMENTS FROM THE PUBLIC

No comments were forthcoming

13. ADJOURNMENT

Vice Mayor Nye made the MOTION, seconded by Council Member Whiting, to adjourn the meeting, by electronic vote. MOTION carried with 7 ayes and 0 nays.

Mayor Skoog adjourned the meeting at 7:39 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, November 6, 2014.

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

Dated this November 12, 2014

\_\_\_\_\_  
Diane Russell, Town Clerk